

SPECIAL BUDGET WORK SESSION AGENDA



Casper City Council
City Hall, Council Meeting Room
Wednesday, May 24, 2023 at 4:30 p.m.

Special Budget Work Session Agenda		Recommendation	Beginning Time	Allotted Time
Recommendations = Information Only, Move Forward for Approval, Direction Requested				
1.	Council Budget Review	Direction Requested	4:30	20 min
2.	Aquatic Center Roof Deck Funding Plan	Move Forward for Approval	4:50	20 min
3.	MRG Request - Part 2	Direction Requested	5:10	15 min
4.	Robertson/Trevett & Miscellaneous Land Sales	Direction Requested	5:25	15 min
5.	Electrical Code	Information Only	5:40	20 min
6.	Ice Arena Expansion Funding & Design	Direction Requested	6:00	20 min
7.	Ford Wyoming Center Fund Subsidy	Direction Requested	6:20	20 min
8.	Amending Various Utility Billing & Water Metering Fees	Direction Requested	6:40	20 min
9.	Council Around the Table		7:00	15 min
Approximate End Time:				7:15

*** Reminder ***

When the red on-air light is on, the meeting is being live-streamed. Also, the microphone is very sensitive, and wrapper crinkling, side conversations, etc. can make it difficult for citizens to hear discussion.

Please silence cell phones during the City Council meeting.

May 15, 2023

MEMO TO: J. Carter Napier, City Manager *sw*
FROM: Zulima Lopez, Parks, Recreation and Public Facilities Director
Jill Johnson, Financial Services Director
SUBJECT: Aquatic Center Roof Deck Funding Plan

Meeting Type & Date

Council Work Session
May 24, 2023

Action type

Direction Requested

Recommendation

Staff recommends reducing the project contingency from 15% to 5% and changing the project funding from the State Land and Investment Board Construction Loan to a loan from Perpetual Care for the original project costs of \$1.8M which will be repaid with 1%17 funds and the balance of funding provided by capital reserves.

Summary

The Casper Family Aquatics Center roof deck was evaluated by structural engineers in 2022 after significant corrosion of the steel deck was observed by City staff. A final report provided in June 2022 recommended replacement of the damaged structural roof deck, vapor barrier, and membrane roofing systems to avoid catastrophic failure and associated safety risks. The report warned that the work should be completed within the next three years to avoid structural compromise to a level that poses a risk to life safety and property.

In Council resolution 22-133, Council provided direction on the allocation of 1%17 anticipated revenues over the next 4 years. The Aquatics Center Roof Deck was included in the allocation for a total of \$1,864,000: \$508,000 from Public Building Repairs and \$1,356,000 from Sports and Physical Fitness, with \$466,000 allocated each year over the 4 years starting in FY25. This budget request was based on estimates provided by the consultants that completed the building assessment in 2022.

City staff have estimated 1%17 will produce \$64,500,000 in funding over the 4 years of collections. The 1% funds come in each month over the 4-year period. It is necessary to allocate the funding over the 4 years so the projects being funded have cash on hand. However, because of the critical nature of the roof condition and the need to start construction earlier than FY27 when all the funds would be on hand, alternative funding was explored.

On February 14, 2023, City Council provided direction for staff to apply for a SLIB Capital Construction Loan, which would create funding for the project in FY24 with repayment of the

project costs over five years, which fits the 1%17 allocation schedule. Since submitting the application, the City has learned that the Wyoming Legislature through SF0071 increased the interest rate for the loan from 1% to 3.47%. At the new rate, the interest would increase \$142,162 over the five-year loan for a total of \$198,453 instead of the \$56,291 that was originally estimated. Moreover, final project design estimates provided by GSG Architecture on May 5, 2023, estimate the cost of the project, with a recommended 15% bidding and construction contingency, at \$2,415,693. This is \$551,693 over the original estimate and corresponding 1%17 allocation. Considering the significant changes in the project estimate and previously approved funding strategy, staff is seeking Council direction regarding a new and/or updated funding plan.

Financial Considerations

There have been several financial changes to this project since the last time it was reviewed by Council. When originally presented to council, the recommendation was to apply for and secure a State Land and Investment Board (SLIB) loan as the interest of the loan was much lower than our investment return. The Wyoming Legislature recently approved SF0071 which increased the loan rate so it equals the yield on a US treasury security for the same duration of the loan. For the loan we are requesting, the interest will go from 1% to 3.47% making the loan option more expensive.

In addition to the loan becoming more expensive, the project costs have also increased by \$551,693. Within the project costs, the contractor is recommending a 15% contingency. If the contingency was reduced to 5%, the project costs would be reduced from \$279,600 to \$93,200, adjusting the additional funding requirements by \$186,400 to \$365,293. The total project cost, with the reduced contingency, would be \$2,229,293.

The two options previously offered are listed below with updated costs of each option.

Investments could be liquidated to provide funding for this project now and be replaced over the next 4 years as the funds are received from 1%17 until the balance was repaid. The most recent investment performance report shows a yield to maturity of 4.51%. The original estimated cost of \$1,864,000 and assuming the funds would be returned to investments at the end of each year after the 1% was collected, the lost revenue from investments at 4.51% would be approximately \$126,100. For the total increased cost of \$2,229,293 which assumes the reduced contingency, and assuming only the \$1,864,000 would be returned at the end of each year, the additional lost interest income would be approximately \$24,713 for a total lost investment interest of \$150,812 over the 4 years.

