



CITY OF WESTWOOD, KANSAS
4700 RAINBOW BLVD.
WESTWOOD, KANSAS 66205

July 14, 2022

City Council Work Session: 6:00 PM
City Council Regular Meeting: 7:00 PM

Welcome to your Westwood City Council meeting. In an effort to mitigate the spread of COVID-19, this meeting may be attended remotely via Zoom:

Access Online:

<https://us02web.zoom.us/j/89908289796>

Access by Phone:

(312) 626-6799

Webinar ID: 899 0828 9796

CITY COUNCIL WORK SESSION AGENDA

[Note: This agenda is subject to changes, additions, or deletions at the discretion of the Governing Body]

- I. CALL TO ORDER**
- II. WORK SESSION ITEMS/DISCUSSION OF UPCOMING MATTERS**
 - A. [2023 Fiscal Year Budget Presentation](#)
- III. ADJOURNMENT TO REGULAR MEETING**

REGULAR MEETING AGENDA

[Note: This agenda is subject to changes, additions, or deletions at the discretion of the Governing Body]

- I. CALL TO ORDER**
- II. APPROVAL OF THE AGENDA**
- III. PUBLIC COMMENT**

Members of the public are welcome to use this time to make comments about City matters that do not appear on the agenda, or about items that will be considered as part of the consent agenda, or about items on the regular agenda for which the Governing Body, at its discretion, accepts public comment. Public comment should be limited to 2-3 minutes and, unless the topic of public comment is before the Governing Body as part of its agenda, no action will be taken by the Governing Body on public comment items. Please state your name and address for the record. Persons attending virtually online will be able to make public comment by using the "raise hand" function on Zoom.
- IV. PRESENTATIONS AND PROCLAMATIONS**
- V. CONSENT AGENDA**

All items listed below are considered to be routine by the Governing Body and will be enacted in one motion (roll call vote). There will be no separate discussion of these items unless a member of the Governing Body so requests, in which event the item will be removed from the consent agenda and considered separately following approval of the consent agenda.

 - A. [Consider June 9, 2022 City Council Meeting Minutes](#)
 - B. [Consider Appropriations Ordinance No. 740](#)

VI. MAYOR'S REPORT

VII. COMMITTEE REPORTS

Reports on events, meetings, updates, and policy matters or proposals undertaken by the committee for future consideration by the City Council.

- A. Administration and Compensation Committee
- B. Business and Community Affairs Committee
- C. Parks and Recreation Committee
- D. Public Safety Committee
- E. Public Works Committee

VIII. STAFF REPORTS

- A. [Administrative Report \(City Clerk and Chief Administrative Officer Leslie Herring\)](#)
- B. [Public Works Report \(Public Works Director John Sullivan\)](#)
- C. [Police/Court Report \(Police Chief Curt Mansell\)](#)
- D. [City Treasurer Report \(City Treasurer Michelle Ryan\)](#)
- E. City Attorney Report (City Attorney Ryan Denk)

IX. OLD BUSINESS

X. NEW BUSINESS

- A. Woodside Club and Development Update
- B. [Consider Request from Woodside for the Issuance of Industrial Revenue Bonds for Sales Tax Exemption for 2022 Club Improvements](#)
- C. [Consider Resolution No. 10 -2022 to Exceed the Revenue Neutral Rate, Establish the Date and Time of a Public Hearing, and Provide for the Giving of Notice of Such Public Hearing](#)
- D. [Consider Approving Final Plat of Westwood View School, located at 4935 Belinder Ave.](#)
- E. [Consider Approving Agreement with JLL Valuation and Advisory Services for 4700 Rainbow Blvd., 5000 Rainbow Blvd., and 5050 Rainbow Blvd.](#)
- F. [Consider allowing the consumption of alcoholic beverages in the City park during the Music in the Park event, to be held on Thursday, July 21, 2022](#)

XI. ANNOUNCEMENTS/GOVERNING BODY COMMENTS

XII. EXECUTIVE SESSION

XIII. ADJOURNMENT

UPCOMING MEETINGS

Regular meetings of the Westwood City Council are held at 7:00 PM on the second Thursday of each month. The next regular meeting of the Westwood City Council will be held Thursday, August 11th, at 7:00 PM at Westwood City Hall. The City Calendar may be accessed at www.westwoodks.org. To receive further updates and communications, please see or sign up for the following:

Westwood Buzz Email: <https://bit.ly/3wA4DWx>
Facebook: [City of Westwood Kansas-Government](#)
[Westwood, KS Police Department](#)

2023 Budget Presentation

City of Westwood, Kansas



General Fund: Budget Highlights

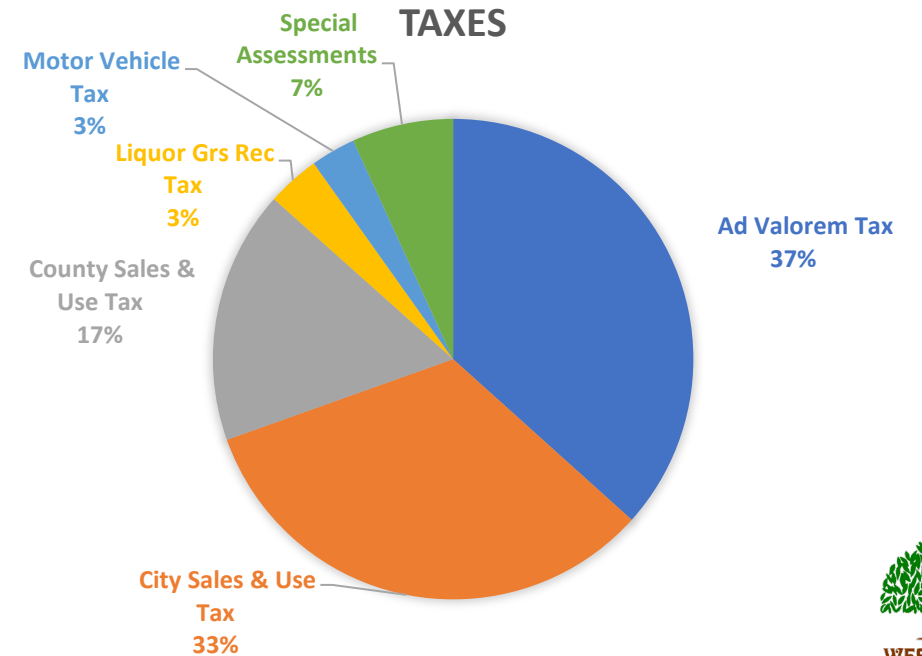
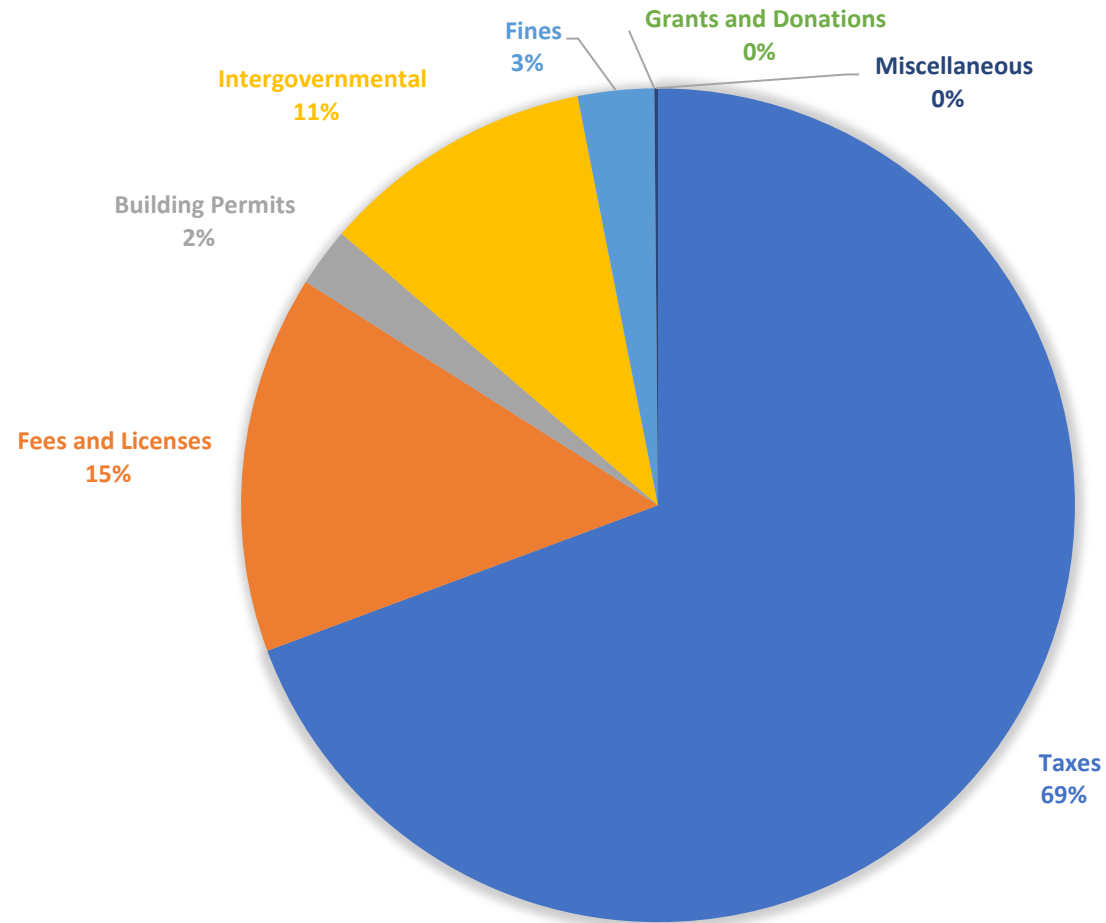
- The \$3,058,121 budget represents a 9.2% increase in expenditures over the 2022 budget
- The 2023 proposed budget includes:
 - A 6% cost of living adjustment for all employees and ensures all City employees make a base hourly wage of at least \$25/hour

Neighboring City	Anticipated Wage Increase
Fairway	8% merit pool
Merriam	3% merit pool + \$500K to implement findings of study currently being conducted
Mission	TBD
Prairie Village	5% merit pool + 3% contingency for additional adjustments based on study currently being conducted
Roeland Park	4% effective 8/22 + 4% in 2023

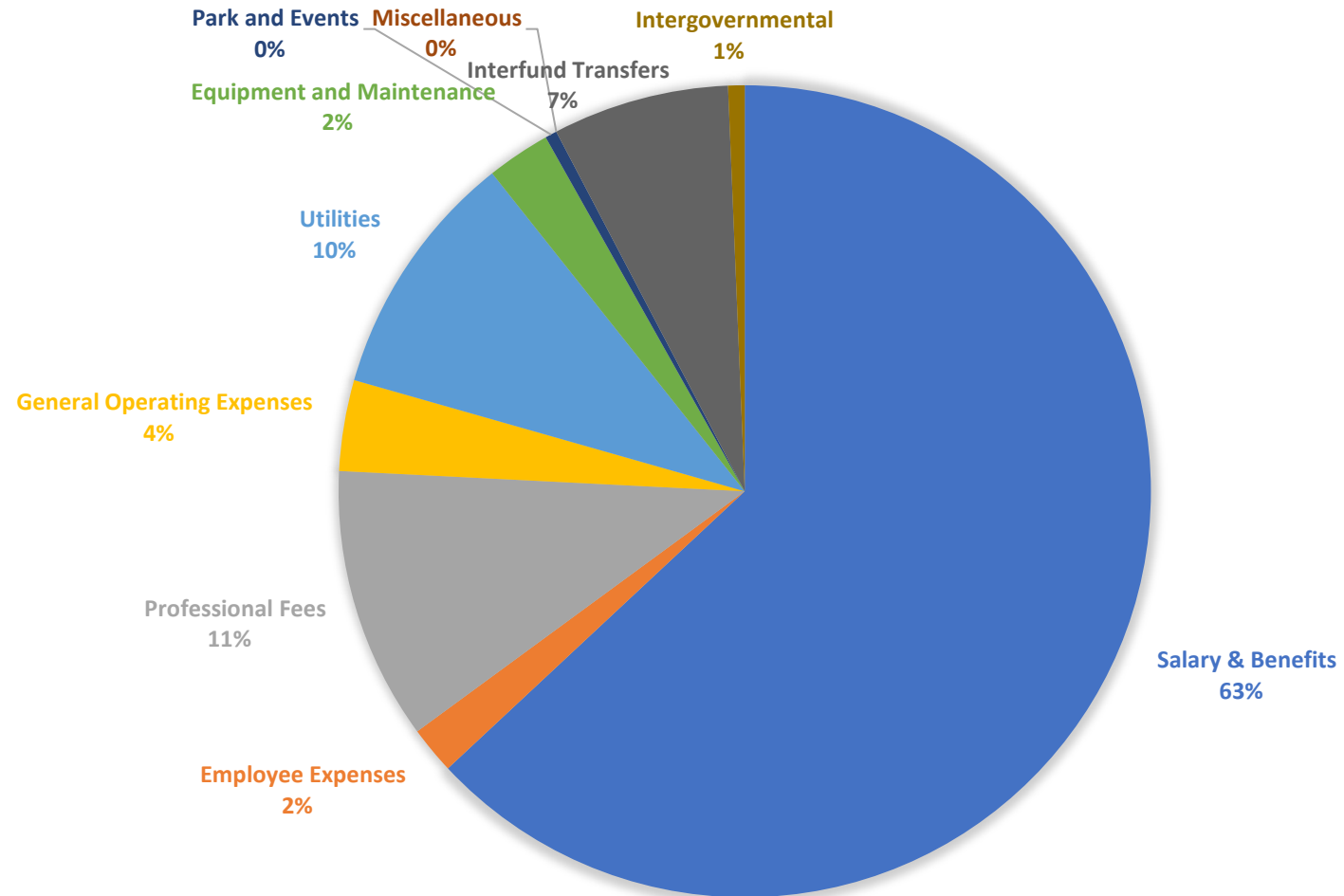
- Restructuring of the Administration Department of the City
- New employee-employer cost share structure of health insurance
- Increases in professional fees due to a higher than normal work comp premium, increases in cybersecurity insurance, and the anticipation of a contract for IT support services
- The General Fund maintains a 31% target reserve balance while keeping the mill levy flat



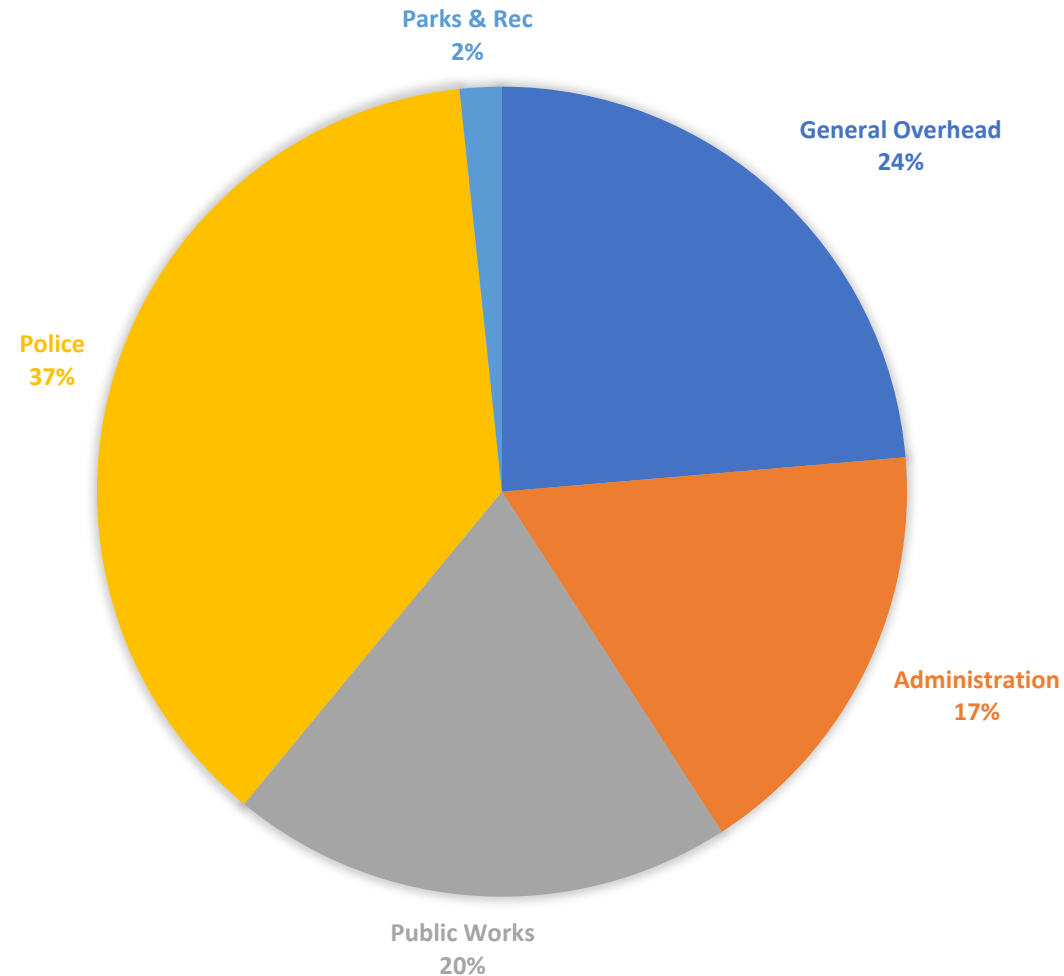
General Fund: Revenues



General Fund: Expenditures



General Fund: Department Budgets



Mill Levy: Average Westwood Home

Year	Mill Levy Rate	Average Home Appraised Value	Westwood Household Annual Cost	Westwood Household Monthly Cost
2020	21.306	\$274,947	\$673.67	\$56.14
2021	21.312	\$290,358	\$711.63	\$59.30
2022	21.197	\$314,261	\$766.06	\$63.84



Capital Improvement Plan

			Project Cost	2021	2022	2023	2024	2025	2026	2027
	Cash Carryforward			\$ 850,050	\$ 784,697	\$ 555,723	\$ 689,315	\$ 228,340	\$ (2,855,369)	\$ (3,386,591)
Revenues										
	Special Sales Tax			\$ 281,419	\$ 280,000	\$ 280,000	\$ 280,000	\$ 280,000	\$ 280,000	\$ 280,000
Transfers										
	General Fund			\$ 103,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000
	Special Highway Fund				\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000
	Stormwater Utility Fund			\$ 150,000						
	Debt Service			\$ (175,000)	\$ (175,000)	\$ (175,000)	\$ (175,000)	\$ (175,000)	\$ (175,000)	\$ (175,000)
	CIP Annual Budgeted Resources			\$ 1,209,469	\$ 1,039,697	\$ 810,723	\$ 944,315	\$ 483,340	\$ (2,600,369)	\$ (3,131,591)
CIP Projects										
		3.0%	Inflation Calculators			3%	6%	9%	12%	15%
W. 48th Street, Rainbow Blvd. to State Line			\$ 93,558	\$ 93,558.40						
W. 47th Terrace, Rainbow Blvd. to State Line			\$ 86,485	\$ 86,485						
Alley (Shared w/ WWH)			\$ 28,929	\$ 28,929						
W. 47th & Rainbow intersection replacement			\$ 169,709			\$ -	\$ -			
W. 47th Street, Mission Road to Rainbow Blvd			\$ 2,242,675	\$ 137,751	\$ 230,043					
State Line Road, South City Limits to North City Limits			\$ 190,679	\$ 63,049						
W. 47th Place, Rainbow Blvd. to State Line Road			\$ 780,000						\$ 80,640	\$ 435,000
Mission Road, 53rd Street to 47th Street			\$ 1,014,000			\$ 96,408	\$ 487,812			
Westwood View Related Improvements			\$ 95,350		\$ 95,350					
W. 50th Street, Rainbow Boulevard to Mission Road			\$ 776,347				\$ 75,963	\$ 768,106		
W 47th Ter - Belinder Ave to Mission Rd.			\$ 645,497					\$ 65,852	\$ 665,372	
Crackfill and Concrete Repair - misc streets			\$10,000/year	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000
	Streets - Sub Total			\$ 419,773	\$ 335,393	\$ 106,408	\$ 573,775	\$ 843,959	\$ 756,012	\$ 445,000
Street Lights										
W. 47th Street			\$ 120,000		\$ 120,000					
Belinder Ct. and Booth off 47th St.			\$ 44,000.00							
Mission Road, 53rd Street to 47th Street			\$ 60,000.00				\$ 63,600			
W. 50th Street, Rainbow Boulevard to Mission Road			\$ 60,000.00				\$ 63,600			
Street Lights, Pole Repair and Replacement			\$5,000/year	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000
	Streetlights - Sub Total			\$ 5,000	\$ 125,000	\$ 5,000	\$ 132,200	\$ 5,000	\$ 5,000	\$ 5,000
Stone Wall Repair										
4800 Rainbow Blvd Colonial Building Replacement										
Miscellaneous Repair and Replacement			\$ 10,000		\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000
	Stone Wall Repair - Subtotal				\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000
Studies										
Pavement Management Study			\$ 13,581		\$ 13,581				\$ 15,211	
Facilities Feasibility Study			\$ 75,000							
Rainbow Traffic Study for Possible Road Diet			\$ 30,000							
	Studies - Subtotal				\$ 13,581	\$ -	\$ -	\$ -	\$ 15,211	\$ -
Facilities										
Public Works - Roof Coating, Snow Guards, Replace South Side Building Panels			\$ 50,188							
Public Works - Driveway Replacement & Back Lot Replacement/Enlargement			\$ 99,129							
City Hall - Parking Lot Repair										
City Hall - Backup Generator Installation			\$ 25,000							
Public Works & City Hall - Reinvestment								\$ 2,479,750		
	Facilities Subtotal				\$ -	\$ -	\$ -	\$ 2,479,750	\$ -	\$ -
	CIP Annual Budgeted Expenditures			\$ 424,773	\$ 483,974	\$ 121,408	\$ 715,975	\$ 3,338,709	\$ 786,222	\$ 460,000



2022

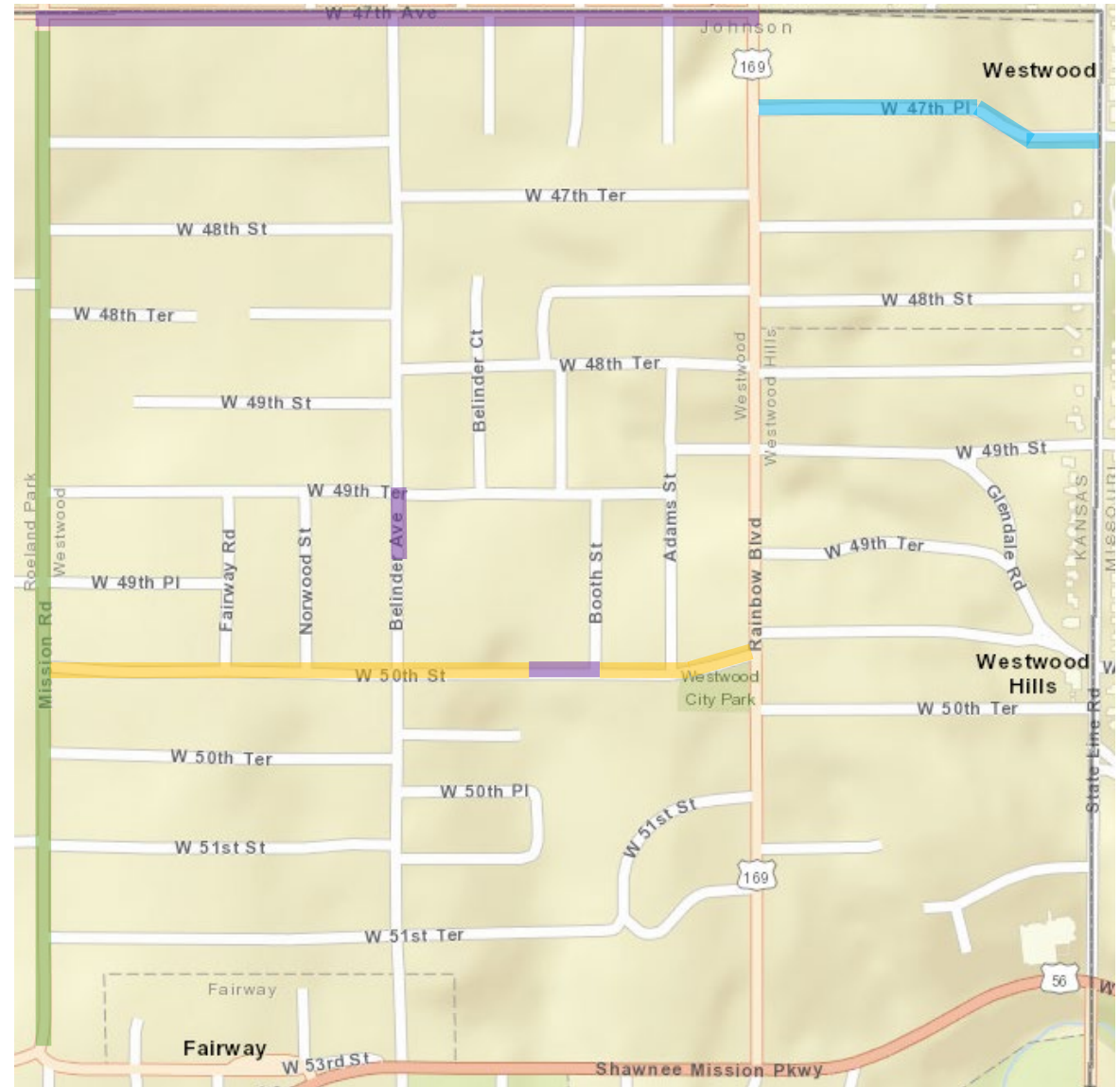
2023 - None

2024

2025

2026 - None

2027



Equipment Reserve Fund

		2022	2023	2024	2025	2026	2027
Transfers							
	Cash Carryforward	\$ 245,440	\$ 213,940	\$ 358,940	\$ 173,290	\$ 132,365	\$ 47,744
	General Fund - Public Works	\$ 50,000	\$ 50,000	\$ 50,000	\$ 40,000	\$ 40,000	\$ 40,000
	General Fund - Public Safety	\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000
	General Fund - Administration	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000
	General Fund - General Overhead	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000
	Stormwater Utility Fund	\$ 60,000	\$ 60,000	\$ 60,000			
Resources		\$ 400,440	\$ 368,940	\$ 513,940	\$ 258,290	\$ 217,365	\$ 132,744
Department / Project Description							
	Inflation Calculator		5%	10%	15%	20%	25%
Public Works							
	Replace 2004 Ford F-550 & Equipment	\$ 83,000.00	\$ 83,000				
	Replace 2006 Street Sweeper	\$ 240,000.00		\$ 264,000			
	Replace 2012 Ford F-350 & Equipment	\$ 58,000.00			\$ 66,700		
	Replace 2012 Ford F-550 & Equipment	\$ 83,000.00				\$ 99,600	
	Airless Paint Sprayer	\$ 5,000.00	\$ 5,000				
	Replace 2012 Mower	\$ 8,500.00					
	PW Sub Total	\$ 88,000	\$ -	\$ 264,000	\$ 66,700	\$ 99,600	\$ -
Public Safety							
	Replace 2014 Explorer (Vehicle No. 415)	\$ 37,000.00	\$ 37,000				
	Vehicle Equipment	\$ 14,500.00	\$ 14,500				
	Replace 2017 Explorer #1 (Vehicle No. 917)	\$ 37,000.00		\$ 40,700			
	Vehicle Equipment	\$ 14,500.00		\$ 15,950			
	Replace 2017 Explorer #2 (Vehicle No. 117)	\$ 37,000.00			\$ 42,550		
	Vehicle Equipment	\$ 14,500.00			\$ 16,675		
	Replace 2021 Explorer #3 (Vehicle No. 121)	\$ 37,000.00					\$ 46,250
	Vehicle Equipment	\$ 14,500.00					\$ 18,125
	In-car computer replacements (4)	\$ 16,000.00					
	Safety Vests	\$ 10,000.00	\$ 10,000				
	Tasers and Gear (10)	\$ 20,000.00		\$ 20,000			
	Vehicle/Body Camera System	\$ 32,500.00	\$ 32,500				
	PS Sub Total	\$ 84,000	\$ 10,000	\$ 76,650	\$ 59,225	\$ -	\$ -
City Hall Improvements and Systems / IT							
	Website Upgrade	\$ 10,000					
	Conference Room Table / Chairs	\$ 4,500					
	CH/IT Sub Total	\$ 14,500	\$ -	\$ -	\$ -	\$ -	\$ -
Total		\$ 186,500	\$ 10,000	\$ 340,650	\$ 125,925	\$ 99,600	\$ 99,600



Major Asset Purchases

2022



2023

2024



2025



2026



2027



All Funds: Three-Year Budget Forecast

		General	CIP	Equipment Reserve	Stormwater	Special Highway	Woodside TIF	Debt Service	Total
2022	Forecasted Beginning Cash	\$ 1,103,873	\$ 889,193	\$ 213,940	\$ 167,572	\$ 118,219	\$ 381,142	\$ 144,573	\$ 3,018,511.68
	Estimated Revenues	\$ 3,038,229	\$ 298,000	\$ -	\$ 123,727	\$ 73,375	\$ 597,915	\$ 16,000	\$ 4,147,245.71
	Estimated Expenditures	\$ (2,775,525)	\$ (1,078,119)	\$ (186,500)	\$ (26,000)	\$ (40,000)	\$ (530,965)	\$ (230,338)	\$ (4,867,447.14)
		\$ (15,000)						\$ 15,000	
		\$ (95,000)		\$ 95,000					
				\$ 60,000	\$ (60,000)				
	Transfers		\$ 40,000			\$ (40,000)			
			\$ (175,000)					\$ 175,000	
		\$ (100,000)	\$ 100,000						
			\$ 100,000		\$ (100,000)			\$ 43,516	
	Fund Balance	\$ 1,156,577	\$ 174,074	\$ 182,440	\$ 61,783	\$ 111,594	\$ 448,092	\$ 163,751	\$ 2,298,310.25
	Fund Reserve Target	38%	\$ 323,435.70		\$ 3,900.00	N/A	N/A	N/A	
2023	Forecasted Beginning Cash	\$ 1,156,577	\$ 174,074	\$ 182,440	\$ 61,783	\$ 111,594	\$ 448,092	\$ 163,751	\$ 2,298,310.25
	Estimated Revenues	\$ 3,049,241	\$ 300,000	\$ -	\$ 122,907	\$ 58,820	\$ 615,852	\$ 18,830	\$ 4,165,650.00
	Estimated Expenditures	\$ (3,058,121)	\$ (82,844)	\$ (10,000)	\$ (26,000)	\$ (10,000)	\$ (546,894)	\$ (292,000)	\$ (4,025,859.47)
		\$ (18,830)						\$ 18,830	
		\$ (95,000)		\$ 95,000					
				\$ 60,000	\$ (60,000)				
	Transfers		\$ 40,000			\$ (40,000)			
			\$ (175,000)					\$ 175,000	
		\$ (100,000)	\$ 100,000						
			\$ 100,000		\$ (43,516)			\$ 43,516	
	Fund Balance	\$ 933,866	\$ 356,230	\$ 327,440	\$ 55,174	\$ 120,414	\$ 517,051	\$ 127,927	\$ 2,438,100.78
	Fund Reserve Target	31%	\$ 24,853.21		\$ 3,900.00	N/A	N/A	N/A	
2024	Forecasted Beginning Cash	\$ 933,866	\$ 356,230	\$ 327,440	\$ 55,174	\$ 120,414	\$ 517,051	\$ 127,927	\$ 2,438,100.78
	Estimated Revenues	\$ 3,110,225	\$ 300,000	\$ -	\$ 145,000	\$ 57,320	\$ 634,328	\$ 19,395	\$ 4,266,268.28
	Estimated Expenditures	\$ (3,103,993)	\$ (522,926)	\$ (340,650)	\$ (26,000)	\$ (10,000)	\$ (563,301)	\$ (292,000)	\$ (4,858,870.05)
		\$ (19,395)						\$ 19,395	
		\$ (95,000)		\$ 95,000					
				\$ 60,000	\$ (60,000)				
	Transfers		\$ 40,000			\$ (40,000)			
			\$ (175,000)					\$ 175,000	
		\$ (100,000)	\$ 100,000						
			\$ 75,000		\$ (75,000)			\$ 43,516	
	Fund Balance	\$ 725,703	\$ 173,304	\$ 141,790	\$ (4,342)	\$ 127,734	\$ 588,078	\$ 93,232	\$ 1,845,499.01
	Fund Reserve Target	23%	\$ 156,877.79		\$ 3,900.00	N/A	N/A	N/A	



Kansas Senate Bill 13

- Passed by the State legislature during the 2021 legislative season
- Repealed tax lid and replaced it with a Revenue Neutral Rate (RNR)
- The Revenue Neutral Rate is defined as the tax rate for the current tax year that would generate the same property tax revenue as levied the previous tax year using the current tax year's total assessed valuation.
 - No allowance for Consumer Price Index (CPI) growth
 - No allowance for new construction
- If the City intends to exceed the RNR, it
 - Must notify the County by July 20th
 - Must hold a public hearing to consider exceeding the RNR
 - Must pass a resolution to exceed the RNR



Next Steps

- July 14th Pass a resolution stating intent to exceed the Revenue Neutral Rate
- July 20th Deadline to notify County Clerk of intent to exceed the Revenue Neutral Rate
- August 10th Deadline for County Clerk to mail notification to taxpayers of proposed tax rates of all taxing jurisdictions on a given property
- August 30th Run notice of hearings in The Legal Record; post budget on City's website
- September 8th Hold Revenue Neutral Rate hearing and Budget hearing
- October 1st Deadline to submit budget to County Clerk



As of Date:
Department Group:
Fund:

6/30/2022
Revenues
General Fund

	Year Ending 12/31/2020	Year Ending 12/31/2021	Year To Date 6/30/2022	Current Year 12/31/2022	Current Year 12/31/2022	Next Year 2023
	Actual	Actual	Actual	Forecast	Budget	Budget
Taxes						
Ad Valorem Tax	589,863.90	635,963.39	654,633.80	665,000.00	675,000.00	775,000.00
City Sales & Use Tax	521,788.22	597,476.36	334,052.19	675,000.00	625,000.00	695,250.00
County Sales & Use Tax	272,789.42	314,649.90	173,003.52	350,000.00	311,000.00	360,500.00
Liquor Grs Rec Tax	45,921.70	70,045.72	35,744.96	71,500.00	45,000.00	75,000.00
Motor Vehicle Tax	55,523.73	59,866.93	23,870.38	56,000.00	56,000.00	63,883.93
Special Assessments	135,818.03	139,840.96	138,007.18	140,425.00	140,425.00	144,271.62
Total Taxes	1,621,705.00	1,817,843.26	1,359,312.03	1,957,925.00	1,852,425.00	2,113,905.55
Fees and Licenses						
Woodside Rent	240,000.00	240,000.00	120,000.00	240,000.00	240,000.00	240,000.00
Utility Franchise Fees	181,107.46	190,393.58	94,475.38	176,501.43	175,000.00	175,000.00
Community Room Fees	1,605.00	1,565.00	1,706.25	3,500.00	5,000.00	5,000.00
Animal Tag Fee	337.00	183.00	105.00	222.26	200.00	200.00
Pool Fees	4,137.50	12,185.00	16,494.58	17,000.00	10,000.00	17,000.00
Occupational License	12,365.74	9,340.06	9,867.65	10,000.00	16,000.00	10,000.00
Total Fees and Licenses	439,552.70	453,666.64	242,648.86	447,223.69	446,200.00	447,200.00
Building Permits						
Building Permit Fee - WW	109,803.64	140,597.87	25,171.18	80,000.00	50,000.00	50,000.00
Building Permit Fee - WWH	8,083.50	7,270.50	617.00	6,480.01	10,000.00	10,000.00
Building Permit Fee - MW	9,046.50	6,429.00	3,149.50	9,012.51	10,000.00	10,000.00
Total Building Permits	126,933.64	154,297.37	28,937.68	95,492.52	70,000.00	70,000.00
Intergovernmental						
Police Services WWH	155,000.04	154,860.04	77,500.02	163,000.00	163,000.00	163,000.00
Police Services MW	124,999.54	125,000.04	62,500.02	125,000.00	125,000.00	125,000.00
Police Services - Crossing Guard	1,562.22	3,213.54	1,908.16	3,960.21	3,500.00	4,285.00
Police Services - Other Revenue	15,926.93	3,278.48	1,699.95	1,699.95	9,000.00	0.00
City Hall Use - WWH	700.00	1,050.00	700.00	1,756.23	2,100.00	2,100.00
City Hall Use - MW	700.00	350.00	350.00	1,231.23	2,100.00	2,100.00
Public Work Services - MW WH	11,586.90	16,017.95	12,524.78	20,000.00	15,000.00	20,000.00
Codes Services - MW WH	1,426.25	1,997.50	559.20	2,000.00	3,000.00	2,000.00
City Clerk Services - MW	4,950.00	4,950.00	2,700.00	5,400.00	5,400.00	5,400.00
Total Intergovernmental	316,851.88	310,717.55	160,442.13	324,047.62	328,100.00	323,885.00
Fines						
Municipal Court Fines	123,514.75	100,352.75	32,967.25	81,074.37	90,000.00	90,000.00
Total Fines	123,514.75	100,352.75	32,967.25	81,074.37	90,000.00	90,000.00
Grants and Donations						
Heritage Grant Receipts	43.75	0.00	0.00	0.00	0.00	0.00
Federal Grants	0.00	125,215.81	125,215.81	125,215.81	125,215.81	0.00
Total Grants and Donations	43.75	125,215.81	125,215.81	125,215.81	125,215.81	0.00
Miscellaneous						
Interest Earnings	1,247.52	1,482.45	850.82	1,500.00	1,500.00	1,500.00
Other Income	55,984.62	27,404.24	5,429.11	5,500.00	2,500.00	2,500.00
Sale of Extra Trash Stickers	245.00	703.75	90.00	250.00	250.00	250.00
Total Miscellaneous	57,477.14	29,590.44	6,369.93	7,250.00	4,250.00	4,250.00
Prior Year Cancelled Encumbrances						
Prior Year Cancelled Encumbrances	0.00	8,034.25	0.00	0.00	0.00	0.00
Total Prior Year Cancelled Encumbrances	0.00	8,034.25	0.00	0.00	0.00	0.00
	Year Ending 12/31/2020	Year Ending 12/31/2021	Year To Date 05/31/2022	Current Year 12/31/2022	Current Year 12/31/2022	Next Year 2023
	Actual	Actual	Actual	Forecast	Budget	Budget
TOTAL	2,686,078.86	2,999,718.07	1,955,893.69	3,038,229.01	2,916,190.81	3,049,240.55