The State Land and Investment Board offers a Capital Construction Loan Program for which this project would qualify. The loan is from 5 to 25 years and the interest rate is adjusted for the longer the term. As the collections for the 1% are over the next 4 years, the loan term would be 5 years. The interest rate would be 3.47% and there would be a one-time origination fee of 0.5%. The origination fee would be \$9,320, annual loan payments would be \$412,491 and interest over the life of the loan would be \$198,453. The payments are due annually and would be funded from the 1% allocation. The 1%17 will cover the principal and the budgeted balance not used for the design will cover about half of the interest (\$100,000). The additional \$98,453

of interest and \$365,293 of project costs, assuming the contingency reduction, would be covered by capital reserves without any revenues to replace these expenses.

With this new set of facts, the liquidation of investments is the less expensive option for funding this project.

Oversight/Project Responsibility

Zulima Lopez, Parks, Recreation & Public Facilities Director
Jill Johnson, Financial Services Director

Attachments

None

March 1, 2023

Fly Casper Alliance
139 W. 2nd St Suite 1-D
Casper, WY 82601

Casper City Council
200 North David Street
Casper, WY 82601

Dear Council Members:

As you may be aware, the County has entered into two Minimum Revenue Guarantees (MRGs) to maintain commercial air service with SkyWest between Casper and Salt Lake City (SLC). The first MRG began November 1, 2021 and was required due to the lingering effects of COVID and higher jet fuel costs. Up to that date, SLC service was operated fully at risk by SkyWest. Unfortunately, while higher fuel costs remain, increased labor costs have made the 50-passenger aircraft flying increasingly expensive. SkyWest has requested an MRG from January 1, 2023 through June 30, 2023 in the amount of \$880,583. The State of Wyoming has traditionally funded 40% of that amount, leaving the local (non-State) portion of the MRG of \$528,350. The Fly Casper Alliance is requesting \$50,000 in City of Casper funds to apply towards that MRG.

The Airport Board of Trustees has been working with SkyWest to bring in a larger aircraft starting in July. While the larger aircraft incur increased operating costs, they also have between 20 and 26 additional seats that can/will generate revenue and reduce (or eliminate) the financial burden to the local community and State. While we all wish that the MRG would go away, it seems to be the future of rural air travel on routes that are intermittently unprofitable. This is what has happened at the Casper/Natrona International airport. Across the country we are seeing rural, commercial airports lose their commercial air service and the consequences to their communities are devastating. Businesses go away, people go away, no new businesses come in due to a lack of air service, and the communities languish. We believe with larger aircraft we can minimize or eliminate any MRG requirement by making this route consistently profitable year-round. We should note that currently no airport in Wyoming operates commercial air service without some level of MRG support from local, State and Federal funding. The Casper/Natrona International Airport has been wisely managed and didn't require MRG support from SkyWest prior to COVID.

Casper enjoys a very good relationship with SkyWest, and they have gone above and beyond to work with our community to continue providing air service while we assemble the money to keep the SLC service in place. As Casper is the business center of the State, it is imperative that we maintain the SLC service to keep and attract new businesses as we diversify revenue sources for the City and the State. Several years ago, Boise, in an effort to attract new businesses and venture capital money, took a gamble on a direct flight to the Bay Area. That gamble paid off and new tech firms relocated to Boise funded by venture capital from out of the State because Boise had accessible air service. SkyWest/Delta provides a gateway to those same technology companies and venture capital money on the West Coast. Not to mention Casper/Natrona County International Airport is the only airport in Wyoming with a Foreign Trade Zone (FTZ) and US Customs office. Subsequently, the airport has unique attributes to attract new industries and to grow and expand the local and state business diversification efforts.

Because one of the biggest factors driving the MRG is pilot shortage (and higher pilot labor costs), the Fly Casper Alliance is trying to ease the pilot shortage, especially in Wyoming. We are supporting students at Casper College who are pursuing degrees as commercial pilots by raising money for flight

school grants to offset the very expensive flight time. We are also working with the College to connect potential pilots to the SkyWest Cadet program that guarantees the students a job interview and seniority in the airline if they are hired once they attain the required number of flight hours, which for a student with an associate degree is 1,200 hours. Aside from raising money to meet the MRG, the Fly Casper Alliance is working to be a part of the pilot shortage solution and make Casper a go-to community for well-trained pilots.

The Fly Casper Alliance is a 501(c)4 organization and is an affiliate of Advance Casper which is a public/private economic development entity formed to diversify and grow business in the Casper, Natrona County area. Funds for the MRG will be kept in a separate bank account and used solely for the purpose of the MRG if SkyWest isn't making their minimum revenue goals. Unused funds will carry over. We ask for your favorable consideration and would be more than willing to meet with the Council during a work session to discuss this more and answer any questions you may have.

Sincerely,



Kaycee Wiita
Board Chair
Fly Casper Alliance



c: Carter Napier, City Manager

American, Delta, and United have collectively dropped 74 US airports since the pandemic — see the full list

Taylor Rains and Bianca Giacobone

Updated

Apr 5, 2023, 12:18 PM



American Eagle regional aircraft. Markus Mainka/Shutterstock

Regional airports have become one of the biggest casualties of the coronavirus pandemic.

Aviation consulting firm Ailevon Pacific reviewed Cirium data to determine which airports the US' biggest airlines have left since 2020. In September 2022, the company's research revealed American Airlines, Delta Air Lines, and United Airlines had exited 59 airports.

The three major airlines have since dropped 15 more regional airports.