As of Date: 6/30/2022
Department: General Overhead
Fund: General Fund

	Year Ending 12/31/2020 Actual	Year Ending 12/31/2021 Actual	Year To Date 6/30/2022 Actual	Forecast	Current Year 12/31/2022 Budget	Next Year 2023 Budget
Salary & Benefits						
Payroll Taxes	2,305.35	1,790.39	671.79	2,500.00	2,500.00	2,500.00
401a Match	12,550.00	10,550.00	4,719.00	12,550.00	12,550.00	12,550.00
Salaries - No Retirement	44,793.75	23,400.00	11,700.00	23,400.00	23,400.00	23,400.00
Total Salary & Benefits	59,649.10	35,740.39	17,090.79	38,450.00	38,450.00	38,450.00
Employee Expenses						
Staff Activities	0.00	1,555.00	730.21	1,000.00	1,000.00	1,000.00
Training Programs	0.00	556.00	2,365.00	3,000.00	2,000.00	3,000.00
Travel Allowance	5.10	(5.10)	0.00	1,000.00	1,000.00	1,000.00
Dues & Subscriptions	3,088.59	3,067.70	2,602.00	3,000.00	2,000.00	3,000.00
Total Employee Expenses	3,093.69	5,173.60	5,589.49	8,000.00	6,000.00	8,000.00
Professional Fees						
Municipal Court Costs	1,774.20	7,499.30	2,326.00	6,000.00	6,900.00	0.00
Legal Services	22,211.00	43,361.50	14,705.50	35,000.00	35,000.00	35,000.00
Audit Expenses	7,175.00	0.00	7,250.00	7,250.00	7,250.00	7,250.00
Payroll Services	3,544.72	3,973.57	2,297.32	4,500.00	4,000.00	5,000.00
Insurance & Bonds	90,858.97	104,933.00	113,947.60	125,000.00	115,000.00	145,000.00
Professional Services - Other	7,473.00	40,632.33	3,875.00	20,000.00	20,000.00	30,000.00
Treasurer's Services	0.00	31,087.40	6,145.96	18,000.00	14,400.00	18,000.00
Total Professional Fees	133,036.89	231,487.10	150,547.38	215,750.00	202,550.00	240,250.00
General Operating Expenses						
Office Supplies	0.00	6,927.24	2,013.62	6,000.00	6,000.00	6,000.00
Computer Expense	408.00	3,271.07	3,353.25	4,000.00	20,000.00	5,000.00
Postage	2,400.00	1,275.19	484.95	1,000.00	2,500.00	2,000.00
Printing	381.00	3,251.13	0.00	500.00	500.00	500.00
City Newsletter Expense	904.00	1,064.41	1,133.74	4,800.00	3,000.00	5,000.00
Legal Publications	404.76	482.44	778.40	1,000.00	1,000.00	500.00
Operating Supplies - Other	6,942.58	639.36	119.09	1,000.00	1,000.00	1,000.00
Miscellaneous Expense	0.50	1,735.15	0.00	0.00	0.00	0.00
Total General Operating Expenses	11,440.84	18,645.99	7,883.05	18,300.00	34,000.00	20,000.00
Utilities						
Building Utilities	30,585.46	30,339.28	7,724.40	31,500.00	31,500.00	31,500.00
Telephone & Data Connections	4,232.84	4,651.32	1,787.16	4,500.00	4,500.00	4,500.00
Street Light Utilities	35,492.56	13,401.88	5,643.57	15,000.00	35,000.00	15,000.00
Traffic Signal Utilities	13,514.94	31,031.58	13,317.43	35,000.00	15,000.00	35,000.00
Buildings & Grounds Maintenance	42,450.77	13,442.16	1,389.05	13,000.00	13,000.00	13,000.00
Resident Trash Service	133,253.28	147,241.80	57,645.00	138,350.00	138,350.00	138,350.00
Building Operations & Cleaning	15,094.38	19,201.39	6,221.67	15,500.00	15,500.00	15,500.00
Total Utilities	274,624.23	259,309.41	93,728.28	252,850.00	252,850.00	252,850.00
Equipment and Maintenance						
Stone Wall Repairs	53.12	451.11	0.00	0.00	0.00	0.00
Street Lights	2,039.39	0.00	0.00	0.00	0.00	0.00
Total Equipment and Maintenance	2,092.51	451.11	0.00	0.00	0.00	0.00
Street and Stormwater						
Leaf Pickup Expenses	0.00	3,734.27	0.00	0.00	0.00	0.00
Total Street and Stormwater	0.00	3,734.27	0.00	0.00	0.00	0.00
Park and Events						
Business Community Affairs	0.00	2,329.14	1,111.43	6,750.00	6,750.00	6,750.00
Outside Agencies	3,832.00	3,264.26	2,250.00	8,000.00	8,000.00	8,000.00
Total Park and Events	3,832.00	5,593.40	3,361.43	14,750.00	14,750.00	14,750.00
Miscellaneous						
Contingency	0.00	0.00	0.00	15,000.00	15,000.00	0.00
Total Miscellaneous	0.00	0.00	0.00	15,000.00	15,000.00	0.00
Interfund Transfers						
CIP - Transfer	90,000.00	90,000.00	0.00	100,000.00	100,000.00	100,000.00
Equipment Reserve Transfer	5,000.00	114,000.00	0.00	10,000.00	10,000.00	10,000.00
Debt Service Transfer	15,000.00	15,000.00	0.00	15,000.00	15,000.00	18,830.00
Total Interfund Transfers	110,000.00	219,000.00	0.00	125,000.00	125,000.00	128,830.00
Intergovernmental						
Building Permit Reimbursement - WWH	2,692.50	14,145.00	0.00	10,000.00	10,000.00	10,000.00
Building Permit Reimbursement - MW	4,588.00	12,974.30	0.00	10,000.00	10,000.00	10,000.00
Total Intergovernmental	7,280.50	27,119.30	0.00	20,000.00	20,000.00	20,000.00

	Year Ending 12/31/2020 Actual	Year Ending 12/31/2021 Actual	Year To Date 05/31/2022 Actual	Current Year 12/31/2022 Forecast	Current Year 12/31/2022 Budget	Next Year 2023 Budget
TOTAL	605,049.76	806,254.57	278,200.42	708,100.00	708,600.00	723,130.00

As of Date:
Department:
Fund:

6/30/2022
Administrative
General Fund

	Year Ending 12/31/2020	Year Ending 12/31/2021	Year To Date 6/30/2022		Current Year 12/31/2022	Next Year 2023
	Actual	Unaudited Actual	Actual	Forecast	Budget	Budget
Salary & Benefits						
5010 - Salaries - KPERS	201,431.88	197,332.74	108,931.81	215,000.00	209,747.00	320,852.79
5015 - Overtime - KPERS	83.10	913.56	1,303.19	2,000.00	2,000.00	4,000.00
5030 - KPERS Contributions	16,173.25	19,114.84	10,203.70	20,000.00	18,667.47	32,000.00
5040 - Payroll Taxes	15,056.77	14,918.56	8,392.27	17,500.00	18,877.00	30,000.00
5041 - State Unemployment Taxes	0.00	3,252.75	3,185.82	7,000.00	0.00	3,500.00
5045 - Health Insurance	29,699.13	29,024.64	24,525.02	36,000.00	40,190.89	61,800.00
5050 - Car Allowance	0.00	0.00	0.00	1,125.00	0.00	4,500.00
Total Salary & Benefits	262,444.13	264,557.09	156,541.81	298,625.00	289,482.36	456,652.79
Employee Expenses						
5100 - Mayor's Discretionary Fund	646.90	607.15	0.00	1,000.00	1,000.00	1,000.00
5105 - Staff Activities	0.00	81.64	289.04	1,500.00	1,500.00	1,500.00
5110 - Training Programs	1,877.48	2,120.32	860.00	5,000.00	5,000.00	5,000.00
5120 - Travel Allowance	1,099.00	374.98	397.93	2,000.00	2,000.00	2,000.00
5130 - Dues & Subscriptions	4,845.73	4,987.48	1,255.00	5,000.00	5,000.00	5,000.00
Total Employee Expenses	8,469.11	8,171.57	2,801.97	14,500.00	14,500.00	14,500.00
Professional Fees						
5210 - Prosecutor & Judge Services	0.00	0.00	0.00	0.00	0.00	23,000.00
5240 - Municipal Court Costs	0.00	0.00	0.00	0.00	0.00	20,000.00
5260 - Audit Expenses	7,175.00	0.00	0.00	0.00	0.00	0.00
5280 - Insurance & Bonds	0.00	225.00	175.00	292.26	200.00	0.00
5295 - Professional Services - Other	8,376.00	1,235.00	0.00	5,000.00	10,000.00	5,000.00
Total Professional Fees	15,551.00	1,460.00	175.00	5,292.26	10,200.00	48,000.00
General Operating Expenses						
5310 - Office Supplies	2,514.70	1,144.01	591.15	1,500.00	1,500.00	1,500.00
5340 - Computer Expense	22,099.50	17,477.34	0.00	0.00	5,000.00	0.00
5345 - Postage	173.25	0.00	0.00	0.00	0.00	0.00
5350 - Printing	954.00	43.00	127.00	500.00	1,000.00	500.00
5360 - Legal Publications	0.00	34.56	0.00	0.00	0.00	0.00
5370 - Operating Supplies - Other	0.00	78.86	67.00	360.15	500.00	500.00
Total General Operating Expenses	25,741.45	18,777.77	785.15	2,360.15	8,000.00	2,500.00
Utilities						
5480 - Building Operations & Cleaning	290.92	0.00	0.00	0.00	0.00	0.00
Total Utilities	290.92	0.00	0.00	0.00	0.00	0.00
Park and Events						
5720 - Outside Agencies	928.77	221.26	0.00	0.00	2,000.00	0.00
Total Park and Events	928.77	221.26	0.00	0.00	2,000.00	0.00
Interfund Transfers						
5920 - Equipment Reserve Transfer	3,000.00	3,000.00	0.00	5,000.00	5,000.00	5,000.00
Total Interfund Transfers	3,000.00	3,000.00	0.00	5,000.00	5,000.00	5,000.00

	Year Ending 12/31/2020	Year Ending 12/31/2021	Year To Date 05/31/2022	Current Year 12/31/2022	Current Year 12/31/2022	Next Year 2023
	Actual	Actual	Actual	Forecast	Budget	Budget
TOTAL	316,425.38	296,187.69	160,303.93	325,777.41	329,182.36	526,652.79

As of Date:
Department:
Fund:

6/30/2022
Public Works
General Fund

	Year Ending 12/31/2020 Actual	Year Ending 12/31/2021 Actual	Year To Date 6/30/2022 Actual	Forecast	Current Year 12/31/2022 Budget	Next Year 2023 Budget
Salary & Benefits						
Salaries - KPERS	257,590.70	253,045.19	154,016.54	275,560.00	275,566.00	296,117.11
Overtime - KPERS	965.01	6,795.91	5,526.00	15,000.00	15,000.00	15,000.00
KPERS Contributions	28,043.43	24,364.98	13,447.93	25,902.64	24,525.39	30,000.00
Payroll Taxes	19,235.41	19,459.86	11,971.34	24,800.40	24,801.00	30,000.00
Health Insurance	71,732.19	72,302.83	27,567.98	64,907.00	84,820.50	67,000.00
Total Salary & Benefits	377,566.74	375,968.77	212,529.79	406,170.04	424,712.89	438,117.11
Employee Expenses						
Staff Activities	0.00	19.00	130.30	1,000.00	1,000.00	1,000.00
Training Programs	76.98	(13.00)	90.00	1,000.00	1,200.00	1,200.00
Travel Allowance	76.65	88.64	1,072.53	1,200.00	1,200.00	1,200.00
Dues & Subscriptions	194.09	2,034.72	1,722.64	2,000.00	2,000.00	2,000.00
Uniforms & Cleaning	2,413.19	1,581.24	516.80	2,000.00	2,000.00	2,000.00
DOT Drug Test Administrative	390.00	231.00	110.00	500.00	500.00	500.00
Total Employee Expenses	3,150.91	3,941.60	3,642.27	7,700.00	7,900.00	7,900.00
Professional Fees						
Engineering/Design Services	5,125.70	9,845.00	0.00	15,000.00	15,000.00	15,000.00
Professional Services - Other	2,300.00	700.42	0.00	2,000.00	2,000.00	2,000.00
Total Professional Fees	7,425.70	10,545.42	0.00	17,000.00	17,000.00	17,000.00
General Operating Expenses						
Office Supplies	257.47	554.23	457.47	750.00	750.00	750.00
Gas & Oil	7,059.55	10,115.00	7,514.90	15,000.00	10,000.00	15,000.00
Small Tool Expense	3,325.87	4,662.62	2,373.32	3,000.00	3,000.00	3,000.00
Computer Expense	3,017.48	304.94	0.00	500.00	500.00	500.00
Printing	0.00	485.65	0.00	300.00	300.00	300.00
Operating Supplies - Other	6,004.30	6,219.14	426.52	8,000.00	8,000.00	8,000.00
Miscellaneous Expense	0.00	0.00	2,868.36	0.00	0.00	0.00
Total General Operating Expenses	19,664.67	22,341.58	13,640.57	27,550.00	22,550.00	27,550.00
Utilities						
Building Utilities	9,915.58	12,407.84	4,034.32	12,000.00	12,000.00	12,000.00
Buildings & Grounds Maintenance	0.00	1,730.33	707.49	1,000.00	1,000.00	1,000.00
City Facility Trash Service	449.76	4,082.59	308.22	1,000.00	1,000.00	1,000.00
Total Utilities	10,365.34	18,220.76	5,050.03	14,000.00	14,000.00	14,000.00
Equipment and Maintenance						
Repairs & Maint Buildings	3,217.55	1,437.33	1,421.09	5,000.00	5,000.00	5,000.00
Repairs & Maint Vehicles	8,480.12	7,001.78	7,135.77	10,000.00	10,000.00	10,000.00
Repairs & Maint Leaf Truck	1,615.43	0.00	0.00	0.00	0.00	0.00
Repairs & Maint Other Equipment	359.80	(249.08)	0.00	0.00	0.00	0.00
Repairs & Maint Streets	7,908.20	0.00	0.00	7,500.00	7,500.00	7,500.00
Repairs & Maint Other	5,301.22	10,074.15	6,825.73	10,000.00	10,000.00	10,000.00
Sand & Salt	7,942.72	10,322.78	5,540.25	11,000.00	10,000.00	12,000.00
Machinery & Equipment Purchase	0.00	0.00	2,049.00	2,049.00	0.00	2,500.00
Street Lights	10,194.81	21,440.73	1,243.20	5,000.00	5,000.00	5,000.00
Traffic Signals	0.00	0.00	0.00	10,000.00	5,000.00	5,000.00
Street Signs	0.00	0.00	0.00	3,500.00	3,500.00	3,500.00
State Highway Maintenance	10,956.40	0.00	0.00	0.00	0.00	0.00
Total Equipment and Maintenance	55,976.25	50,027.69	24,215.04	64,049.00	56,000.00	60,500.00
Interfund Transfers						
CIP - Transfer	8,000.00	4,000.00	0.00	0.00	0.00	0.00
Equipment Reserve Transfer	35,000.00	40,000.00	0.00	50,000.00	50,000.00	50,000.00
Total Interfund Transfers	43,000.00	44,000.00	0.00	50,000.00	50,000.00	50,000.00
	Year Ending 12/31/2020 Actual	Year Ending 12/31/2021 Actual	Year To Date 05/31/2022 Actual	Current Year 12/31/2022 Forecast	Current Year 12/31/2022 Budget	Next Year 2023 Budget
TOTAL	517,149.61	525,045.82	259,077.70	586,469.04	592,162.89	615,067.11

As of Date:
Department:
Fund:

6/30/2022
Police
General Fund

	Year Ending 12/31/2020	Year Ending 12/31/2021	Year To Date 6/30/2022		Current Year 12/31/2022	Next Year 2023
	Actual	Inaudited Actual	Actual	Forecast	Budget	Budget
Salary & Benefits						
5010 - Salaries - KPERS	63,177.04	63,115.99	32,942.51	65,395.00	65,391.00	0.00
5015 - Overtime - KPERS	331.77	2,187.00	495.18	1,500.00	2,500.00	0.00
5020 - Salaries - KPF	556,321.36	497,488.22	265,711.29	507,181.53	545,093.00	579,636.58
5025 - Overtime - KPF	12,194.89	35,765.96	20,902.58	56,012.95	65,000.00	65,000.00
5026 - Extra Patrol Expense	0.00	0.00	1,061.07	1,061.07	0.00	0.00
5030 - KPERS Contributions	6,808.02	5,736.18	3,367.25	6,147.15	5,819.79	0.00
5035 - KP&F Contributions	99,889.93	101,605.48	66,761.38	116,601.00	125,316.86	135,000.00
5040 - Payroll Taxes	48,428.84	45,914.59	24,367.20	45,646.34	54,943.55	55,000.00
5045 - Health Insurance	129,949.78	149,193.54	78,398.86	105,872.69	179,010.03	128,285.00
5050 - Car Allowance	2,700.00	4,500.00	1,800.00	4,500.00	5,400.00	4,500.00
5055 - 401a Match	0.00	(9,501.04)	0.00	0.00	0.00	0.00
5065 - PT Reserve Salary	0.00	342.65	1,207.00	12,000.00	18,000.00	18,000.00
Total Salary & Benefits	919,801.63	896,348.57	497,014.32	921,917.73	1,066,474.23	985,421.58
Employee Expenses						
5105 - Staff Activities	0.00	227.87	63.71	2,000.00	2,000.00	2,000.00
5110 - Training Programs	10,231.43	5,806.22	6,791.68	12,000.00	12,000.00	12,000.00
5120 - Travel Allowance	3.40	10.20	430.02	4,000.00	4,000.00	4,000.00
5130 - Dues & Subscriptions	878.83	2,091.45	2,282.76	2,500.00	2,000.00	2,500.00
5140 - Uniforms & Cleaning	5,210.74	5,152.74	1,835.14	7,000.00	7,000.00	6,500.00
Total Employee Expenses	16,324.40	13,288.48	11,403.31	27,500.00	27,000.00	27,000.00
Professional Fees						
5210 - Prosecutor & Judge Services	20,700.00	22,575.00	11,025.00	23,000.00	23,100.00	0.00
5220 - School Crossing Guard Services	3,135.96	7,789.04	3,467.92	7,750.00	7,725.00	8,500.00
5225 - Mental Health Co-Responder	4,036.42	5,587.10	0.00	5,000.00	5,000.00	5,000.00
5230 - Animal Control Services	0.00	7,600.00	0.00	7,600.00	7,600.00	7,600.00
5240 - Municipal Court Costs	9,932.79	11,184.11	5,627.30	13,000.00	13,000.00	0.00
5295 - Professional Services - Other	3,770.38	5,440.12	0.00	5,000.00	5,000.00	4,400.00
Total Professional Fees	41,575.55	60,175.37	20,120.22	61,350.00	61,425.00	25,500.00
General Operating Expenses						
5310 - Office Supplies	0.00	1,513.89	403.02	1,000.00	0.00	2,000.00
5320 - Gas & Oil	8,801.59	11,513.49	5,235.40	15,000.00	18,000.00	21,000.00
5340 - Computer Expense	26,049.29	25,580.05	15,478.99	26,000.00	26,000.00	26,000.00
5345 - Postage	0.00	55.13	57.18	100.00	0.00	100.00
5350 - Printing	924.95	740.98	99.00	2,000.00	2,000.00	2,000.00
5370 - Operating Supplies - Other	8,817.00	7,351.68	3,312.39	7,000.00	9,000.00	7,000.00
5395 - Miscellaneous Expense	2,890.96	1,149.46	83.97	0.00	3,000.00	0.00
Total General Operating Expenses	47,483.79	47,904.68	24,669.95	51,100.00	58,000.00	58,100.00
Utilities						
5415 - Telephone & Data Connections	3,365.17	2,918.89	1,174.87	4,500.00	4,500.00	4,500.00
5480 - Building Operations & Cleaning	0.00	330.49	0.00	0.00	0.00	0.00
Total Utilities	3,365.17	3,249.38	1,174.87	4,500.00	4,500.00	4,500.00
Equipment and Maintenance						
5515 - Repairs & Maint Vehicles	6,644.77	5,916.02	6,303.27	7,000.00	7,000.00	6,500.00
5525 - Repairs & Maint Other Equipment	1,988.00	809.09	1,732.74	3,000.00	3,000.00	3,000.00
5535 - Repairs & Maint Other	0.00	590.34	0.00	0.00	0.00	0.00
5570 - Machinery & Equipment Purchase	0.00	669.33	0.00	0.00	0.00	1,000.00
Total Equipment and Maintenance	8,632.77	7,984.78	8,036.01	10,000.00	10,000.00	10,500.00
Park and Events						
5720 - Outside Agencies	0.00	1,045.08	0.00	1,000.00	0.00	1,000.00
Total Park and Events	0.00	1,045.08	0.00	1,000.00	0.00	1,000.00
Interfund Transfers						
5920 - Equipment Reserve Transfer	66,000.00	20,000.00	0.00	30,000.00	30,000.00	30,000.00
Total Interfund Transfers	66,000.00	20,000.00	0.00	30,000.00	30,000.00	30,000.00

	Year Ending 12/31/2020	Year Ending 12/31/2021	Year To Date 05/31/2022	Current Year 12/31/2022	Current Year 12/31/2022	Next Year 2023
	Actual	Actual	Actual	Forecast	Budget	Budget
TOTAL	1,103,183.31	1,049,996.34	562,418.68	1,107,367.73	1,257,399.23	1,142,021.58

As of Date: 6/30/2022
 Department: Parks & Rec
 Fund: General Fund

	Year Ending 12/31/2020 Actual	Year Ending 12/31/2021 Actual	Year To Date 6/30/2022 Actual Forecast		Current Year 12/31/2022 Budget	Next Year 2023 Budget
Professional Fees						
Insurance & Bonds	0.00	161.00	0.00	0.00	0.00	0.00
Engineering/Design Services	9,885.00	0.00	0.00	0.00	0.00	0.00
Total Professional Fees	9,885.00	161.00	0.00	0.00	0.00	0.00
General Operating Expenses						
Operating Supplies - Other	998.15	2,507.13	300.62	2,000.00	2,000.00	2,000.00
Total General Operating Expenses	998.15	2,507.13	300.62	2,000.00	2,000.00	2,000.00
Utilities						
Building Utilities	8,070.82	1,640.36	1,039.78	10,000.00	10,000.00	10,000.00
Street Light Utilities	0.00	986.48	0.00	0.00	0.00	0.00
Buildings & Grounds Maintenance	153.34	0.00	0.00	0.00	0.00	0.00
Tree & Easement Care	4,905.08	6,496.71	804.87	10,000.00	10,000.00	10,000.00
Landscaping Maintenance	9,286.91	6,915.42	3,618.46	10,000.00	10,000.00	10,000.00
Total Utilities	22,416.15	16,038.97	5,463.11	30,000.00	30,000.00	30,000.00
Equipment and Maintenance						
Repairs & Maint Other Equipment	7,424.93	4,688.96	1,586.34	6,000.00	6,000.00	6,000.00
Repairs & Maint Other	7,065.40	0.00	0.00	0.00	0.00	0.00
Street Lights	0.00	20.64	0.00	0.00	0.00	0.00
Total Equipment and Maintenance	14,490.33	4,709.60	1,586.34	6,000.00	6,000.00	6,000.00
Park and Events						
Oktoberfest	0.00	7,437.24	0.00	3,810.96	6,500.00	7,000.00
Fireworks	0.00	0.00	1,538.06	4,000.00	2,500.00	4,000.00
Other Events	270.00	2,536.68	528.91	1,500.00	2,500.00	2,000.00
Pool Pass Expenses	104.74	0.00	453.12	500.00	350.00	250.00
Total Park and Events	374.74	9,973.92	2,520.09	9,810.96	11,850.00	13,250.00
	Year Ending 12/31/2020 Actual	Year Ending 12/31/2021 Actual	Year To Date 05/31/2022 Actual	Current Year 12/31/2022 Forecast	Current Year 12/31/2022 Budget	Next Year 2023 Budget
TOTAL	48,164.37	33,390.62	9,870.16	47,810.96	49,850.00	51,250.00

		General	CIP	Equipment Reserve	Stormwater	Special Highway	Woodside TIF	Debt Service	Total
2022	Forecasted Beginning Cash	\$ 1,103,873	\$ 889,193	\$ 213,940	\$ 167,572	\$ 118,219	\$ 381,142	\$ 144,573	\$ 3,018,511.68
	Estimated Revenues	\$ 3,038,229	\$ 298,000	\$ -	\$ 123,727	\$ 73,375	\$ 597,915	\$ 16,000	\$ 4,147,245.71
	Estimated Expenditures	\$ (2,775,525)	\$ (1,078,119)	\$ (186,500)	\$ (26,000)	\$ (40,000)	\$ (530,965)	\$ (230,338)	\$ (4,867,447.14)
		\$ (15,000)						\$ 15,000	
		\$ (95,000)		\$ 95,000					
			\$ 40,000	\$ 60,000	\$ (60,000)				
	Transfers		\$ (175,000)			\$ (40,000)		\$ 175,000	
		\$ (100,000)	\$ 100,000						
			\$ 100,000		\$ (100,000)				
					\$ (43,516)			\$ 43,516	
	Fund Balance	\$ 1,156,577	\$ 174,074	\$ 182,440	\$ 61,783	\$ 111,594	\$ 448,092	\$ 163,751	\$ 2,298,310.25
	Fund Reserve Target	38%	\$ 323,435.70		\$ 3,900.00	N/A	N/A	N/A	
2023	Forecasted Beginning Cash	\$ 1,156,577	\$ 174,074	\$ 182,440	\$ 61,783	\$ 111,594	\$ 448,092	\$ 163,751	\$ 2,298,310.25
	Estimated Revenues	\$ 3,049,241	\$ 300,000	\$ -	\$ 122,907	\$ 58,820	\$ 615,852	\$ 18,830	\$ 4,165,650.00
	Estimated Expenditures	\$ (3,058,121)	\$ (82,844)	\$ (10,000)	\$ (26,000)	\$ (10,000)	\$ (546,894)	\$ (292,000)	\$ (4,025,859.47)
		\$ (18,830)						\$ 18,830	
		\$ (95,000)		\$ 95,000					
			\$ 40,000	\$ 60,000	\$ (60,000)				
	Transfers		\$ (175,000)			\$ (40,000)		\$ 175,000	
		\$ (100,000)	\$ 100,000						
					\$ (43,516)			\$ 43,516	
	Fund Balance	\$ 933,866	\$ 356,230	\$ 327,440	\$ 55,174	\$ 120,414	\$ 517,051	\$ 127,927	\$ 2,438,100.78
	Fund Reserve Target	31%	\$ 24,853.21		\$ 3,900.00	N/A	N/A	N/A	
2024	Forecasted Beginning Cash	\$ 933,866	\$ 356,230	\$ 327,440	\$ 55,174	\$ 120,414	\$ 517,051	\$ 127,927	\$ 2,438,100.78
	Estimated Revenues	\$ 3,110,225	\$ 300,000	\$ -	\$ 145,000	\$ 57,320	\$ 634,328	\$ 19,395	\$ 4,266,268.28
	Estimated Expenditures	\$ (3,103,993)	\$ (522,926)	\$ (340,650)	\$ (26,000)	\$ (10,000)	\$ (563,301)	\$ (292,000)	\$ (4,858,870.05)
		\$ (19,395)						\$ 19,395	
		\$ (95,000)		\$ 95,000					
			\$ 40,000	\$ 60,000	\$ (60,000)				
	Transfers		\$ (175,000)			\$ (40,000)		\$ 175,000	
		\$ (100,000)	\$ 100,000						
			\$ 75,000		\$ (75,000)				
					\$ (43,516)			\$ 43,516	
	Fund Balance	\$ 725,703	\$ 173,304	\$ 141,790	\$ (4,342)	\$ 127,734	\$ 588,078	\$ 93,232	\$ 1,845,499.01
	Fund Reserve Target	23%	\$ 156,877.79		\$ 3,900.00	N/A	N/A	N/A	
2025	Forecasted Beginning Cash	\$ 725,703	\$ 173,304	\$ 141,790	\$ (4,342)	\$ 127,734	\$ 588,078	\$ 93,232	\$ 1,845,499.01
	Estimated Revenues	\$ 3,172,430	\$ 300,000	\$ -	\$ 150,000	\$ 57,320	\$ 653,358	\$ 19,977	\$ 4,353,084.48
	Estimated Expenditures	\$ (3,150,553)	\$ (909,001)	\$ (125,925)	\$ (26,000)	\$ (10,000)	\$ (580,200)	\$ (292,000)	\$ (5,093,679.09)
		\$ (19,977)						\$ 19,977	\$ -
		\$ (85,000)		\$ 85,000					\$ -
			\$ 40,000				\$ (40,000)		\$ -
	Transfers		\$ (175,000)					\$ 175,000	\$ -
		\$ (100,000)	\$ 100,000						\$ -
					\$ (43,516)			\$ 43,516	\$ -
	Fund Balance	\$ 542,603	\$ (470,697)	\$ 100,865	\$ 76,142	\$ 135,054	\$ 661,236	\$ 59,702	\$ 1,104,904.40
	Fund Reserve Target	17%	\$ 272,700.33		\$ 3,900.00	N/A	N/A	N/A	
2026	Forecasted Beginning Cash	\$ 542,603	\$ (470,697)	\$ 100,865	\$ 76,142	\$ 135,054	\$ 661,236	\$ 59,702	\$ 1,104,904.40
	Estimated Revenues	\$ 3,235,878	\$ 300,000	\$ -	\$ 155,000	\$ 57,320	\$ 672,959	\$ 20,576	\$ 4,441,733.12
	Estimated Expenditures	\$ (3,197,811)	\$ (97,876)	\$ (99,600)	\$ (26,000)	\$ (10,000)	\$ (597,606)	\$ (292,000)	\$ (4,320,892.91)
		\$ (20,576)						\$ 20,576	
		\$ (85,000)		\$ 85,000					
			\$ 40,000				\$ (40,000)		
	Transfers		\$ (175,000)					\$ 175,000	
		\$ (100,000)	\$ 100,000						
			\$ 75,000		\$ (75,000)			\$ 43,516	
					\$ (43,516)			\$ 27,370	
	Fund Balance	\$ 375,094	\$ (228,573)	\$ 86,265	\$ 86,626	\$ 142,374	\$ 736,589	\$ 27,370	\$ 1,225,744.60
	Fund Reserve Target	12%	\$ 29,362.69		\$ 3,900.00	N/A	N/A	N/A	
2027	Forecasted Beginning Cash	\$ 375,094	\$ (228,573)	\$ 86,265	\$ 86,626	\$ 142,374	\$ 736,589	\$ 27,370	\$ 1,225,744.60
	Estimated Revenues	\$ 3,300,596	\$ 300,000	\$ -	\$ 155,000	\$ 57,320	\$ 693,147	\$ 27,370	\$ 4,533,433.47
	Estimated Expenditures	\$ (3,245,779)	\$ (761,444)	\$ (99,600)	\$ (26,000)	\$ (110,000)	\$ (615,534)	\$ (292,000)	\$ (5,150,356.66)
		\$ (21,193)						\$ 21,193	
		\$ (85,000)		\$ 85,000					
			\$ 40,000				\$ (40,000)		
	Transfers		\$ (175,000)					\$ 175,000	
		\$ (100,000)	\$ 100,000						
			\$ 75,000		\$ (75,000)			\$ 43,516	
					\$ (43,516)			\$ 2,449	
	Fund Balance	\$ 223,718	\$ (650,017)	\$ 71,665	\$ 97,110	\$ 49,694	\$ 814,202	\$ 2,449	\$ 608,821.41
	Fund Reserve Target	7%	\$ 228,433.21		\$ 3,900.00	N/A	N/A	N/A	

			Project Cost	2022	2023	2024	2025	2026	2027
	Cash Carryforwad			\$ 889,193	\$ 174,074	\$ 356,230	\$ 173,304	\$ (470,697)	\$ (228,573)
Revenues	Special Sales Tax Reimbursement			\$ 298,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000
Transfers	General Fund			\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000
	Expensed to Special Highway Fund			\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000
	Stormwater Utility Fund			\$ 100,000	\$ -	\$ 75,000	\$ -	\$ 75,000	\$ 75,000
	Debt Service			\$ (175,000)	\$ (175,000)	\$ (175,000)	\$ (175,000)	\$ (175,000)	\$ (175,000)
	CIP Annual Budgeted Resources			\$ 1,252,193	\$ 439,074	\$ 696,230	\$ 438,304	\$ (130,697)	\$ 111,427
CIP Projects									
W. 48th Street, Rainbow Blvd. to State Line	Total Westwood Cost	3.0%	Inflation Calculators	\$ 91,123		3%	6%	9%	12%
W. 47th Terrace, Rainbow Blvd. to State Line	Total Westwood Cost			\$ 86,485					
Alley (Shared w/ WWH)	Total Westwood Cost			\$ 28,929					
W. 47th & Rainbow intersection replacement	Total Westwood Cost			\$ 169,709					
W. 47th Street, Mission Road to Rainbow Blvd	Total Westwood Cost			\$ 3,514,465	\$ 820,000				
State Line Road, South City Limits to North City Limits	Total Westwood Cost			\$ 119,683					
W. 47th Place, Rainbow Blvd. to State Line Road	Total Westwood Cost			\$ 780,000					
Mission Road, 53rd Street to 47th Street	Total Westwood Cost			\$ 342,272	\$ 67,844	\$ 303,963			
Westwood View Related Improvements	Total Westwood Cost			\$ 60,350	\$ 60,350				
Belinder Avenue, South City Limits to West 47th Street	Total Westwood Cost								
W. 50th Street, Rainbow Boulevard to Mission Road	Total Westwood Cost			\$ 776,347		\$ 75,963	\$ 768,106		
W 47th Ter - Belinder Ave to Mission Rd.	Total Westwood Cost			\$ 645,497				\$ 67,665	\$ 683,194
Rainbow Blvd.									\$ 150,000
	Streets - Sub Total			\$ 880,350	\$ 67,844	\$ 379,926	\$ 768,106	\$ 67,665	\$ 683,194
Street Lights									
47th Street - Mission Rd. to Rainbow Blvd.	Total			\$ 338,224.00	\$ 169,112				
Belinder Ct. and Booth off 47th St.				\$ 44,000.00	\$ 44,000				
Mission Road, 53rd Street to 47th Street				\$ 176,000.00		\$ 128,000			
W. 50th Street, Rainbow Boulevard to Mission Road				\$ 115,500.00			\$ 125,895		
W 47th Ter - Belinder Ave to Mission Rd.				\$ 55,000.00					\$ 63,250
Street Lights, Pole Repair and Replacement			\$5,000/year	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000
	Streetlights - Sub Total			\$ 49,000	\$ 5,000	\$ 133,000	\$ 130,895	\$ 5,000	\$ 68,250
Stone Wall Repair									
4800 Rainbow Blvd Colonial Building Replacement									
	Construction		\$ 76,352						
	Design Engineering		\$ 7,600						
Miscellaneous Repair and Replacement			\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000
	Stone Wall Repair - Subtotal			\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000
Studies									
Pavement Management Study			\$ 13,581	\$ 13,581				\$ 15,211	
Facilities Feasibility Study			\$ 75,000	\$ 75,000					
	Studies - Subtotal			\$ 88,581	\$ -	\$ -	\$ -	\$ 15,211	\$ -
Facilities									
Public Works - Roof Coating, Snow Guards, Replace South Side Building Panels			\$ 50,188	\$ 50,188					
Public Works - Back Lot Replacement/Enlargement			\$ 75,000						
City Hall - Parking Lot Repair			\$ 25,000						
Public Works & City Hall - Reinvestment			\$ 2,275,000						
	Facilities Subtotal			\$ 50,188	\$ -	\$ -	\$ -	\$ -	\$ -
	CIP Annual Budgeted Expenditures			\$ 1,078,119	\$ 82,844	\$ 522,926	\$ 909,001	\$ 97,876	\$ 761,444

Equipment Reserve Fund

			2022	2023	2024	2025	2026	2027
Transfers	Cash Carryforward		\$ 245,440	\$ 213,940	\$ 358,940	\$ 173,290	\$ 132,365	\$ 47,744
	General Fund - Public Works		\$ 50,000	\$ 50,000	\$ 50,000	\$ 40,000	\$ 40,000	\$ 40,000
	General Fund - Public Safety		\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000
	General Fund - Administration		\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000
	General Fund - General Overhead		\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000
	Stormwater Utility Fund		\$ 60,000	\$ 60,000	\$ 60,000			
Resources			\$ 400,440	\$ 368,940	\$ 513,940	\$ 258,290	\$ 217,365	\$ 132,744
Department / Project Description								
	Inflation Calculator			5%	10%	15%	20%	25%
Public Works								
Replace 2004 Ford F-550 & Equipment	\$ 83,000.00	\$ 83,000						
Replace 2006 Street Sweeper	\$ 240,000.00			\$ 264,000				
Replace 2012 Ford F-350 & Equipment	\$ 58,000.00				\$ 66,700			
Replace 2012 Ford F-550 & Equipment	\$ 83,000.00					\$ 99,600		
Airless Paint Sprayer	\$ 5,000.00	\$ 5,000						
Replace 2012 Mower	\$ 8,500.00							
PW Sub Total		\$ 88,000	\$ -	\$ 264,000	\$ 66,700	\$ 99,600	\$ -	
Public Safety								
Replace 2014 Explorer (Vehicle No. 415)	\$ 37,000.00	\$ 37,000						
Vehicle Equipment	\$ 14,500.00	\$ 14,500						
Replace 2017 Explorer #1 (Vehicle No. 917)	\$ 37,000.00			\$ 40,700				
Vehicle Equipment	\$ 14,500.00			\$ 15,950				
Replace 2017 Explorer #2 (Vehicle No. 117)	\$ 37,000.00				\$ 42,550			
Vehicle Equipment	\$ 14,500.00				\$ 16,675			
Replace 2021 Explorer #3 (Vehicle No. 121)	\$ 37,000.00						\$ 46,250	
Vehicle Equipment	\$ 14,500.00						\$ 18,125	
In-car computer replacements (4)	\$ 16,000.00							
Safety Vests	\$ 10,000.00		\$ 10,000					
Tasers and Gear (10)	\$ 20,000.00			\$ 20,000				
Vehicle/Body Camera System	\$ 32,500.00	\$ 32,500						
PS Sub Total		\$ 84,000	\$ 10,000	\$ 76,650	\$ 59,225	\$ -	\$ -	
City Hall Improvements and Systems / IT								
Website Upgrade		\$ 10,000						
Conference Room Table / Chairs		\$ 4,500						
CH/IT Sub Total		\$ 14,500	\$ -	\$ -	\$ -	\$ -	\$ -	
Total		\$ 186,500	\$ 10,000	\$ 340,650	\$ 125,925	\$ 99,600	\$ 99,600	