In total, American has left 19 airports, Delta has exited 17, and United has departed 38.

While most of the airports are still served by competing carriers, a few were left without any airline service. For example, American has departed Williamsport, Pennsylvania, which has seen another operator yet.

Some of the airports are part of the Essential Air Service, a federal program that was established to ensure certain communities do not lose their connection to the national air network by subsidizing airlines to operate routes to the protected cities. Williamsport is not on the list.

Pierre and Watertown in South Dakota, two cities cut by United in November 2021, are EAS airports. Denver Air Connection took over the service for United.

The trend of airlines leaving small markets is not new and became common during the COVID-19 pandemic, though the trend is continuing. American, Delta, and United have all cut routes in recent years, citing poor performance and the pilot shortage as contributing factors.

Henry Harteveltdt, president and travel industry analyst of Atmosphere Research Group, told Insider in an earlier interview that routes to many regional airports are simply unsustainable.

"As hard as it is for the people that live in these small towns to lose airline service, it is an unfortunate reality that airlines are not just going to serve a city out of civic responsibility," he said.

Harteveltdt further explained that "airlines are going to seek out markets that they believe will give them an advantage, but if a city isn't profitable, they will cut it."

The lack of crews has also pushed airlines, including American and United, to ground regional aircraft because they simply don't have enough pilots to fly them.

Here's the breakdown:

American

- Fairbanks, Alaska
- Arcata/Eureka, California
- Long Beach, California
- Oakland, California
- New Haven, Connecticut
- Columbus, Georgia
- Dubuque, Iowa
- Sioux City, Iowa
- Duluth, Minnesota
- Meridian, Mississippi
- Hattiesburg, Mississippi
- Joplin, Missouri

- Islip, New York
- Ithaca, New York
- New Windsor, New York
- Stewart, New York
- Toledo, Ohio
- Williamsport, Pennsylvania
- Cheyenne, Wyoming

Delta

- Fort Smith, Arkansas
- Santa Barbara, California
- Durango, Colorado
- Grand Junction, Colorado
- Peoria, Illinois
- Flint, Michigan
- Lincoln, Nebraska
- Manchester, New Hampshire
- Newburgh, New York
- New Bern, North Carolina
- Akron, Ohio
- State College, Pennsylvania
- Erie, Pennsylvania
- Wilkes-Barre, Pennsylvania
- Newport News, Virginia
- La Crosse, Wisconsin
- Cody, Wyoming

United

- Texarkana, Arkansas
- Flagstaff, Arizona
- Santa Rosa, California
- Stockton, California
- Alamosa, Colorado
- Pueblo, Colorado
- Destin-Fort Walton Beach, Florida
- Tallahassee, Florida
- Hilo, Hawaii
- Twin Falls, Idaho
- Springfield, Illinois
- Evansville, Indiana
- Paducah, Kentucky
- Alexandria, Louisiana

- Monroe, Louisiana
- Kalamazoo, Michigan
- Lansing, Michigan
- Muskegon, Michigan
- Rochester, Minnesota
- Cape Girardeau, Missouri
- Columbia, Missouri
- Fort Leonard Wood, Missouri
- Kearney, Nebraska
- Ogdensburg, New York
- Plattsburgh, New York
- Erie, Pennsylvania
- Pierre, South Dakota
- Watertown, South Dakota
- Abilene, Texas
- College Station, Texas
- Killeen, Texas
- San Angelo, Texas
- Shenandoah, Virginia
- Everett, Washington
- Clarksburg, West Virginia
- Lewisburg, West Virginia
- Eau Claire, Wisconsin
- Wausau, Wisconsin

SkyWest MRG History - Budget vs. Actual

		Budget	Actual	Difference	
MRG 1	2021	November	(\$114,727)	\$375	\$115,102
		December	(\$133,800)	(\$19,473)	\$114,327
		January	(\$125,705)	\$26,576	\$152,281
		February	(\$121,354)	(\$13,254)	\$108,100
		March	(\$137,610)	(\$10,879)	\$126,731
		April	(\$121,835)	(\$46,118)	\$75,717
MRG 2	2022	May	(\$75,919)	\$8,208	\$84,127
		June	(\$73,469)	\$8,529	\$81,998
		July	(\$75,919)	(\$38,074)	\$37,845
		August	(\$75,919)	(\$16,946)	\$58,973
		September	(\$73,469)	(\$42,494)	\$30,975
		October	(\$75,919)	(\$63,328)	\$12,591
		November	(\$73,468)	(\$134,689)	(\$61,221)
		December	(\$75,918)	(\$149,878)	(\$73,960)
		January	(\$187,793)	(\$204,480)	(\$16,687)
		February	(\$169,620)	(\$144,313)	\$25,307
		March	(\$131,544)	(\$92,298)	\$39,246
		MRG 3	2023	April	(\$137,493)
May	(\$129,150)				
June	(\$124,984)				
	<u>(\$1,843,988)</u>			<u>(\$932,536)</u>	<u>\$911,452</u>

May 18, 2023

MEMO TO: J. Carter Napier, City Manager *jal*
FROM: Liz Becher, Community Development Director *lb*
Craig Collins, AICP, City Planner *cc*
SUBJECT: Potential Sale of City-Owned Property at Robertson Road and Trevett Lane

Meeting Type & Date:

Council Work Session, May 24, 2023

Action Type:

Direction Requested

Recommendation:

That Council consider a purchase offer for City-owned land submitted in response to a Request for Bid (RFB), and provide direction to staff to accept, or reject, the bid pursuant to Wyoming State Statute 15-1-112 (a).