Stormwater Utility Fund

		2022	2023	2024	2025	2026	2027
	Cash Carryforward	\$ 167,572	\$ 61,783	\$ 55,174	\$ (25,935)	\$ 28,456	\$ 8,347
Revenues							
	Stormwater Utility Fee	\$ 122,727	\$ 122,907	\$ 123,407	\$ 123,907	\$ 124,407	\$ 124,907
	Johnson County Stormwater BMP Reimbursement	\$ 1,000					
Transfers							
	CIP	\$ (100,000)	\$ -	\$ (75,000)	\$ -	\$ (75,000)	\$ (75,000)
	Equipment Reserve Fund	\$ (60,000)	\$ (60,000)	\$ (60,000)	\$ -	\$ -	\$ -
	Debt Service Fund	\$ (43,516)	\$ (43,516)	\$ (43,516)	\$ (43,516)	\$ (43,516)	\$ (43,516)
	Budgeted Resources	\$ 87,783	\$ 81,174	\$ 65	\$ 54,456	\$ 34,347	\$ 14,738
Expenditures							
	Stormwater Repairs and Maintenance	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000
	Leaf Pickup Program Expenses	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000
	Expenditures Total	\$ 26,000	\$ 26,000	\$ 26,000	\$ 26,000	\$ 26,000	\$ 26,000
Fund Balance		\$ 61,783	\$ 55,174	\$ (25,935)	\$ 28,456	\$ 8,347	\$ (11,262)

Special Highway Fund

		2022	2023	2024	2025	2026	2027
	Cash Carryforward	\$ 118,219	\$ 111,594	\$ 120,414	\$ 127,734	\$ 135,054	\$ 142,374
Revenues							
	State Highway Maintenance	\$ 14,860	\$ 14,820	\$ 14,820	\$ 14,820	\$ 14,820	\$ 14,820
	Special Highway	\$ 43,515	\$ 42,500	\$ 42,500	\$ 42,500	\$ 42,500	\$ 42,500
	Reimbursements	\$ 15,000	\$ 1,500				
	Budgeted Resources	\$ 191,594	\$ 170,414	\$ 177,734	\$ 185,054	\$ 192,374	\$ 199,694
Expenditures							
	Street Repairs and Maintenance	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000
	Rainbow (2022 study; 2027 design)	\$ 30,000					\$ 100,000
	Expenditures Total	\$ 40,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 110,000
Fund Balance		\$ 151,594	\$ 160,414	\$ 167,734	\$ 175,054	\$ 182,374	\$ 89,694
	Capital Projects	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000
	Ending Fund Balance	\$ 111,594	\$ 120,414	\$ 127,734	\$ 135,054	\$ 142,374	\$ 49,694

Woodside Village TIF CID Fund

		2022	2023	2024	2025	2026	2027
	Cash Carryforward	\$ 381,142	\$ 448,092	\$ 517,051	\$ 588,078	\$ 661,236	\$ 736,589
	Revenues						
	Woodside Village Ad Valorem Tax	\$ 350,200	\$ 360,706	\$ 371,527	\$ 382,673	\$ 394,153	\$ 405,978
	Woodside Village 40% Sales Tax	\$ 26,265	\$ 27,053	\$ 27,865	\$ 28,700	\$ 29,561	\$ 30,448
	Woodside Village CID 1	\$ 154,500	\$ 159,135	\$ 163,909	\$ 168,826	\$ 173,891	\$ 179,108
	Woodside Village CID 2	\$ 66,950.00	\$ 68,958.50	\$ 71,027.26	\$ 73,158.07	\$ 75,352.81	\$ 77,613.40
	Budgeted Resources	\$ 979,057	\$ 1,063,944	\$ 1,151,379	\$ 1,241,436	\$ 1,334,194	\$ 1,429,736
	Expenditures						
	UMB TIF Payment	\$ 350,200	\$ 360,706	\$ 371,527	\$ 382,673	\$ 394,153	\$ 405,978
	UMB 40% Sales Tax Payment	\$ 26,265	\$ 27,053	\$ 27,865	\$ 28,700	\$ 29,561	\$ 30,448
	UMB CID Payment	\$ 154,500	\$ 159,135	\$ 163,909	\$ 168,826	\$ 173,891	\$ 179,108
	Expenditures Total	\$ 530,965	\$ 546,894	\$ 563,301	\$ 580,200	\$ 597,606	\$ 615,534
	Fund Balance	\$ 448,092	\$ 517,051	\$ 588,078	\$ 661,236	\$ 736,589	\$ 814,202

Debt Service Fund

			2022	2023	2024	2025	2026	2027
	Cash Carryforward		\$ 144,573	\$ 163,751	\$ 127,927	\$ 93,232	\$ 59,702	\$ 27,370
	Revenues							
	Ad Valorem Tax		\$ 16,000	\$ 18,830	\$ 19,395	\$ 19,977	\$ 20,576	\$ 21,193
	Transfers							
	General Fund		\$ 15,000	\$ 18,830	\$ 19,395	\$ 19,977	\$ 20,576	\$ 21,193
	CIP Special Sales Tax		\$ 175,000	\$ 175,000	\$ 175,000	\$ 175,000	\$ 175,000	\$ 175,000
	Stormwater Utility Fund		\$ 43,516	\$ 43,516	\$ 43,516	\$ 43,516	\$ 43,516	\$ 43,516
	Budgeted Resources		\$ 394,089	\$ 419,927	\$ 385,232	\$ 351,702	\$ 319,370	\$ 288,273
	Expenditures							
	5050 Rainbow Blvd. Lease Purchase Agreement		\$ 13,338	\$ 75,000	\$ 75,000	\$ 75,000	\$ 75,000	\$ 75,000
	Street and Stormwater GO Bonds (2020A)		\$ 217,000	\$ 217,000	\$ 217,000	\$ 217,000	\$ 217,000	\$ 217,000
	Expenditures Total		\$ 230,338	\$ 292,000	\$ 292,000	\$ 292,000	\$ 292,000	\$ 292,000
	Fund Balance		\$ 163,751	\$ 127,927	\$ 93,232	\$ 59,702	\$ 27,370	\$ (3,727)

**City of Westwood, Kansas
City Council Meeting
June 9, 2022 – 7:00 p.m.**

Council Present: David E. Waters, Mayor
Andrew Buckman, Councilmember
Jeff Harris, Council President
Jason Hannaman, Councilmember
Laura Steele, Councilmember
Holly Wimer, Councilmember

Council Absent: None

Staff Present: Leslie Herring, CAO/City Clerk
Curtis Mansell, Police Chief
John Sullivan, Public Works Director
Ryan Denk, City Attorney

Call to Order

Mayor David E. Waters called the meeting to order at 7:00 p.m. on June 9, 2022. The City Clerk called the roll. A quorum was present. The evening's meeting was held in a hybrid manner, with attendees joining both in person and via Zoom.

Approval of Agenda

Motion by Councilmember Harris to approve the May 12, 2022 City Council meeting agenda as submitted. Second by Councilmember Wimer. Motion carried by a 5-0 voice vote.

Public Comment

John Duer, 4837 Belinder Court, asked the Council what the current status of developments and improvements were on the Woodside property. Mayor Waters stated the future plans for the property are in the developer's hands. Mayor Waters noted that some facets of the Woodside Development Agreement have expired, and it is up to the developer whether to pursue the project further. Mayor Waters said the developer will be presenting an update at a future City Council meeting, and when a date has been determined it will be included in the meeting agenda.

Public Hearings

No matters were subject to a public hearing for the evening's meeting.

Presentations and Proclamations

No presentations or proclamations were made.

Consent Agenda

All items listed below are considered to be routine by the Governing Body and will be enacted in one motion. There will be no separate discussion of these items unless a member of the Governing Body so requests, in which event the item will be removed from the consent agenda and considered separately following approval of the consent agenda.

- A. Consider May 12, 2022, City Council Meeting Minutes
- B. Consider Appropriations Ordinance 739

Motion by Councilmember Harris to approve the Consent Agenda as submitted. Second by Councilmember Buckman. Mrs. Herring performed a roll call vote. Motion carried by a 5-0 vote.

Mayor's Report

Mayor Waters provided an overview of events he attended and planned to attend as Mayor in the recent and upcoming weeks.

Committee Reports

Administration & Compensation Committee

Councilmember Hannaman had nothing to report.

Business & Community Affairs Committee

Councilmember Buckman had nothing to report.

Parks & Recreation Committee

Councilmember Wimer noted the Committee will be showing a movie in the park on Saturday, June 11th.

Public Safety Committee

Councilmember Harris had nothing to report.

Public Works Committee

Councilmember Steele had nothing to report.

Staff Reports

Administrative Report

Mrs. Herring provided an overview of the May 2022 Administrative Report included in the agenda packet and offered to answer questions.

Public Works Report

Mr. Sullivan provided an overview of the May 2022 Public Works Report included in the agenda packet and offered to answer any questions.

Public Safety Report

Chief Mansell provided an overview of the May 2022 Public Safety Report included in the agenda packet and offered to answer questions.

Treasurer's Report

The May 2022 Treasurer's Report was included in the agenda packet for review. No questions or comments were made about the report.

City Attorney's Report

Mr. Denk had nothing to report.

Old Business

No old business matters were considered.

New Business

Consider Resolution No. 106-2022 Waiving the GAAP requirement for financial reporting

The State of Kansas requires audits for cities and their financial statements be based on Generally Accepted Accounting Principles (GAAP), which has proven to be a very cumbersome and expensive accounting standard to comply with for smaller municipalities.

The provisions of K.S.A. 75-1120A(A) do allow for cities to adopt the Cash Receipts and Disbursements method of accounting for the audit, where the audit testing procedures remain the same and it allows cities to report an audit based on the annual budget cycle.

As has been the past practice of the City of Westwood, waiving the requirements of GAAP principles during the annual financial audit is recommended to allow for a more straightforward auditing process.

Motion by Councilmember Harris to approve Resolution No. 106-2022 waiving the requirement of K.S.A. 75-1120A(A) as they apply to the City of Westwood for the fiscal year that ended December 31, 2021.

Receive Presentation of 2021 Independent Financial Audit

John Martin, Higdon & Hale, provided an overview of the 2021 Independent Financial Audit which was included in the evening's agenda packet.

2023 Preliminary Budget Presentation

Mrs. Herring provided a presentation on preliminary budget planning for 2023. Mrs. Herring stated that she is prepared to bring forward a resolution for consideration by the Governing Body to exceed the Revenue Neutral Rate in the FY 2023 budget if there are no objections or reservation from the Governing Body. No objections or reservations were heard.

Announcements/Governing Body Comments

Councilmember Harris said he has been working with staff to develop a plan to achieve Bronze Level recognition for the Communities for All Ages by the end of the year.

Councilmember Steele thanked Councilmember Wimer and staff for arranging a hands-only CPR training by Consolidated Fire District #2 on June 1st. Councilmember Wimer noted that CFD2 is willing to train any size group on hands-only CPR.

Executive Session

No matters required an Executive Session during this meeting.

Adjournment

Motion by Councilmember Harris to adjourn the meeting. Second by Councilmember Steele. Motion carried by a 5-0 voice vote. The meeting adjourned at 8:54 p.m.

APPROVED: _____
David E. Waters, Mayor

ATTEST: _____
Leslie Herring, City Clerk



Chief Administrative Officer/City Clerk Report

July 2022

To: Mayor and City Council
From: Leslie Herring, Chief Administrative Officer/City Clerk
Date: July 14, 2022
RE: Update on some of the key areas of focus of the Administration Department

Current Priorities

2nd Quarter (April) 2022 through 3rd Quarter (September) 2022

- *Execute the City's Long-term Land Use Strategy*
 - The Facilities Study is well under way. A public community conversation is scheduled for Wednesday, July 13th at 6 PM at City Hall and will be held in a hybrid format, with the meeting recording being posted to the City's website following the meeting. This project is still on schedule for public presentation to the Governing Body at the September 8th regular City Council meeting.
- ✓ *Create and Adopt a Governing Body Strategic Plan*
 - The Governing Body held a work session at the May regular meeting to receive a presentation on the status of implementation action related to the goals stated in the 2016 [draft] Governing Body Strategic Action Plan. Staff will continue working to implement the goals in the document, which is included in the May 2022 City Council meeting packet. In 2023, staff recommends conducting a city-wide citizen satisfaction survey and request for issues of priority from the community. This data would then feed formal Governing Body strategic planning in early 2024, which results would direct City staff and City officials as to priority areas for resource and staff dedication.
- ✓ *Conduct the Annual Financial Audit and Adopt the City's 2023 Fiscal Year Budget*
 - On tonight's agenda.
- *Update the City's Website*
 - Not yet started.
- *Study the Feasibility of Complete Streets Improvements to Mission Rd. and Rainbow Blvd.*
 - Mission Rd. – The Westwood and Roeland Park Public Works Committees have been working together and with staff to do public engagement on options for Complete Streets improvements to Mission Rd. as part of the scheduled 2024 joint project to resurface the road and to make other related improvements. An online resident survey was conducted through the months of April and May. A joint Public Works Committee meeting was held on June 2nd to debrief the results of the survey, discuss the community's feedback, and to make a recommendation as to which enhancements to jointly pursue. It was agreed that dedicated bike lanes be pursued in both the north and southbound travel lanes and that pedestrian scale lighting be pursued. The next joint meeting is expected to take place in July to discuss possibilities for street lighting given the limitations of the right-of-way. Ultimately, the Public Works

Committees/delegations will make a recommendation to each Governing Body once a joint recommendation is agreed upon. Design is not expected to begin in earnest until 2023.

- Rainbow Blvd. – A group of various stakeholders in Highway 169/7th St./Rainbow Blvd. are working together and with KDOT to explore possible Complete Streets improvements to this corridor. At this time, the joint stakeholders are in favor of pursuing matching funds through MARC's Planning Sustainable Places program to study the operations of the roadway and possible challenges and opportunities. The Westwood Governing Body allocated \$30,000 from the Special Highway Fund to go toward this project, which will likely take place beginning in Fall of 2022 through 2023, if the project is awarded MARC funding. The grant application was submitted to MARC in July and award announcements are expected in late September/early October.

➤ *Create a Records Retention Policy*

- Not yet started.

Building Permits

The following is a snapshot of select building permits of note issued last month:

Residential

New Construction:

- 2911 W. 47th Ter.

Additions: None

Alterations:

- 2921 W. 49th Pl. – Basement refinish

Demolition: None

Commercial

New Construction: None

Additions: None

Alterations: None

Demolition: None

Westwood Public Works Monthly Report

TO: GOVERNING BODY
FROM: JOHN SULLIVAN, DIRECTOR OF PUBLIC WORKS
RE: MONTHLY REPORT, JUNE 2022
DATE: JULY 12, 2022

Some of the activities for Public Works in June include:

1. Daily collection of trash from City Hall and City Parks.
2. Perform a weekly inspection of the playground equipment and park facilities.
3. Perform a weekly inspection of the traffic control signs throughout the city; replace poles and signs as required.
4. I prepared the Purchase Orders and documentation for those purchases.
5. Performed routine maintenance at the City Hall to include the servicing of the air handling equipment, re-lamping fixtures and repairing or installing appurtenances including plumbing fixtures.
6. I represented the city at various meetings to include:
7. Received, via email, Kansas One-Call Locate Requests, advised callers of their status with the City of Westwood regarding utilities and advised, when appropriate, the need to either get an excavation permit, building permit or fence permit. I provided the building official with a copy of the locate requests for follow-up for any building permits that may be required and answered any questions when asked.
8. We performed routine maintenance on the Public Works vehicles and equipment to include fluid services, cleaning, and general repairs.
9. Routine maintenance of the Public Works Facility to include the air handling equipment, plumbing, electrical, and cleaning.
10. Performed various clerical duties for the Public Works Department's daily functions.
11. I attended Public Works, City Council and Staff and Committee meetings as required.
12. Observed activities associated with ROW Permits.
13. We marked streetlight utilities when requested by the One-Call System.
14. We performed monthly safety checks at all City properties as well as monthly fire extinguisher inspections.
15. Mitch is attending monthly Safety Committee Meetings.
16. We swept the city streets of debris.
17. We loaded roll off containers from the street sweeping efforts.
18. We patched potholes.
19. We cleaned the gutters on the public buildings.
20. We performed weekly mowing and trimming of various City grounds.
21. We delivered block party barricades and retrieved when the event was over.
22. We delivered barricades for foodie-fest.
23. We staffed the movies in the park event.
24. We performed a variety of maintenance repairs at City Hall.
25. We performed major repairs to the skid steer loader.

26. We removed the dead cedar trees from the cul-de-sac on W. 49th Street.
27. We prepared for the fireworks show by obtaining the necessary items to restrict parking.
28. We removed a large tree branch from Shawnee Mission Parkway.
29. We sprayed non-selective herbicide on the joints between the sidewalk and curbs.
30. We performed construction observation on the 2021 Street Projects.

This concludes my activities report for some of the activities for Public Works in June.

To: Governing Body
From: John Sullivan, Director of Public Works
Date: July 12, 2022
Re: Monthly Status Report

- W. 47th Street Project: The gas project is moving along. They should be around the corner onto Mission Road by the end of next week. The project will let on July 20, 2022. We have received an estimate from BHC Engineering for the Construction Engineering. I will be working with Troy Shaw at the U.G. to negotiate an agreement.
- 2021 Street Improvement Projects: This project is complete with the exception of the sod which will need to be placed in the fall and a few punch list items.
- State Line CARS Project: See 2021 information.
- Westwood View School Project: We are waiting for the fire hydrant and telephone pedestal to be relocated and the sidewalk contractor to begin. We are about 3 weeks out on this. The school zone signage will be installed tomorrow. The flashing beacons are ordered but have not arrived as of yet. They will be installing temporary beacons in the interim.
- Pavement Evaluation: The survey data has been received. Council Member Hannaman is reviewing. I have not had time to review.

WESTWOOD					
Jun-22					
ACTIVITIES / OFFENSE	THIS MONTH	22-YTD	21-YTD	22-Avg	CHANGE
<i>PART I CRIMES</i>					
MURDER					No Change
RAPE					No Change
ROBBERY			2		-2
BURGLARY					
BUSINESS		1	1	0.17	No Change
RESIDENTIAL		2	2	0.33	No Change
VEHICLE	6	22	7	3.67	15
MOTOR VEH THEFT	2	3	2	0.50	1
LARCENY / THEFT	1	9	6	1.50	3
ASSAULT / BATTERY		1	1	0.17	No Change
ARRESTS					
FELONY			1		-1
MISDEMEANOR		2		0.33	2
TRAFFIC			1		-1
DRUG		2	7	0.33	-5
DUI		1	1	0.17	No Change
WARRANTS	4	21	32	3.50	-11
CONFINED					No Change
SUMMONS					
HAZARD	4	72	97	12.00	-25
NON-HAZARD	43	280	306	46.67	-26
DUI		1	1	0.17	No Change
ORD. VIOLATION	2	6	58	1.00	-52
ACCIDENTS					
NON-INJURY	1	12	8	2.00	4
INJURY		4	1	0.67	3
PRIVATE PROPERTY	1	6	3	1.00	3
ADMIN.DUTIES-PD	81	318	97	53.00	221
ADMIN.DUTIES - CITY	1	119	13	19.83	106
ALARM	5	25	45	4.17	-20
ANIMAL	3	16	24	2.67	-8
ASSIST - POLICE	11	61	30	10.17	31
ASSIST - PUB MOTOR	20	104	73	17.33	31
BLD. CHECK-SHAKE		20	23	3.33	-3
BLD. CHECK-PATROL	610	3430	6232	571.67	-2802
BUSINESS CHECK	19	77	1587	12.83	-1510
CIVIL MATTER	1	4	1	0.67	3
EXTRA PATROL HAZARD					No Change
EXTRA PATROL NON HAZ					No Change
EXTRA PATROL DUI					No Change
EXTRA PATROL ORD.					No Change

WESTWOOD

Jun-22

ACTIVITIES / OFFENSE	THIS MONTH	22-YTD	21-YTD	22-Avg	CHANGE
CRIMINAL DAMAGE		1	1	0.17	No Change
DISTURBANCE	1	5	5	0.83	No Change
DISORDERLY CONDUCT					No Change
FIELD INTERVIEW FORM					No Change
FIRE	1	1	6	0.17	-5
FOLLOW UP	13	58	35	9.67	23
INFO / INVEST	4	13	47	2.17	-34
JUVENILE	1	3	4	0.50	-1
MENTAL HEALTH					
SUICIDE					No Change
ATT SUICIDE					No Change
INVOLUNTARY COMMITTAL	1	1		0.166666667	1
ALL OTHER MENTAL HEALTH			2		-2
MEDICAL CALL	8	40	79	6.666666667	-39
NATURE UNKNOWN	1	2	1	0.33	1
NOISE COMPLAINT		1	4	0.17	-3
OPEN DOOR		11	5	1.83	6
ORD. COMPLAINT		11	5	1.83	6
ORD. VIOL WARNING	2	2		0.33	2
ORD. VIOL LETTER					No Change
OTHER	1	3	7	0.50	-4
PED. CHECK	1	3	7	0.50	-4
PUBLIC SERVICE	13	54	95	9.00	-41
RECOVERED PROP	1	7	2	1.17	5
RESIDENCE CHECK			175		-175
SUSPICIOUS SUBJECT	8	26	30	4.33	-4
VEH CHECK OCCUPIED	5	9	9	1.50	No Change
VEH CHECK UNOCCUPIED	3	10	49	1.67	-39
TELE. CALL HARASS					No Change
TELE. CALL THREAT			2		-2
TRAFFIC COMPLAINT	6	24	15	4.00	9
TRAFFIC WARNING	23	21	7	3.50	14
UNATTENDED DEATH			3		-3

Total Activity

831

Last Year - YTD Activity

8739

Year to Date Activity

4516

Difference in Activity

-4223

Total Monthly Summons

49

Hazardous Summons Percentage

8%

**WESTWOOD
INCIDENT SUMMARY**

LARCENY / THEFT

CASE NO: 20220154 **LOCATION:** 2650 Shawnee Msn Pkwy
DATE : 06/14/2022
ACTIVITY: Unknown suspect removed the catalytic converter from the vehicle without permission.

BURLGARY TO AUTO

CASE NO: 20220136 **LOCATION:** 2000 W 47th Pl
DATE : 06/03/2022
ACTIVITY: Unknown suspect broke out front passenger window and the rear windshield window. A tote bag with misc clothes and an Apple MacBook was taken without permission.

CASE NO: 20220137 **LOCATION:** 2000 W 47th Pl
DATE : 06/05/2022
ACTIVITY: Unknown suspect(s) broke out passenger side window and took a tennis bag and all the contents without permission.

CASE NO: 20220147 **LOCATION:** 2203 W 48th St
DATE : 06/10/2022
ACTIVITY: Unknown suspect entered the vehicle and removed sunglasses and a wallet with 2 credit cards without permission.

CASE NO: 20220150 **LOCATION:** 4923 Adams
DATE : 06/14/2022
ACTIVITY: Unknown suspect entered the unlocked vehicle and took 6 dressess without permission.

CASE NO: 20220152 **LOCATION:** 2323 W 51st S
DATE : 06/14/2022
ACTIVITY: Unknown suspect entered the unlocked vehicle and took QT gift cards and the garage door opener without permission.

CASE NO: 20220153 **LOCATION:** 4900 Belinder
DATE : 06/14/2022
ACTIVITY: Unknown suspect entered the unlocked vehicle and took a computer bag, work portfolio, and a gift card without permission.

MOTOR VEH THEFT

CASE NO: 20220138 **LOCATION:** 4820 Booth St
DATE : 06/05/2022
ACTIVITY: Unknown suspect removed the vehicle from the driveway which had the key fob in it. The vehicle was later recovered in Kansas City, MO.

CASE NO: 20220139

LOCATION: 2517 W 51st T

DATE : 06/05/2022

ACTIVITY: Unknown suspect entered the unlocked and keys left in the vehicle and took the vehicle without permission.

WESTWOOD
COURT SUMMARY
JUNE, 2022

COURT DATE	ARRAIGNMENTS	TRIALS	FINES	LETTERS	WARRANTS
June 03, 2022	52	00	\$ 2,585.00	32	39
June 17, 2022	15	00	\$ 2,770.00	00	00
TOTALS					
June, 2022	67	00	\$ 5,355.00	32	39
June, 2021	86	12	\$ 8,215.00	59	25
TOTAL (5,355.00) less					
* Kansas DL fees:					\$ 0.00
* Judges Training Fund:					\$12.00
* LET Training Fund:					\$270.00
* Seat Belt Safety Fund:					\$0.00
June 2022 TOTAL:					\$5,073.00

Y.T.D. TOTALS 2022		Y.T.D. TOTALS 2021	
ARRAIGNMENTS:	289	ARRAIGNMENTS:	421
TRIALS	36	TRIALS:	81
LETTERS:	164	LETTERS:	228
WARRANTS:	133	WARRANTS:	171
FINES:	\$34,379.50	FINES:	\$46,795.75
KS DL FEES:	\$803.00	KS DL FEES:	\$894.00
JUDGES FUND:	\$77.50	JUDGES FUND:	\$115.50
L.E.T.FUND:	\$1,707.50	L.E.T FUND:	\$2,647.00
COMM CORRECTIONS:	\$0.00	COMM CORRECTIONS:	\$0.00
SEAT BELT FUND:	\$20.00	SEAT BELT FUND:	\$180.00

City of Westwood
Treasurer's Report
6/30/2022

1. Balance Sheet by Fund – shows overall ending cash balances for the City by Fund.
 - a. Ending unencumbered cash through June of \$3,940,181 and remains up from year end by \$845,333. This still includes \$406,742 of 2021 Encumbrances that have not been paid.
2. Cash Flow – shows beginning cash by fund and associated revenues and expenditures for each fund in a more summarized format.
3. Statement of Operations – General Fund
 - a. Revenue received for the month of \$653,169 which includes the County Ad Val and Special Assessments distributions. Revenue received year to date of \$1,972,103 compared to the prior year to date of \$1,719,292 which is up by \$252K.
 - i. Taxes – overall up \$118K from prior year. Ad Valorem taxes are up \$30K from prior year. City and County sales tax revenue is up about \$79K compared to prior year, Liquor Tax up \$10K, Motor Vehicle down \$5K and Special Assessments up \$2K.
 - ii. Fees and Licenses – up year to date by \$32K overall. Utility Franchise Fees up by \$12K, Community Room Fees up by \$2K, Pool Fees up \$9K and Occupational Licenses up by \$8K.
 - iii. Building Permits – down by \$13K for the year.
 - iv. Intergovernmental Fees are the same as last year.
 - v. Fines – are down \$14K from prior year to date.
 - vi. Grants and Donations – up \$125K after receipt of additional ARPA funds.
 - vii. Reimbursements – are up by \$15K from prior year.
 - viii. Miscellaneous Income – Misc. Income down by \$8K from prior.
 - b. Overall, June Expenditures totaled \$180,011. Year to Date Expenditures through June total \$1,258,119, up \$11K compared to the prior year to date.
 - i. General Overhead total expenditures of \$34,695 for the month. Down from prior year by \$67K. Professional Fees has decreased by \$19K, Utilities are down \$34K due to a timing difference in trash billing, Capital Improvement Expense down \$6K.
 - ii. Administrative expenditures of \$21,897 for the month, down from prior year by \$3K. Overall increase in the Salary & Benefits line item by \$23K from prior year largely due to increases in health insurance costs, Employee Expenses down \$3K and Computer Expenses down \$16K.
 - iii. Public Works total expenditures of \$35,463 for the month, year to date is up 22K from the prior year. Salary and Benefits up \$21K, Professional Fees down \$6K, General operating is up \$4K which includes gas and oil expenses and Equipment and Maintenance up \$4K.
 - iv. Police expenditures are \$82,188 this month up from prior year by \$54K. Increases in Salary and Benefits by \$63K, Employee Expenses up \$5K, Professional Fees down \$15K, Equipment and Maintenance up \$4K.
 - v. Parks and Rec total expenditures of \$5,766 for the month, spending remains about even with the prior year.
 - c. Net Receipts Over (Under) Expenditures in the General Fund are 473,158 for the month, year to date Receipts Over Expenditures is positive at \$713,984 which is up from the prior year to date by \$228K.
4. Other Funds – Current Month and Year to Date
 - a. CIP – June Sales Tax was down slightly at \$27K this month.

I am happy to answer any questions upon request.

Michelle Ryan
City of Westwood Treasurer



City of Westwood, Kansas
Balance Sheet by Fund
As of June 30, 2022

	General Fund 06/30/2022	Capital Improvements Fund 06/30/2022	Equipment Reserve Fund 06/30/2022	Stormwater Fund 06/30/2022	Special Highway Fund 06/30/2022	Woodside TIF/CID Fund 06/30/2022	Debt Service Fund 06/30/2022	All Funds 06/30/2022
Assets								
Current Assets								
Cash In Bank	1,772,035.29	942,131.10	228,503.23	284,517.00	147,365.56	408,444.09	114,426.01	3,897,422.28
Cash In Bank - Bond Fund	36,136.29	0.00	0.00	0.00	0.00	0.00	0.00	36,136.29
Cash In Bank - Woodside Village Acct	9.35	0.00	0.00	0.00	0.00	0.00	0.00	9.35
PayPal - City Account	120.77	0.00	0.00	0.00	0.00	0.00	0.00	120.77
Petty Cash	257.75	0.00	0.00	0.00	0.00	0.00	0.00	257.75
Undeposited Funds	6,234.82	0.00	0.00	0.00	0.00	0.00	0.00	6,234.82
Total Current Assets	1,814,794.27	942,131.10	228,503.23	284,517.00	147,365.56	408,444.09	114,426.01	3,940,181.26
Total Assets	\$ 1,814,794.27	\$ 942,131.10	\$ 228,503.23	\$ 284,517.00	\$ 147,365.56	\$ 408,444.09	\$ 114,426.01	\$ 3,940,181.26
Liabilities and Fund Balance								
Current Liabilities								
Encumbrances	0.00	406,742.53	0.00	0.00	0.00	0.00	0.00	406,742.53
Woodside Village Deposits	9.19	0.00	0.00	0.00	0.00	0.00	0.00	9.19
Refundable Bond Deposits	35,689.99	0.00	0.00	0.00	0.00	0.00	0.00	35,689.99
Total Current Liabilities	35,699.18	406,742.53	0.00	0.00	0.00	0.00	0.00	442,441.71
Total Liabilities	35,699.18	406,742.53	0.00	0.00	0.00	0.00	0.00	442,441.71
Fund Balance								
Fund Balance	1,065,110.33	380,357.50	245,440.39	164,344.15	118,218.51	381,142.20	145,754.11	2,500,367.19
Fund Balance - Current Year	713,984.76	155,031.07	(16,937.16)	120,172.85	29,147.05	27,301.89	(31,328.10)	997,372.36
Total Fund Balance	1,779,095.09	535,388.57	228,503.23	284,517.00	147,365.56	408,444.09	114,426.01	3,497,739.55
Total Liabilities and Fund Balance	\$ 1,814,794.27	\$ 942,131.10	\$ 228,503.23	\$ 284,517.00	\$ 147,365.56	\$ 408,444.09	\$ 114,426.01	\$ 3,940,181.26

No assurance is provided. Substantially all disclosures omitted.

City of Westwood, Kansas

Cash Flow

For the One Month Ended June 30, 2022

	General Fund Month Ending 06/30/2022	Capital Improvements Fund Month Ending 06/30/2022	Equipment Reserve Fund Month Ending 06/30/2022	Stormwater Fund Month Ending 06/30/2022	Special Highway Fund Month Ending 06/30/2022	Woodside TIF/CID Fund Month Ending 06/30/2022	Debt Service Fund Month Ending 06/30/2022	All Funds Month Ending 06/30/2022
Unencumbered Cash, Beginning Period	1,340,906.07	513,665.63	228,503.23	240,701.70	147,365.56	391,093.74	107,578.73	2,969,814.66
Receipts								
Taxes	445,606.60	27,370.24	0.00	0.00	0.00	0.00	6,847.28	479,824.12
Fees and Licenses	44,515.36	0.00	0.00	0.00	0.00	0.00	0.00	44,515.36
Building Permits	(2,270.12)	0.00	0.00	0.00	0.00	0.00	0.00	(2,270.12)
Intergovernmental	35,275.01	0.00	0.00	0.00	0.00	0.00	0.00	35,275.01
Restricted Use	0.00	0.00	0.00	44,341.37	0.00	211,876.35	0.00	256,217.72
Fines	4,660.00	0.00	0.00	0.00	0.00	0.00	0.00	4,660.00
Grants and Donations	125,215.81	0.00	0.00	0.00	0.00	0.00	0.00	125,215.81
Miscellaneous	166.99	0.00	0.00	0.00	0.00	0.00	0.00	166.99
Total Receipts	653,169.65	27,370.24	0.00	44,341.37	0.00	211,876.35	6,847.28	943,604.89
Expenditures								
Salary & Benefits	125,353.27	0.00	0.00	0.00	0.00	0.00	0.00	125,353.27
Employee Expenses	1,664.82	0.00	0.00	0.00	0.00	0.00	0.00	1,664.82
Professional Fees	13,834.61	0.00	0.00	0.00	0.00	0.00	0.00	13,834.61
General Operating Expenses	9,047.31	0.00	0.00	0.00	0.00	0.00	0.00	9,047.31
Utilities	21,749.42	0.00	0.00	0.00	0.00	0.00	0.00	21,749.42
Equipment and Maintenance	4,906.21	0.00	0.00	0.00	0.00	0.00	0.00	4,906.21
Street and Stormwater	0.00	5,647.30	0.00	526.07	0.00	0.00	0.00	6,173.37
Park and Events	3,455.81	0.00	0.00	0.00	0.00	0.00	0.00	3,455.81
Miscellaneous	0.00	0.00	0.00	0.00	0.00	194,526.00	0.00	194,526.00
Interfund Transfers	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Expenditures	180,011.45	5,647.30	0.00	526.07	0.00	194,526.00	0.00	380,710.82
Prior Year Cancelled Encumbrances	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Increase / (Decrease) in Refundable Bond Deposits	730.00	0.00	0.00	0.00	0.00	0.00	0.00	730.00
Unencumbered Cash, End of Period	\$ 1,814,794.27	\$ 942,131.10	\$ 228,503.23	\$ 284,517.00	\$ 147,365.56	\$ 408,444.09	\$ 114,426.01	\$ 3,940,181.26

No assurance is provided. Substantially all disclosures omitted.

City of Westwood, Kansas

Statement of Operations

General Fund

For The One Period and Six Periods Ended June 30, 2022 and 2021

	Month Ending 06/30/2022	Year To Date 06/30/2022	Year To Date 06/30/2021	Year Ending 12/31/2022	
	Actual	Actual	Prior Year	Current Budget	Over/(Under) Budget
Receipts					
Taxes	\$ 445,606.60	\$ 1,359,312.03	\$ 1,241,295.18	\$ 1,852,425.00	(493,112.97)
Fees and Licenses	44,515.36	247,534.51	215,283.23	446,200.00	(198,665.49)
Building Permits	(2,270.12)	26,152.56	39,761.30	70,000.00	(43,847.44)
Intergovernmental	35,275.01	160,442.93	161,719.27	328,100.00	(167,657.07)
Fines	4,660.00	32,967.25	47,480.75	90,000.00	(57,032.75)
Grants and Donations	125,215.81	125,215.81	0.00	0.00	125,215.81
Reimbursements	0.00	15,007.45	0.00	0.00	15,007.45
Miscellaneous	166.99	5,471.42	13,752.69	4,250.00	1,221.42
Total Receipts	653,169.65	1,972,103.96	1,719,292.42	2,790,975.00	(818,871.04)
Expenditures					
General Overhead					
Salary & Benefits	1,995.80	12,114.39	18,739.98	38,450.00	(26,335.61)
Employee Expenses	107.72	5,697.21	1,171.86	6,000.00	(302.79)
Professional Fees	11,226.31	143,297.38	162,834.68	202,550.00	(59,252.62)
General Operating Expenses	2,506.07	7,883.05	5,664.70	34,000.00	(26,116.95)
Utilities	17,519.53	93,728.28	128,268.67	252,850.00	(159,121.72)
Equipment and Maintenance	0.00	0.00	95.04	0.00	0.00
Street and Stormwater	0.00	0.00	6,668.75	0.00	0.00
Park and Events	1,340.00	3,361.43	1,500.00	14,750.00	(11,388.57)
Miscellaneous	0.00	0.00	200.00	15,000.00	(15,000.00)
Intergovernmental	0.00	0.00	8,718.50	20,000.00	(20,000.00)
Interfund Transfers	0.00	0.00	0.00	127,142.83	(127,142.83)
Total General Overhead	34,695.43	266,081.74	333,862.18	710,742.83	(444,661.09)
Administrative					
Salary & Benefits	22,368.30	156,541.81	133,420.67	289,482.36	(132,940.55)
Employee Expenses	424.00	2,801.97	5,420.99	14,500.00	(11,698.03)
Professional Fees	0.00	175.00	1,410.00	10,200.00	(10,025.00)
General Operating Expenses	(895.27)	800.14	16,915.97	8,000.00	(7,199.86)
Park and Events	0.00	0.00	40.00	2,000.00	(2,000.00)
Interfund Transfers	0.00	0.00	0.00	5,000.00	(5,000.00)
Total Administrative	21,897.03	160,318.92	157,207.63	329,182.36	(168,863.44)

No assurance is provided. Substantially all disclosures omitted.

City of Westwood, Kansas

Statement of Operations

General Fund

For The One Period and Six Periods Ended June 30, 2022 and 2021

	Month Ending 06/30/2022	Year To Date 06/30/2022	Year To Date 06/30/2021	Year Ending 12/31/2022	
	Actual	Actual	Prior Year	Current Budget	Over/(Under) Budget
Public Works					
Salary & Benefits	28,268.03	212,529.79	191,488.96	424,712.89	(212,183.10)
Employee Expenses	178.99	3,642.27	2,990.03	7,900.00	(4,257.73)
Professional Fees	0.00	0.00	5,945.00	17,000.00	(17,000.00)
General Operating Expenses	1,644.09	13,657.66	9,496.90	22,550.00	(8,892.34)
Utilities	1,248.28	5,050.03	6,436.02	14,000.00	(8,949.97)
Equipment and Maintenance	4,124.09	24,489.04	20,154.56	56,000.00	(31,510.96)
Interfund Transfers	0.00	0.00	0.00	50,000.00	(50,000.00)
Total Public Works	35,463.48	259,368.79	236,511.47	592,162.89	(332,794.10)
Police					
Salary & Benefits	72,721.14	497,075.23	434,124.50	1,066,474.23	(569,399.00)
Employee Expenses	954.11	11,403.31	6,414.92	27,000.00	(15,596.69)
Professional Fees	2,608.30	20,120.22	35,740.97	61,425.00	(41,304.78)
General Operating Expenses	5,532.46	24,669.95	24,538.82	58,000.00	(33,330.05)
Utilities	256.37	1,174.87	2,023.74	4,500.00	(3,325.13)
Equipment and Maintenance	116.20	8,036.01	4,544.21	10,000.00	(1,963.99)
Park and Events	0.00	0.00	1,045.08	0.00	0.00
Interfund Transfers	0.00	0.00	0.00	30,000.00	(30,000.00)
Total Police	82,188.58	562,479.59	508,432.24	1,257,399.23	(694,919.64)
Parks & Rec					
General Operating Expenses	259.96	300.62	2,162.85	2,000.00	(1,699.38)
Utilities	2,725.24	5,463.11	6,734.94	30,000.00	(24,536.89)
Equipment and Maintenance	665.92	1,586.34	1,405.21	6,000.00	(4,413.66)
Park and Events	2,115.81	2,520.09	491.02	11,850.00	(9,329.91)
Total Parks & Rec	5,766.93	9,870.16	10,794.02	49,850.00	(39,979.84)
Total Expenditures	180,011.45	1,258,119.20	1,246,807.54	2,939,337.31	(1,681,218.11)
Prior Year Cancelled Encumbrances	0.00	0.00	12,810.51	0.00	0.00
Receipts Over (Under) Expenditures	\$ 473,158.20	\$ 713,984.76	\$ 485,295.39	\$ (148,362.31)	862,347.07

No assurance is provided. Substantially all disclosures omitted.