Summary:

A Request for Bid (RFB) was published in March 2023 for a parcel of City-owned land at the northwest corner of Robertson Road and Trevett Lane. This 9-acre tract is currently zoned PUD (Planned Unit Development), and has been offered for sale over the past ten (10) years approximately eight (8) times; most recently in November 2022, prior to the RFB in March of this year. No bids were submitted in the past offerings even though the City has indicated a willingness to entertain a rezone of the property upon acceptance of a bid offer. The 2022 appraised, (as-is) value of said property is \$1,035,000.

The City did receive one bid following the March 2023 RFB from Fairgrounds Plaza, Inc. The bid offer is for \$536,174.40, and proposes to develop 60+ twin home lots with 2-bedroom, 2-bath, barrier free homes, at approximately 1,200 square feet with attached garages. The homes would be marketed for sale to the public on the open market. The style of the homes will be similar to what the developer built along Fairgrounds Road.

As noted in the bid terms and conditions, the bidder must include written justification for bids that are less than the full appraised value of the property. The bidder has reduced his offer from the appraised value to accommodate for the infrastructure easement along the eastern edge of the property, the proposed road easement dedication to the City, and current interest and inflationary costs associated with housing developments.

The bid is attached and has met the required terms and conditions. The RFB was published in the Casper Star Tribune for three (3) consecutive weeks, and posted on the City website and social media pages for a month with a corresponding press release.

Financial Considerations:

Revenues from the sale of City-owned properties are included in the Revolving Land Fund budget.

Oversight/Project Responsibility: Planning staff in the Community Development Department will oversee this project.

Attachments:

Legal Notice – Sale of City-Owned Land
Bid Response from Fairgrounds Plaza, Inc.

LEGAL NOTICE
SALE OF CITY-OWNED PROPERTY

The City of Casper, Wyoming will accept sealed bids for the purchase of the following described, real property. All sealed bids must be received, in hard copy, no later than 5:00 P.M. on Friday, May 5, 2023, in the Community Development Director's Office, City Hall, 200 North David Street, Casper, Wyoming 82601. PLEASE READ THE BID TERMS AND CONDITIONS CAREFULLY. INCOMPLETE OR DEFICIENT BIDS MAY BE DISQUALIFIED OR REJECTED.

PROPERTY DESCRIPTION

A 9-acre, more or less, property located west of Robertson Road and north of Trevett Lane, described as Lots 1, 2, 3, and 4 of the Robertson Road Addition to the City of Casper, said property being subject to right-of-ways and easements of record. The property is currently zoned PUD (Planned Unit Development). The City of Casper would entertain a rezone of the property, pursuant to the procedures of Title 17 of the Casper Municipal Code. The 2022 appraised, (as-is) value of said property is \$1,035,000. A vicinity map showing the approximate location and configuration of the property is attached, and a sign indicating the approximate location of the property is displayed on/near the property for reference.

Robertson Road Addition



For any questions about the property, or to obtain the Bid Terms and Conditions, please contact the Community Development Department, City of Casper, Wyoming, 200 N. David, Casper, WY 82601, (307) 235-8241, or Email planning@casperwy.gov.

Dated this 15th day of March, 2023.

Liz Becher
Community Development Director
City of Casper

Please Publish: Sunday, March 26, 2023
 Sunday, April 2, 2023
 Sunday, April 9, 2023

CITY OF CASPER PROPERTY SALES - BID TERMS AND CONDITIONS:

1. The property will be sold “as-is, where-is” and are subject to all defects, liens, encumbrances and faults, environmental or other. The City of Casper makes no warranties or guarantees whatsoever, whether written, oral, or implied, as to quality, condition or habitability;
2. The City reserves the right to reject any and all bids, and to waive any technical defects;
3. For bids that are less than the full appraised value of the property, bidder shall include written justification for the sale of the property at the amount offered. The City will sell the real property to the highest bidder under the terms and conditions herein, unless the Casper City Council rejects all bids pursuant W.S. § 15-1-112(a).
4. The successful Bidder will be required to submit a cashier’s check payable to the City of Casper in an amount equal to ten percent (10%) of the accepted bid price as an earnest money deposit within ten (10) business days of notification from the City of the acceptance of said bid by the Casper City Council. This earnest money deposit shall be held by the City of Casper for the faithful payment of the balance of the purchase price by the successful Bidder at the closing on said real property. The terms of the sale are cash with a cashier’s check due at closing;
5. Payment to the City of Casper shall be by cash, or cash equivalent. Failure to obtain financing during the closing process does not relieve the buyer of his/her legal responsibility and obligation for completion of the contract. Failure to comply with all provisions of the sale, terms and conditions may result in termination of the sale;
6. Title will be conveyed by Quit Claim Deed at the time of closing;
7. Issuance of a deed will be held, subject to clearance of funds;
8. The property shall be sold to the highest responsible bidder. The responsibility of the bidders shall be determined solely by the Casper City Council;
9. The property sale is contingent on final Casper City Council approval;
10. Successful bidder shall be solely responsible for any and all costs related to title and lien searches against the real properties, as well as for any title insurance commitment or policy;
11. The successful bidder shall be solely responsible for any and all real estate taxes and special assessments levied against the real properties from, and after, the date of closing;
12. The closing on the property shall be scheduled at a time convenient for both the successful Bidder and the City, within thirty (30) days after the Casper City Council has approved the purchase at a scheduled public hearing;