City of Westwood, Kansas
Statement of Operations
Other Funds
For The One Period Ended June 30, 2022

	Other Funds					
	Capital Improvements Fund Month To Date 06/30/2022 Actual	Equipment Reserve Fund Month To Date 06/30/2022 Actual	Stormwater Fund Month To Date 06/30/2022 Actual	Special Highway Fund Month To Date 06/30/2022 Actual	Woodside TIF/CID Fund Month To Date 06/30/2022 Actual	Debt Service Fund Month To Date 06/30/2022 Actual
Receipts						
Taxes						
Ad Valorem Tax	0.00	0.00	0.00	0.00	0.00	6,609.01
City Sales & Use Tax - Special	27,370.24	0.00	0.00	0.00	0.00	0.00
Motor Vehicle Tax	0.00	0.00	0.00	0.00	0.00	238.27
Total Taxes	\$ 27,370.24	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 6,847.28
Restricted Use						
Stormwater Utility Fee	0.00	0.00	44,341.37	0.00	0.00	0.00
WV CID-1	0.00	0.00	0.00	0.00	204,869.89	0.00
WV CID-2	0.00	0.00	0.00	0.00	7,006.46	0.00
Interfund Transfers	0.00	0.00	0.00	0.00	0.00	0.00
Total Receipts	27,370.24	0.00	44,341.37	0.00	211,876.35	6,847.28
Expenditures						
Street and Stormwater						
Capital Improvement Expense	5,647.30	0.00	0.00	0.00	0.00	0.00
Stormwater Expense	0.00	0.00	526.07	0.00	0.00	0.00
Total Street and Stormwater	5,647.30	0.00	526.07	0.00	0.00	0.00
Miscellaneous						
UMB TIF Payment	0.00	0.00	0.00	0.00	176,400.79	0.00
UMB CID Payment	0.00	0.00	0.00	0.00	18,125.21	0.00
Total Miscellaneous	0.00	0.00	0.00	0.00	194,526.00	0.00
Interfund Transfers	0.00	0.00	0.00	0.00	0.00	0.00
Total Expenditures	5,647.30	0.00	526.07	0.00	194,526.00	0.00
Receipts Over (Under) Expenditures	\$ 21,722.94	\$ 0.00	\$ 43,815.30	\$ 0.00	\$ 17,350.35	\$ 6,847.28

No assurance is provided. Substantially all disclosures omitted.

City of Westwood, Kansas
Statement of Operations
Other Funds
For The Six Periods Ended June 30, 2022

	Other Funds					
	Capital Improvements Fund Year To Date 06/30/2022 Actual	Equipment Reserve Fund Year To Date 06/30/2022 Actual	Stormwater Fund Year To Date 06/30/2022 Actual	Special Highway Fund Year To Date 06/30/2022 Actual	Woodside TIF/CID Fund Year To Date 06/30/2022 Actual	Debt Service Fund Year To Date 06/30/2022 Actual
Receipts						
Taxes						
Ad Valorem Tax	0.00	0.00	0.00	0.00	0.00	15,698.36
City Sales & Use Tax - Special	167,026.11	0.00	0.00	0.00	0.00	0.00
Motor Vehicle Tax	0.00	0.00	0.00	0.00	0.00	573.55
Total Taxes	\$ 167,026.11	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 16,271.91
Restricted Use						
Stormwater Utility Fee	0.00	0.00	121,291.77	0.00	0.00	0.00
State Hwy Maintenance	0.00	0.00	0.00	7,389.70	0.00	0.00
Special Highway Fund Revenue	0.00	0.00	0.00	21,757.35	0.00	0.00
WV Ad Valorem Tax	0.00	0.00	0.00	0.00	189,103.29	0.00
WV CID-1	0.00	0.00	0.00	0.00	286,510.18	0.00
WV CID-2	0.00	0.00	0.00	0.00	40,618.34	0.00
Miscellaneous	0.00	30,500.00	968.80	0.00	0.00	0.00
Interfund Transfers	0.00	0.00	0.00	0.00	0.00	0.00
Total Receipts	167,026.11	30,500.00	122,260.57	29,147.05	516,231.81	16,271.91
Expenditures						
Professional Fees	4,760.00	0.00	0.00	0.00	0.00	0.00
General Operating Expenses	56.10	0.00	0.00	0.00	0.00	0.00
Equipment and Maintenance						
Repairs & Maint Vehicles	0.00	530.60	0.00	0.00	0.00	0.00
Repairs & Maint Storm Sewers	0.00	0.00	313.10	0.00	0.00	0.00
Machinery & Equipment Purchase	0.00	46,906.56	0.00	0.00	0.00	0.00
Total Equipment and Maintenance	0.00	47,437.16	313.10	0.00	0.00	0.00
Street and Stormwater						
Capital Improvement Expense	7,178.94	0.00	0.00	0.00	0.00	6,668.75
Stormwater Expense	0.00	0.00	526.07	0.00	0.00	0.00
Leaf Pickup Expenses	0.00	0.00	1,248.55	0.00	0.00	0.00
Total Street and Stormwater	7,178.94	0.00	1,774.62	0.00	0.00	6,668.75
Miscellaneous						
UMB TIF Payment	0.00	0.00	0.00	0.00	379,577.72	0.00
UMB CID Payment	0.00	0.00	0.00	0.00	109,352.20	0.00
Interest on GO Bond	0.00	0.00	0.00	0.00	0.00	40,931.26
Total Miscellaneous	0.00	0.00	0.00	0.00	488,929.92	40,931.26
Interfund Transfers	0.00	0.00	0.00	0.00	0.00	0.00
Total Expenditures	11,995.04	47,437.16	2,087.72	0.00	488,929.92	47,600.01
Receipts Over (Under) Expenditures	\$ 155,031.07	\$ (16,937.16)	\$ 120,172.85	\$ 29,147.05	\$ 27,301.89	\$ (31,328.10)

No assurance is provided. Substantially all disclosures omitted.

City of Westwood, Kansas
Appropriation Ordinance No. 740

AN ORDINANCE APPROPRIATING CITY EXPENDITURES FOR THE PERIOD OF JUNE 1, 2022 - JUNE 30, 2022 AND SUMMARIZING SAID EXPENDITURE HEREIN.

	General Month Ending 06/30/2022	Capital Improvements Month Ending 06/30/2022	Equipment Reserve Month Ending 06/30/2022	Stormwater Month Ending 06/30/2022	Special Highway Month Ending 06/30/2022	Woodside TIF/CID Month Ending 06/30/2022	Debt Service Month Ending 06/30/2022	Total All Funds Month Ending 06/30/2022
Expenditures								
Salary & Benefits	125,353.27	0.00	0.00	0.00	0.00	0.00	0.00	125,353.27
Employee Expenses	1,664.82	0.00	0.00	0.00	0.00	0.00	0.00	1,664.82
Professional Fees	13,834.61	0.00	0.00	0.00	0.00	0.00	0.00	13,834.61
General Operating Expenses	9,047.31	0.00	0.00	0.00	0.00	0.00	0.00	9,047.31
Utilities	21,749.42	0.00	0.00	0.00	0.00	0.00	0.00	21,749.42
Equipment and Maintenance	4,906.21	0.00	0.00	0.00	0.00	0.00	0.00	4,906.21
Street and Stormwater	0.00	5,647.30	0.00	526.07	0.00	0.00	0.00	6,173.37
Park and Events	3,455.81	0.00	0.00	0.00	0.00	0.00	0.00	3,455.81
Miscellaneous	0.00	0.00	0.00	0.00	0.00	194,526.00	0.00	194,526.00
Interfund Transfers	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Expenditures	180,011.45	5,647.30	0.00	526.07	0.00	194,526.00	0.00	380,710.82

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WESTWOOD, KANSAS:

SECTION 1. The Claims included herin are hereby approved and allowed.

SECTION 2. That the payment of all claims and charges against the respective accounts and funds provided in the budget for the year 2022 are consistent with that budget and are hereby authorized, ratified and approved.

SECTION 3. This Ordinance shall take effect from and after its passage.

ADOPTED this 14th day of July, 2022.

MAYOR

ATTEST: CITY CLERK



Industrial Revenue Bonds for Sales Tax Exemption

City of Westwood, Kansas
July 14, 2022

2405 Grand, Suite 1100
Kansas City, Missouri 64108
Phone: 816-221-1000

Purpose of IRBs

Purpose: in most cases, a vehicle for granting incentives for eligible projects

Incentives:

- Property tax abatement (up to 10 years)
- Sales tax exemption on construction materials / FF&E

Discretionary: no involvement by other jurisdictions

IRB Structure (Sales Tax Exemption Only)

Structure:

- Company purchases bond in most cases
- Base lease-leaseback with Trustee

Source of Repayment:

- Lease payments made by Company
- City not liable for bond repayment; no credit impact

Term: IRBs outstanding through construction

IRB Process (Sales Tax Exemption Only)

Resolution of Intent: access ST-exemption certificate

Construction

Ordinance: authorizes issuance of IRBs and entering into IRB documents

Termination: at completion of construction

Key Takeaways

IRBs typically a vehicle for granting incentives

Incentives: property tax abatement and/or sales tax exemption on materials

Issuer has no liability for repayment of IRBs

COUNCIL ACTION FORM

Meeting Date: July 14, 2022

Staff Contact: Ryan Denk, City Attorney

Agenda Item: Consider Resolution No. 10__-2022 determining the intent of the City of Westwood, KS to issue Industrial Revenue Bonds in an amount not to exceed \$9,500,000 to finance the costs of acquiring, constructing and equipping a commercial project for the benefit of Tanner Consolidated Holdings, Inc. and its successors and assigns (sales tax exemption only)

Background/Description of Item

Woodside Health Club, through the attached correspondence from their legal counsel, Bob Johnson of the Polsinelli Law Firm, has requested that the City issue Industrial Revenue Bonds (IRB) in an amount not to exceed \$9,500,000. The requested IRB issuance would allow Woodside a sales tax exemption on construction materials and equipment relating to Woodside's proposed improvements to the Club as more particularly described in Mr. Johnson's correspondence. IRBs are special purpose issuance bonds meaning that the City does not stand behind the bonds and has no liability for repayment of the bonds. The \$9,500,000 issuance does not reflect the amount of money that Woodside will receive as a result of the bond issuance. The total project budget is between \$10-11M. The \$9.5M not to exceed number is the maximum total value of construction materials and equipment which Woodside may purchase as a result of the project. Depending upon the location where sales taxes would have been paid in the absence of a sales tax exemption, Woodside could realize between a 9% to an 11.5% sales tax savings on the construction materials and equipment purchased for the project.

Staff Comments/Recommendation

The stated basis and rationale for the project is identified in Mr. Johnson's correspondence. A request was made to Woodside to provide detail of the financial need for the requested incentive. The attached correspondence stating that Club renovation was required due to "today's increasingly competitive environment for health and fitness facilities" is what has been provided. To date, no further financial information has been provided detailing why incentives are needed for the project.

Finally, most of the proposed investment which is the subject of the requested IRB issuance relate to improvements on the Club facility on the South side of 47th Place. These South side Club improvements pursuant to the Redevelopment Agreement between the City and the development entity controlling the construction of the Woodside Village project, were to be demolished to make way for the Woodside Village South project. The Woodside Village South project is already seriously delinquent for commencement of construction based upon the agreed upon timelines within the Redevelopment Agreement. The Club's reinvestment in the South side Club improvements further likely signal or ensure a far greater delay in the Woodside Village South project.

Approving the use of IRBs for sales tax exemption is typically a two-step City process: (1) adoption of a resolution of intent, and (2) passage of an ordinance issuing the bonds. The adoption of an IRB resolution of intent is the key City approval to grant this incentive, as it allows the developer to access the sales tax exemption certificate. If the City Council adopts the resolution of intent for this project, it

will be expected that, if the developer has otherwise performed on the project, the City would later pass the ordinance to authorize the issuance of the IRBs.

Mr. Blair Tanner will be at the meeting to present his case for the issuance of IRBs for this project. Mr. Tanner has offered to reinvest one-half of the sales tax savings in pool improvements. The scope of those proposed improvements has yet to be identified. Mr. Tanner has indicated that he would like input from City and resident stakeholders on the pool improvements.



900 W. 48th Street, Suite 900, Kansas City, MO 64112 • (816) 753-1000

July 12, 2022

Robert C. Johnson
816.360.4359
rjohnson@polsinelli.com

VIA EMAIL ONLY

Governing Body of the City of Westwood
4700 Rainbow Boulevard
Westwood, Kansas 66205

**Re: Request for issuance of Industrial Revenue Bonds for the purpose of
sales tax exemption for Woodside Club improvements**

Dear Governing Body:

This letter serves as a request on behalf of Tanner Consolidated Holdings, Inc. (“**Tanner**”) to the Governing Body of the City of Westwood (the “**Governing Body**”) to issue Industrial Revenue Bonds (the “**IRBs**”) for the purpose of sales tax exemption only for improvements to be made to the Woodside Club facilities.

As you are aware, the Woodside land and improvements are owned by the City of Westwood (the “**City**”). Tanner intends to make improvements to the City-owned club facilities in the approximate total project cost amount of \$10-11 million for the purpose of enhancing the physical club facilities and in furtherance of the economic prosperity and long-term viability of the club. In today’s increasingly competitive environment for health and fitness facilities, it is critical that Tanner invest in the club facilities to modernize those facilities and maintain the club’s competitiveness in the market. The issuance of IRBs will enable Tanner to accomplish these objectives.

The improvements to be made are described in Exhibit A in the areas depicted in Exhibit B, both attached hereto. In addition to the previously described improvements, and in consideration of the issuance of the IRBs, Tanner will commit to improvements to the outdoor pool facilities which each citizen in the City may access in an amount no less than one-half of the sales tax savings achieved through the issuance of the IRBs. The scope of the prospective pool improvements shall be defined in cooperation with the City prior to, and as a condition of, issuance of the IRBs.

Pursuant to these conditions, Tanner respectfully requests that the Governing Body adopt a resolution of intent to issue the IRBs in a principal amount not to exceed \$9,500,000 at its July 14th meeting.

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Atlanta	Boston	Chattanooga	Chicago	Dallas	Denver	Dunkirk	Edwardsville	Houston	Jefferson City
Kansas City	Los Angeles	Miami	Nashville	New York	Overland Park	Phoenix	Raleigh	St. Joseph	
St. Louis	San Francisco	Seattle	Silicon Valley	Washington, D.C.	Wilmington				

Polsinelli PC, Polsinelli LLP in California



July 12, 2022
Page 2

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert C. Johnson".

Robert C. Johnson



900 W. 48th Street, Suite 900, Kansas City, MO 64112 • (816) 753-1000

Exhibit A

Summary of Southside Renovation Benefits

Woodside plans to convert three (3) indoor tennis courts on the southside of 47th Place into fitness related facilities and to renovate the remaining indoor space to better align with its core mission and business plan.

- i. Upon completion, Woodside will have renovated 42,800 sf of indoor space resulting in 71,350 of total indoor space on the Woodside campus, exclusive of the remaining four indoor tennis courts located in a permanent bubble. The tennis court conversion will add 20,161 sf of additional indoor fitness and club related facilities. Updated finishes will provide a consistent experience and quality of facilities on both sides of street.
- ii. A new expanded entrance will provide better check-in experience. Bathrooms are being upgraded to include modern finishes and additional toilets. Five dedicated changing rooms are being added. A variety of new locker types will be available along with a substantial waiting area for staging prior to group exercise classes.
- iii. The renovation will allow Woodside to provide an elevated group exercise program.
 - a. The Main Group Exercise Studio will be upgraded with new finishes, sound system and storage.
 - b. The Indoor Cycling Studio will be expanded and upgraded with new finishes, audio-visual system, and lighting.
 - c. A new 2,450 sf Group Exercise Studio will be added to increase class offerings.
- iv. A new 4,300 sf area dedicated to Private Training will be built which will include eight (8) state-of-the-art private training pods and a shared turf area for free and functional movement.
- v. Woodside will convert two of its three indoor tennis courts to approximately 11,000 sf of large open spaces covered with athletic turf that will resemble indoor fields.
- vi. Eight (8) new Virtual Training Pods will be designed to allow members to train in a private environment using virtual training programs on their own personal devices.
- vii. A new Grab-n-Go area with several tables and chairs will be added to a southside food and drink option.
- viii. A new retail outlet will be added to offer members athletic merchandise and clothing.

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Atlanta	Boston	Chattanooga	Chicago	Dallas	Denver	Dunkirk	Edwardsville	Houston	Jefferson City
Kansas City	Los Angeles	Miami	Nashville	New York	Overland Park	Phoenix	Raleigh	St. Joseph	
St. Louis	San Francisco	Seattle	Silicon Valley	Washington, D.C.	Wilmington				

Polsinelli PC, Polsinelli LLP in California

July 12, 2022

Page 4

Summary of Main Club Renovation Benefits

- i. The Main Club cardio room bathrooms will be renovated with new finishes.
- ii. The Pilates Room will be expanded and upgraded with new finishes.
- iii. The Spa reception area, waiting lounge, and treatment rooms will be refreshed with new finishes, sound systems and lighting.
- iv. The four (4) outdoor tennis courts adjacent to the main clubhouse will be resurfaced and renovated, including rebuilding one court that has been decommissioned since 2016.