13. Bidders are invited, urged, and cautioned to inspect the property prior to submitting a bid. Failure to inspect the property shall not constitute cause for cancellation of the sale;
14. The placement of a successful bid establishes a legally binding contract between the successful bidder and the City of Casper. The City Council's acceptance of the high bid establishes the contract, and the bidder may not withdraw its bid;
15. All Bidders shall be eighteen (18) years of age, or older, on the date of submittal of the bid;
16. In the event a person is bidding on behalf of another party, an original notarized Power of Attorney must be presented with the bid. Said Power of Attorney must contain appropriate language for having the authority to bid/purchase real property;
17. Persons bidding in the name of a corporation, business, or LLC must present appropriate official documentation to show proof of eligibility to bid on behalf of the entity;
18. **Bidders must submit a phone number, mailing address, E-mail address, and a copy of valid government issued photo ID with the bid;**
19. Changes may be made on the day of the sale to the property status or descriptions. These changes take precedence over previous information pertaining to that property, but do not alter in any way the basic terms and conditions of the sale;
20. All information contained in the notice was derived from sources believed to be correct, however, there is no guarantee. Bidders acknowledge that they have relied entirely on his/her own information, judgment and inspection of the property;
21. It is the buyer's responsibility to ascertain and comply with all applicable federal, state, and local laws, ordinances and regulations;
22. The buyer shall pay one hundred percent (100%) of closing costs and fees.
23. The City of Casper reserves the right to withdraw the property from the bid process at any time, for any reason.
24. Bidding documents and related materials must be submitted in hard copy to the address/Department listed herein. Digital files and/or Emailed bids are not acceptable.

OFFER TO PURCHASE

A 9-acre, more or less, property located west of Robertson Road and North of Trevett Lane, described as Lots 1,2,3, and 4 of the Robertson Road Addition to the City of Casper, said property being subject to rights-of-way and easements of record. The property is currently zoned PUD (Planned Unit Development). Proposed Re-Zone - C-2 General Business to allow for proposed project configuration similar to Fairgrounds Estates at Casper Street

Attached is a DRAFT PLAT of what is envisioned for the property at Robertson & Trevett. We propose to develop 60 +- TWIN HOME lots with small 2-bedroom 2-bath barrier free homes at approximately 1,200 square feet with attached garages. These homes would be marketed and for sale to the public on the open market. The existing Easement consist of approximately 47,985 sq. ft. of land and the road dedication consist of approximately 90,190 sq. ft. of land.

The Math: Indicated Appraised Value. \$ 1,035,000., or \$2.64 / sq. ft.,

-\$ 126,680., Infrastructure Easement consist of approximately 47,985 sq. ft.

-\$ 238,102., Road Easement Dedication consist of approximately 90,190 Sq. Ft.

x80% of value as interest and inflation has burdened any affordable housing development

PURCHASE OFFER: \$ 536,174.40 Five Hundred Thirty Six Thousand One Hundred Seventy Four Dollars and 40/100

Purchaser:

FAIRGROUNDS PLAZA INC., 39 East 1st Street, Sheridan WY 82801

President:

Stephen L Grimshaw



39 E 1st Street, Sheridan Wy 82801

Phone; 307-267-8159

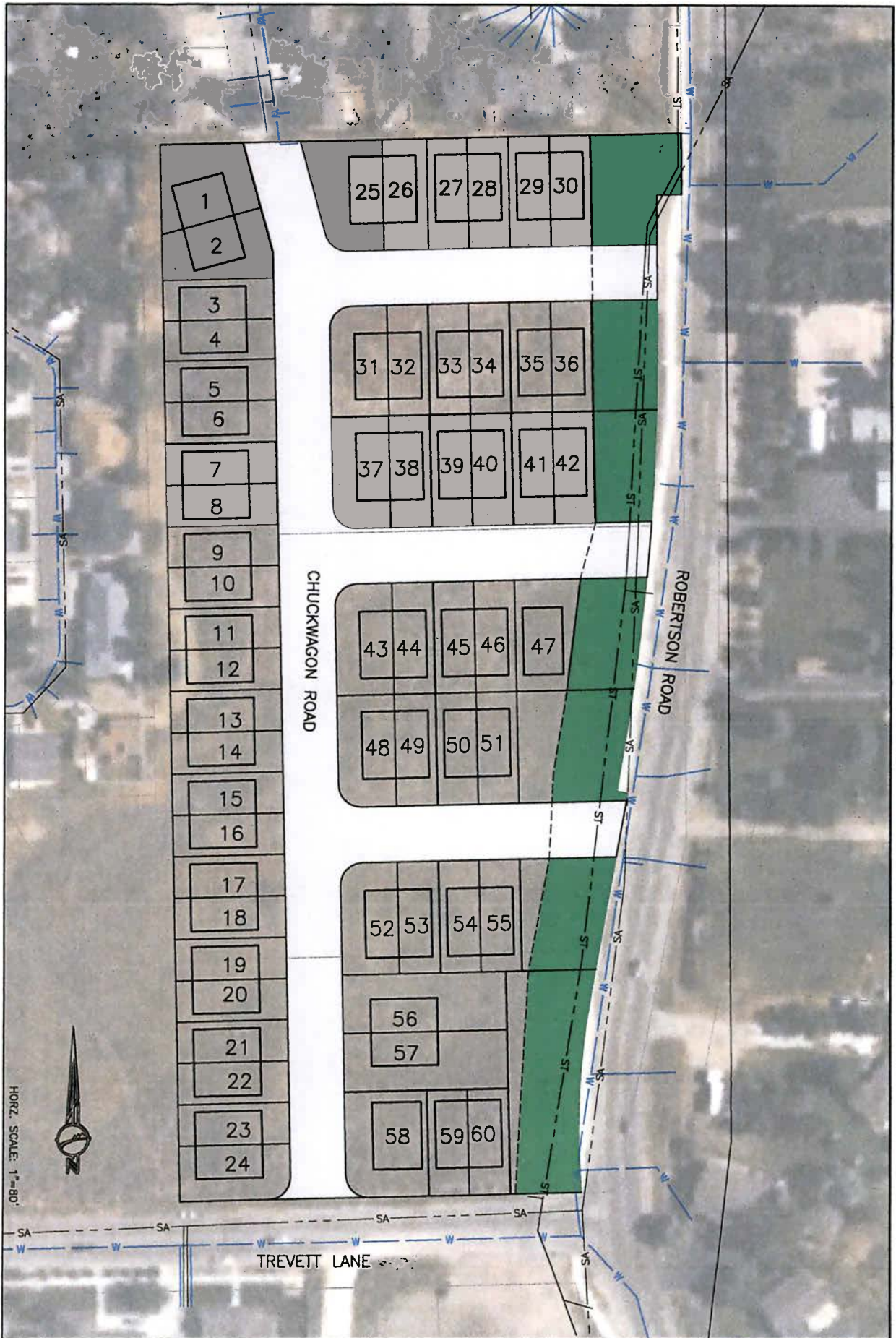
E-mail; stephen@grimshawinvestments.com

Seller:

City of Casper, Community Development Director, Lis Becker

200 N. David, Casper WY 82601

Phone 307-235-8241, Email planning@casperwy.gov



HORIZ. SCALE: 1"=80'



DATE: 5/3/23
SHEET: 1 OF 1

**ROBERTSON ROAD TWINHOMES
CONCEPTUAL LAYOUT**

Drawn By: BOH W.O. No.:
 Chk. By: Book No.:
 Acad File:
 FOR: FAIRGROUNDS PLAZA INCORPORATED
 39 E. FIRST STREET
 SHERIDAN, WY 82801



May 18, 2023

MEMO TO: J. Carter Napier, City Manager *JCN*

FROM: Liz Becher, Community Development Director *LB*
Jacob C.J. Black, Fire Chief *JCB*
Devin Garvin, Deputy Chief *DG*
Justin Scott, Building Inspector II *JS*
Craig Collins, City Planner/Building & Code Enforcement Mgr./Interim Building Official

SUBJECT: 2023 NFPA 70, National Electrical Code (NEC)

Meeting Type & Date:

Council Work Session, May 24, 2023

Action Type:

No Formal Action Required – Information Only

Summary:

Every three (3) years, the National Fire Protection Association (NFPA) updates NFPA 70, the National Electrical Code (NEC), which is overwhelmingly used by the vast majority of jurisdictions in the United States as the basis of ensuring public health and safety related to new construction and remodels of existing structures. On July 1, 2023 the State of Wyoming will be utilizing the 2023 NFPA 70, National Electrical Code as it is currently adopting it as is customary with every Code cycle. As a Home Rule community, the City of Casper is required to adopt, at a minimum, the same codes as the State of Wyoming. Failing to do so would result in the State taking over building code enforcement/compliance jurisdiction from the City. (*Wyo. Stat. § 35-9-106 and Wyo. Stat. § 35-9-121*).

City Building Division staff have reviewed the changes that are occurring in this Code cycle, and determined that the significant changes in this cycle are as follows:

1. Ground fault circuit interrupter (GFCI) protection will now be required for all 125 V through 250 V receptacles in dwelling unit kitchens. 210.8 (A) (6)
2. Buffet serving locations are required to be GFCI protected. 210.8 (B) (4)
3. Commercial appliances within 6 ft of a sink will require GFCI protection. 210.8 (B) (7)
4. Dwelling unit specific appliances will now require GFCI protection. Such items include, but are not limited to microwaves, wall mounted ovens, and electric ranges. 210.8 (D)
Island and peninsular countertops and worksurfaces are now optional. Provisions must be made for the future installment of receptacles. If they are installed they must be installed in the work surface and not on the side of the cabinets. 210.52 (C)


5. Surge protective devices will now be required on hotels and motels, dormitory units, and areas of nursing homes and limited care facilities used exclusively as patient sleeping rooms. 230.67 (A)

These changes will not be retroactive and will, therefore, only apply to projects permitted after the 2023 NFPA 70, NEC adoption.

Attachments:

None

May 15, 2023

MEMO TO: J. Carter Napier, City Manager 

FROM: Zulima Lopez, Parks, Recreation, and Public Facilities Director
Jill Johnson, Financial Services Director

SUBJECT: Ice Arena Expansion Funding and Design

Meeting Type & Date

Council Work Session
May 24, 2023

Action type

Direction Requested

Recommendation

That Council direct staff on the total amount to budget for the City's investment to construct a second sheet of ice at the Casper Ice Arena, as well as approve joint funding of a project design, which would come from the total budgeted funds, when private fundraising reaches one half of the funding goal.

Summary

In the latter half of 2022, Council was provided with an updated feasibility study and rate models that demonstrated how the construction of a second sheet of ice at the Casper Ice Arena could eliminate the annual operating subsidy for the Ice Arena Fund. On January 10, 2023 City Council committed to partnering with private donors on the construction of a second sheet of ice. Council agreed to investing an amount somewhere between \$3 million and \$4.4 million, should private donors be successful at raising the balance of the funds needed to construct the project within an 18-month period.

Private fundraising efforts are underway, with the primary user group reporting secured funding commitments exceeding \$2 million. Considering the progress of private fundraising and the possibility of donor funds being available to deploy in FY24, staff is seeking Council's direction on the City's contribution toward the expansion project so it can be incorporated in the FY24 budget.

In addition, staff and user groups are seeking Council approval to solicit proposals for the project design once the private donors reach one half of the private funding goal. Design costs would be split equally between the City and the donors. This will assist in expediting construction of the second sheet when the full required amount of donor commitments is secured. Without approval to seek project design prior to the full funding attainment, the project could be delayed up to six months, likely resulting in higher construction costs that could ultimately jeopardize the project.

Financial Considerations

Construction of a second sheet of ice with Junior Hockey facilities is estimated at just under \$13,200,000. In the January 10, 2023 meeting, Council committed to funding somewhere between \$3 Million and \$4.4 Million toward the project. City funding options for the project may vary based on the total amount that Council commits to funding, and will depend on reserves available for capital projects.

Should City Council agree to pursue a project design and fund an equal share of the design when the fundraising reaches one half of the funding goal, the City's portion of the design cost will be taken from Council's total project allocation.

Oversight/Project Responsibility

Zulima Lopez, Parks, Recreation, and Public Facilities Director

Jill Johnson, Financial Services Director

Attachments

None

May 15, 2023

MEMO TO: J. Carter Napier, City Manager *301*
FROM: Zulima Lopez, Parks, Recreation, and Public Facilities Director
SUBJECT: Ford Wyoming Center Fund Subsidy

Meeting Type & Date

Work Session
May 24, 2023

Action type

Direction Requested

Recommendation

That Council approves the FY24 budget for the Ford Wyoming Center Fund.

Summary

OVG360, formerly Spectra Venue Management (Spectra), has been under contract for the management of Casper's event center, now known as the Ford Wyoming Center, since October 1, 2016. In the summer of 2022, City Council extended the management contract with OVG360 for an additional 10-year term.

When discussing the operation and subsidy associated with the Ford Wyoming Center, there are two distinct financial features: net operating loss (NOL) and fund subsidy. The NOL is the total deficit that OVG360 experiences in the management of the facility based on the obligations outlined in the management agreement. The net operating loss benchmark is \$994,919, and was established based on the average subsidy in the last three years the event center was managed by the City of Casper (FY14 - FY16). The NOL amount is estimated and budgeted each fiscal year. That amount is divided equally throughout the year, and paid to OVG360 monthly, in order to provide them with the cashflow needed to operate the facility. If, at the end of each fiscal year, the NOL is less than the total amount paid by the City, the City is reimbursed for the overpayment. OVG360 receives incentives for operating below the NOL benchmark of \$994,919. Conversely, they share in the financial burden if they operate above the NOL benchmark, through a refund of the management fee.

The total fund subsidy includes the NOL payments made to OVG360 as well as the expenses that the City of Casper is contractually obligated to carry as part of the management agreement. The primary expense each year is the cost of property insurance to insure the property (building) and all of the City-owned assets contained within.

The performance of the Ford Wyoming Center, from a net operating loss and total fund subsidy standpoint since FY19, as well as the proposed budget for FY24, is charted below:

Fiscal Year	FY19	FY20	FY21*	FY22	FY23 (Estimate)	FY24 (Proposed)
Net Operating Loss (NOL) Budget	\$994,919	\$994,919	\$967,932	\$964,919	\$950,000	\$920,000
NOL Payments	\$977,915	\$970,466	\$797,869	\$915,264	\$950,000	\$920,000
Fund Subsidy	\$921,577	\$1,093,670	\$1,042,713	\$1,187,497	\$976,349	\$1,107,998

* NOL payments were reduced due to COVID-19 closure/event cancellations.

Financial Considerations

The proposed FY24 budget for NOL payments to OVG360 is \$920,000, which is a \$30,000 reduction from FY23. However, the City’s insurance and bonds expense increased by 116% between FY23 and FY24, from \$82,763 to \$178,544. This contributes significantly to the FY24 subsidy budget of \$1,107,998, which is an increase of \$131,649 from the FY23 year-end estimate.

Despite a pandemic and unprecedented inflation in the last two years, the fund subsidy has remained relatively stable. For the six years charted above, the average fund subsidy is \$1,054,967. This is only \$60,048 more than the average subsidy under City operation from FY14 to FY16 of \$994,919, which was used to establish the benchmark net operating loss.

Based on data provided by Visit Casper, events held at the Ford Wyoming Center yielded just over \$25,000,000 in economic impact to Casper and Natrona County in 2019. This impact is even higher now, as annual events such as high school championships and College National Finals Rodeo (CNFR) have seen record ticket sales over the last two years. Considering this impact, it is clear that the Ford Wyoming Center is critical to the economic vitality of our community.

Oversight/Project Responsibility

Zulima Lopez, Parks, Recreation, and Public Facilities Director

Attachments

None

May 5, 2023

MEMO TO: J. Carter Napier, City Manager *JCN*

FROM: Andrew Beamer, P.E., Public Services Director *AB*
Jill Johnson, Financial Services Director

SUBJECT: Amending Various Utility Billing and Water Metering Fees

Meeting Type & Date

Council Work Session

May 24, 2023

Action Type

Direction Requested

Recommendation

That Council consider amending the fee schedule associated with administering utility billing and water metering activities.

Summary

Casper Municipal Code authorizes various fees and charges relating to the provision of water service within the City of Casper. On June 3, 1991, City Council adopted rules, regulations and fee schedules set by the dissolved Board of Public Utilities, which have not been updated since then. Staff is recommending amendments to various fees and the establishment of a fee schedule associated with administration of utility billing and water metering activities. The table below summarizes the services, associated municipal code reference, current fees, and proposed fees.

Service	Municipal Code Reference	Current Fee	Proposed Fee	Impact
Utility Refundable Deposit	13.03.050 (C)	\$75	\$100 (if account is set up on auto pay through the use of ACH) \$200 (if account is not setup on auto pay through the use of ACH)	Increase of \$125
Insufficient Funds Check Fee	13.03.070 (B)	\$30	\$30	No Change
Delinquent Late Fee – at 31 st day	13.03.070 (A) 13.03.100 (A)	No Charge	\$20	Increase of \$20
Delinquent Late Fee – at 45 th day	13.03.070 (A) 13.03.100 (A)	\$20	\$35	Increase of \$15
Water Turn On Fee (excluding new accounts, transfers, and emergency turn ons after being off for less than 24 hours)	13.03.070 (E)	\$10	\$35	Increase of \$25
Unsubstantiated Re-Read of a Water Meter	13.05.070(C) 13.03.080 (I)	\$20	\$102	Increase of \$82

Frozen Meter	13.05.070 (B)	\$145	\$66 plus meter cost (\$246 for a ¾-Inch Meter)	\$101 Increase (for ¾ meter)
Hydrant Meter Deposit	13.03.110 (B)	\$85	\$155 ¾-Inch Meter \$288 1-Inch Meter \$1,350 3-Inch Meter	Increase of \$70 (for ¾ meter)
Hydrant Meter Rent	13.03.110 (D)	\$25	\$25	No Change
Hydrant Meter Misuse – No Read	13.03.110 (D)	No Charge	\$300	Increase of \$300

Financial Considerations

Fee increases will enable recovery of costs associated with utility billing and water metering activities and will help to minimize future utility rate increases. A revenue increase of \$230,000 annually is anticipated from implementation of the updated fee schedule. The direct cost recovery received from these activities minimizes needed rate increases by roughly 1.5%.

Oversight/Project Responsibility

Oversight and responsibility are with the Public Services and Financial Services Staff.

Attachments

Resolution

RESOLUTION NO. _____

A RESOLUTION ADOPTING A FEE SCHEDULE ASSOCIATED WITH ADMINISTERING UTILITY BILLING SERVICES AND WATER METERING ACTIVITIES FOR THE CITY OF CASPER PUBLIC SERVICES DEPARTMENT, PUBLIC UTILITIES DIVISION.

WHEREAS, the City of Casper Board of Public Utilities developed a fee schedule and accompanying rules and regulations, which were kept in force after the dissolution of the Casper Board of Public Utilities in 1991, through Resolution No. 91-81; and,

WHEREAS, the City Council has the authority to, by resolution, set or amend fees intended to recover the actual costs associated with administering utility billing services and water metering activities for the Public Services Department, Public Utilities Division; and,

WHEREAS, the customer service fee schedule covers various fees associated with administering utility billing accounts and water metering activities; and

WHEREAS, the City Council has determined that an increase in customer service fees is necessary to recover actual costs associated with administering utility billing and water metering activities; and,

WHEREAS, it is the desire of the governing body of the City of Casper to rescind previous utility billing and water metering activity fee schedules, and to establish a new fee schedule for the Public Services Department, Public Utilities Division.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF CASPER, WYOMING: That any previous utility billing and water metering activity fee schedules are hereby rescinded, and that a utility billing and water metering activity fee schedule for the Public Services Department, Public Utilities Division is hereby adopted, effective July 1, 2023 as follows:

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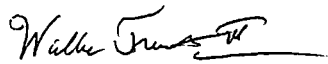
Fee Schedule

Service	Fee
Utility Refundable Deposit	\$100 (if account is set up on auto pay through the use of ACH) \$200 (if account is not setup on auto pay through the use of ACH)
Insufficient Funds Check Fee	\$30
Delinquent Late Fee – at 31 st day	\$20
Delinquent Late Fee – at 45 th day	\$35
Water Turn On Fee (excluding new accounts, transfers, and emergency turn ons after being off for less than 24 hours)	\$35
Unsubstantiated Re-Read of a Water Meter	\$102
Frozen Meter	\$66 plus current meter costs
Hydrant Meter Deposit	\$155 – ¾-Inch Meter \$288 – 1-Inch Meter \$1,350 – 3-Inch Meter
Hydrant Meter Rent	\$25 monthly
Hydrant Meter Misuse – No Read	\$300

BE IT FURTHER RESOLVED, That all other rules and regulations that were developed by the Casper Board of Public Utilities and kept in force after the dissolution of the Casper Board of Public Utilities through Resolution No. 91-81 (as they may have been amended from time to time), shall remain in full force and effect.

PASSED, APPROVED, AND ADOPTED this ____ day of _____, 2023.

APPROVED AS TO FORM:



ATTEST:

CITY OF CASPER, WYOMING
A Municipal Corporation

Fleur Tremel
City Clerk

Bruce Knell
Mayor