July 12, 2022
Page 5

Exhibit B



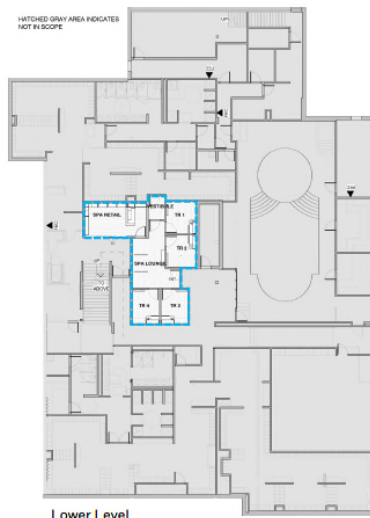
July 12, 2022
Page 6

Main Club Renovation Scope



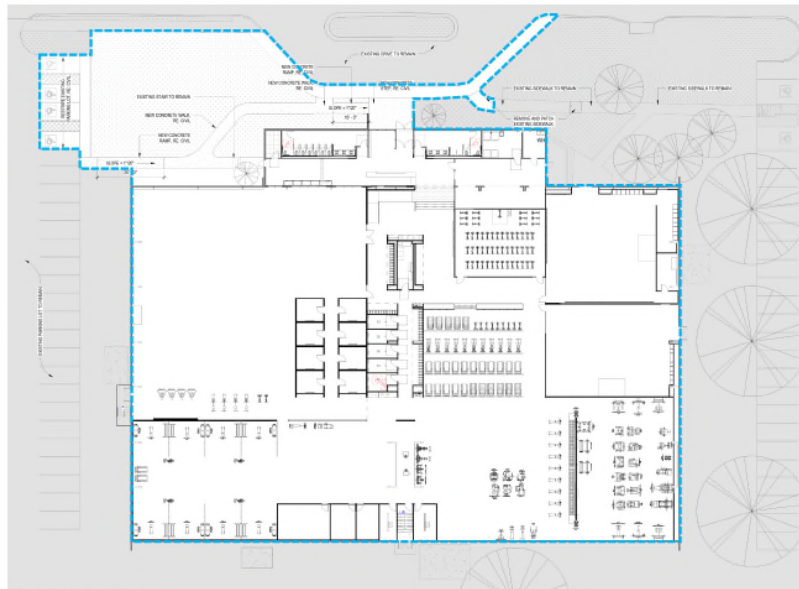
Hufft

22-078 - WOODSIDE CLUB RENOVATION SCOPE



Lower Level

South Club Renovation Scope



Hufft

22-078 - WOODSIDE CLUB RENOVATION SCOPE

RESOLUTION NO. ____

**RESOLUTION DETERMINING THE INTENT OF THE CITY OF WESTWOOD,
KANSAS TO ISSUE ITS INDUSTRIAL REVENUE BONDS IN THE AMOUNT
NOT TO EXCEED \$9,500,000 TO FINANCE THE COSTS OF ACQUIRING,
CONSTRUCTING AND EQUIPPING A COMMERCIAL PROJECT FOR THE
BENEFIT OF TANNER CONSOLIDATED HOLDINGS, INC. AND ITS
SUCCESSORS AND ASSIGNS (SALES TAX EXEMPTION ONLY)**

WHEREAS, the City of Westwood, Kansas (the “Issuer”), desires to promote, stimulate and develop the general welfare and economic prosperity of the Issuer and its inhabitants and thereby to further promote, stimulate and develop the general welfare and economic prosperity of the State of Kansas; and

WHEREAS, the Issuer is authorized and empowered under the provisions of K.S.A. 12-1740 to 12-1749d, inclusive (the “Act”), to issue industrial revenue bonds to pay the cost of certain facilities (as defined in the Act) for the purposes set forth in the Act, and to lease such facilities to private persons, firms or corporations; and

WHEREAS, Tanner Consolidated Holdings, Inc. (and its permitted successors and assigns, the “Company”) has submitted to the Issuer a letter dated July 12, 2022 requesting the issuance of the Issuer’s industrial revenue bonds (the “Application”) to finance the cost of acquiring, constructing, reconstructing, and equipping portions of the existing commercial facility known as “Woodside,” all more fully described in the Application (the “Project”) through the issuance of its industrial revenue bonds in the principal amount not to exceed \$9,500,000 (the “Bonds”), and to lease the Project to the Company in accordance with the Act; and

WHEREAS, it is hereby found and determined to be advisable and in the interest and for the welfare of the Issuer and its inhabitants that the Issuer finance the costs of the Project by the issuance of the Bonds under the Act, the principal amount of the Bonds not to exceed \$9,500,000, such Bonds to be payable solely out of rentals, revenues and receipts derived from the lease of the Project by the Issuer to the Company.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WESTWOOD, KANSAS, AS FOLLOWS:

Section 1. Approval of Project. The governing body of the Issuer hereby finds and determines that the acquiring, constructing and equipping of the Project will promote the general welfare and economic prosperity of the Issuer and the issuance of the Bonds to pay the costs of the Project will be in furtherance of the public purposes set forth in the Act. The Project shall be located at 2000 and 2001 W. 47th Plaza in the City of Westwood, Kansas, as further described in the Application.

Section 2. Intent to Issue Bonds. The governing body of the Issuer hereby determines and declares the intent of the Issuer to acquire, construct and equip the Project out of the proceeds of the Bonds of the Issuer in the principal amount not to exceed \$9,500,000, to be issued pursuant to the Act.

Section 3. Provision for the Bonds. Subject to the conditions of this Resolution, the Issuer expresses its intent to (i) issue the Bonds to pay the costs of acquiring, constructing and equipping the Project, with such maturities, interest rates, redemption terms and other provisions as may be determined by ordinance of the Issuer; (ii) provide for the lease (with an option to purchase) of the Project to the

Company; and (iii) to effect the foregoing, adopt such resolutions and ordinances and authorize the execution and delivery of such instruments and the taking of such action as may be necessary or advisable for the authorization and issuance of the Bonds by the Issuer and take or cause to be taken such other action as may be required to implement the aforesaid.

Section 4. Conditions to Issuance. The issuance of the Bonds and the execution and delivery of any documents related to the Bonds are subject to: (i) obtaining any necessary governmental approvals; (ii) agreement by the Issuer, the Company and the purchaser of the Bonds upon (a) mutually acceptable terms for the Bonds and for the sale and delivery thereof, and (b) mutually acceptable terms and conditions of any documents related to the issuance of the Bonds and the Project; (iii) the passage and publication of an Ordinance authorizing the issuance of the Bonds; (iv) Company's payment of all of the costs of issuance related to the issuance of the Bonds; and (v) conditions set forth in the Application relating to the Company's investment in public pool facilities.

Section 5. Sale of the Bonds. The sale of the Bonds shall be the responsibility of the Company; provided, however, arrangements for the sale of the Bonds shall be acceptable to the Issuer.

Section 6. Limited Obligations of the Issuer. The Bonds and the interest thereon shall be special, limited obligations of the Issuer payable solely out of the amounts derived by the Issuer under a Lease Agreement with respect to the Bonds and as provided herein and are secured by a transfer, pledge and assignment of and a grant of a security interest in the trust estate to the bond trustee for the Bonds and in favor of the owners of the Bonds, all as provided in the Bond Indenture. The Bonds shall not constitute a general obligation of the Issuer, the State or of any other political subdivision thereof within the meaning of any State constitutional provision or statutory limitation and shall not constitute a pledge of the full faith and credit of the Issuer, the State or of any other political subdivision thereof and shall not be payable in any manner by taxation, but shall be payable solely from the funds provided for as provided in the Bond Indenture. The issuance of the Bonds shall not, directly, indirectly or contingently, obligate the Issuer, the State or any other political subdivision thereof to levy any form of taxation therefor or to make any appropriation for their payment.

Section 7. Authorization to Proceed. The Company is hereby authorized to proceed with the acquiring, constructing and equipping of the Project, including the necessary planning and engineering for the Project and entering into of contracts and purchase orders in connection therewith, and to advance such funds as may be necessary to accomplish such purposes, and, to the extent permitted by law and upon compliance with the other requirements of this Resolution, the Company may be reimbursed for all expenditures paid or incurred therefor out of the proceeds of the Bonds.

Section 8. No Reliance on Resolution. Kansas law provides that the Issuer may only issue the Bonds by passage of an Ordinance and compliance with other state law requirements. The Issuer has not yet passed an Ordinance for the Bonds. This Resolution only evidences the intent of the current governing body to issue the Bonds for the Project. The Company should not construe the adoption of this Resolution as a promise or guarantee that the Ordinance for the Bonds will be passed or that the Project will be approved.

Section 9. Termination of Resolution. This Resolution shall terminate two years from the date of the adoption of this Resolution unless (i) the Bonds have been issued for the Project or (ii) a building permit has been issued by the Issuer for the Project. The Issuer, upon the request of the Company, may extend this time period.

Section 10. Benefit of Resolution. This Resolution will inure to the benefit of the Issuer and the Company. The Company may, with the prior written consent of the Issuer, assign all or a portion of its interest

in this Resolution to another entity, and such assignee will be entitled to the benefits of the portion of this Resolution assigned and the proceedings related hereto.

Section 11. Further Action. Counsel to the Issuer and Gilmore & Bell, P.C., Bond Counsel for the Issuer, together with the officers and employees of the Issuer, are hereby authorized to work with the purchaser of the Bonds, the Company, their respective counsel and others, to prepare for submission to and final action by the Issuer all documents necessary to effect the authorization, issuance and sale of the bonds and other actions contemplated hereunder.

Section 12. Effective Date. This Resolution shall take effect and be in full force immediately after its adoption by the governing body of the Issuer.

[Balance of page intentionally left blank]

ADOPTED by the governing body on July 14, 2022.

SIGNED by the Mayor on July 14, 2022.

CITY OF WESTWOOD, KANSAS

David E. Waters, Mayor

(SEAL)

Leslie Herring, City Clerk

Resolution of Intent
Tanner Consolidated Holdings, Inc.

COUNCIL ACTION FORM

Meeting Date: July 14, 2022

Staff Contact: Leslie Herring, Chief Administrative Officer/City Clerk

Agenda Item: Consider Resolution No. 10__-2022 to Exceed the Revenue Neutral Rate, Establish the Date and Time of a Public Hearing, and Provide for the Giving of Notice of Such Public Hearing

Background/Description of Item

Over the last several months staff have worked to develop the 2023 budget and provided a preliminary budget overview to the Governing Body at its last meeting, on June 9, 2022. The 2023 budget maintains the same level of services as the 2022 budget and keeps operating expenses relatively flat, but provides for increased expenditures related to personnel and certain professional services. Funding the recommended 2023 budget does not require an increase to the mill levy rate, but it does exceed the revenue neutral rate due to increased revenue that will be received from increased property valuations.

The 2023 proposed budget has a total mill rate of 21.197, flat with the 2022 rate. Per Senate Bill 13, the proposed budget will require a Revenue Neutral Rate hearing to exceed the revenue neutral rate provided by the County Clerk. During the 2021 legislative session, the tax lid was removed and the legislature enacted SB13 and HB2104, establishing new notice and public hearing requirements if the proposed budget will exceed the property tax levy's revenue neutral rate. The revenue neutral rate is the tax rate in mills that will generate the same property tax in dollars as the previous tax year using the current tax year's total assessed valuation. In Westwood, the revenue neutral rate would be 19.402 mills. Since the proposed budget requires 21.197 mills, a public hearing is required.

Notice of intent to exceed the revenue neutral rate must be provided to the County Clerk before July 20th. The hearing must occur between August 20th and September 20th . The public hearing is proposed for the City Council's regular meeting on Thursday, September 8, 2022. The budget public hearing and adoption of the 2023 budget will follow the revenue neutral rate hearing on that meeting agenda.

Staff Comments/Recommendation

Approve Resolution No. 10__-2022 to exceed the Revenue Neutral Rate, establish the date and time of a public hearing, and provide for the giving of notice of such public hearing.

Suggested Motion

I move to approve Resolution No. 10__-2022 to exceed the Revenue Neutral Rate, establish the date and time of a public hearing, and provide for the giving of notice of such public hearing

RESOLUTION NO. 10__-2022

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF WESTWOOD, KANSAS, OF THE CITY'S INTENT TO EXCEED ITS "REVENUE NEUTRAL RATE", ESTABLISHING THE DATE AND TIME OF A PUBLIC HEARING ON SUCH MATTER, AND PROVIDING FOR THE GIVING OF NOTICE OF SUCH PUBLIC HEARING.

WHEREAS, pursuant to K.S.A. 79-2988 (the "Act"), the Clerk of Johnson County, Kansas, has calculated and notified the City of Westwood, Kansas (the "City") that, for the City's 2023 budget year, the City's "revenue neutral rate" (as such term is defined by the Act) is 19.402 mills (for informational purposes only, one mill is equal to 1/1000th of a Dollar of assessed value);

WHEREAS, the Act further provides that no tax rate in excess of the revenue neutral rate shall be levied by the Governing Body of the City except in accordance with procedures established under the Act; and

WHEREAS, it is the intent of the Governing Body to exceed the revenue neutral rate, and the City desires to call and conduct a public hearing under the provisions of the Act and to provide notice of the City's proposed tax rate.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF PRAIRIE VILLAGE, KANSAS:

Section 1. Intent to Exceed Revenue Neutral Rate; Proposed Tax Rate. Pursuant to K.S.A. 79-2988(b), the City, by and through its Governing Body, hereby declares its intent to exceed the revenue neutral rate. The City's proposed tax/mill levy rate for the 2023 budget year is 21.197 mills.

Section 2. Public Hearing. Notice is hereby given that a public hearing will be held by the Governing Body to consider exceeding the revenue neutral rate on September 8, 2022, at Westwood City Hall, 4700 Rainbow Boulevard, Westwood, Kansas, 66205, the public hearing to commence at 7:00 p.m. or as soon thereafter as the Governing Body can hear the matter; provided, that if, as a result of the COVID-19 pandemic, such public hearing may not be held in person but rather via remote meeting, or via a "hybrid" model, such remote meeting shall be held at the same date and time, and access instructions for remote participation shall be available at the City's website, www.westwoodks.org, and included with the published agenda for such meeting. At the public hearing, the Governing Body shall provide interested taxpayers desiring to be heard an opportunity to present oral testimony within reasonable time limits and without unreasonable restriction on the number of individuals allowed to make public comment.

Section 3. Notice of Public Hearing—County. The City Clerk is hereby authorized and directed to notify the Johnson County Clerk, on or before July 20, 2022, of the City's proposed intent to exceed the revenue neutral rate and to provide the date, time, and location of the public hearing. The Johnson County Clerk shall transmit such notice in accordance with the procedures set forth in the Act.

Section 4. Notice of Public Hearing—City. The City Clerk is further hereby authorized and directed to publish notice of the City's proposed intent to exceed the revenue neutral rate by publishing notice at least ten (10) days in advance of the public hearing:

(A) on the website of the City; and

(B) in a weekly or daily newspaper of Johnson County, Kansas, having a general circulation therein.

Such notice published by the City Clerk shall include, but not be limited to, the City's proposed tax rate (as set forth in this Resolution), its revenue neutral rate, and the date, time, and location of the public hearing.

Section 5. Further Action. The Mayor, City Clerk, and other officials and employees of the City are hereby further authorized and directed to take such other actions as may be appropriate or desirable to accomplish the purposes of this Resolution.

Section 6. Effective Date. This resolution shall be effective upon its adoption by the Governing Body of the City of Westwood, Kansas.

ADOPTED this 14th day of July, 2022.

David E. Waters, Mayor

ATTEST:

Leslie Herring, City Clerk

COUNCIL ACTION FORM

Staff Report

Meeting Date: July 14, 2022

Staff Contact: Leslie Herring, CAO / City Clerk

Agenda Item: Consider Approving Final Plat of Westwood View School, located at
4935 Belinder Ave. (Westwood Planning Commission Case No. FP-2022-01)

Background/Description of Item

A plat is a document recorded with a property parcel that establishes property intended for public use.

The property located at 4935 Belinder Ave., Westwood, KS is under construction as a new elementary school and is currently unplatted. Shawnee Mission School District, the current owner of record, has applied for a final plat of the property with the aid of its project engineer, MKEC. Section 1.5 of the City's Zoning Ordinance specifies the procedures and requirements for the consideration of a final plat, which includes submission to the Planning Commission for review and approval and then submission to the Governing Body for acceptance/approval. Following approval by both the Planning Commission and Governing Body, the plat shall be recorded with the County Register of Deeds.

The Westwood Planning Commission unanimously and unconditionally approved the final plat at its July 11, 2022 regular meeting.

Staff Comments/Recommendation

The submitted final plat maintains one, single lot on the subject property. By approving the subject plat, the following will be dedicated:

- a. Seven foot (7') sidewalk easement along the western and southern borders of the property;
- b. Ten foot (10') electric utility easement in the southwest corner of the property;
- c. Five foot (5') electric utility easement in the southeastern corner of the property;
- d. Twenty foot (20') sanitary sewer easement along the eastern border of the property; and
- e. Stormwater and detention facility easements in the northeastern corner of the property.

No additional right-of-way nor public streets are being dedicated on the property.

Further, there is a complementing Private Detention Basin/Stormwater Quality Best Management Practice Maintenance Agreement and Easement setting out rights and responsibilities related to the dedicated stormwater detention facility, which was drafted by Westwood City staff and has been agreed upon in form by the attorneys of both SMSD and the City, and which will be recorded with the plat on the property.

Staff review of the application submittal concludes that all elements required to be included on the plat are shown and that the submitted final plat conforms to all provisions of Section 1.5 of the Zoning Ordinance. Staff recommends the City Council approve the final plat of Westwood View School with no stipulations.

Suggested Motion

I move to approve the final plat for Westwood View School, at 4935 Belinder Avenue, as submitted, and to direct the Governing Body's approval be affixed thereto for the dedication of land for public purposes.



NO. _____

Application for approval of plan, plat or lot-split

To the Planning Commission and Governing Body of the City of Westwood: The undersigned hereby affirms:

That he/she is the owner or duly authorized agent of the owner of the following described real property located at 4935 Belinda Ave., in City of Westwood, to-wit: Legal Description: 3-12-25
BEG AT PT 172' N SW COR SE 1/4 NE 1/4
N 492.2' E 575' S 492.2' W 575' TO
BEG 6.497 ACS M/L WWC-0039

That said premises are now located in a R-1 (Single Family Residential) Zoning District, and zoned accordingly under the Zoning Ordinances of the City of Westwood.

That said premises have the following improvements located thereon: _____
New Elementary School

That said premises are now being used as follows: _____
New Elementary School (under construction)

That petitioner desires to use said premises as follows: (provide reason for plan, plat, or lot-split and provide drawings and other required materials) New Westwood View
Elementary School

WHEREFORE, Petitioner hereby requests approval of said plan, plat, or replat for use as stated above.

Date Filed/Fee paid: _____

Signature of owner/agent: Joe Gilhaus

Printed name of owner/agent: Joe Gilhaus

Address: 8200 W. 71st St. Overland Park, KS. 66204

Phone # 913-993-6462

Email address: Joe.gilhaus@smsd.org

Date of 1st hearing: _____

Decision: _____

Date of 2nd hearing: _____

Decision: _____

Note: If owner is not applicant, a letter from property owner designating the agent is required.

P:\PROJECTS\2020\202010686-1841- WESTWOOD VIEW ELEMENT SURVEY\DWG\PLAT\20686- FINAL PLAT.DWG
PLOTTED: Thursday, June 30, 2022 @ 11:15AM

FINAL PLAT OF WESTWOOD VIEW SCHOOL

PART OF THE NORTHEAST QUARTER OF SECTION 3, T12S, RANGE 25E OF THE 6TH PRINCIPAL MERIDIAN
IN THE CITY OF WESTWOOD, JOHNSON COUNTY, KANSAS.

PROPERTY DESCRIPTION

All that part of the Northeast Quarter of Section 3, Township 12 South, Range 25 East of the 6th Principal Meridian in the City of Westwood, Johnson County, Kansas, described as follows:

Commencing at the Southeast Corner of said Northeast Quarter, thence along the South line thereof S87°43'46"W a distance of 1326.46' to a point on the East right of way of Belinder Avenue, as now established; thence along said line N2°22'39"W a distance of 172.00' to a point on the North right of way of 50th Street, as now established and Point of Beginning; thence along said right of way of Belinder Ave. N2°22'39"W a distance of 491.62' to the Southwest corner of Lot 2, Swatzell View block 3, a subdivision of record at Book 9, Page 9 in Johnson County, Kansas; thence along the South line of said subdivision N87°37'21"E a distance of 575.00' to the Northwest corner of Lot 11 in said subdivision; thence along the West line thereof S2°22'39"E a distance of 491.62' to the Southwest corner of Lot 17 in said subdivision; thence along the North right of way of said 50th Street S87°37'21"W a distance of 575.00' to the Point of Beginning, containing 6.489 ac., more or less, subject to easements and restrictions of record.

DEDICATION:

The undersigned proprietor of the above described tract of land has caused the same to be subdivided in the manner shown on the accompanying plat which hereafter shall be known as "WESTWOOD VIEW SCHOOL.

Any streets shown hereon and not heretofore dedicated to public use as street right of way are hereby so dedicated.

An easement or license to enter upon, locate, construct, use and maintain or authorize the location, construction, or maintenance and use of conduits, water, gas, sewer pipes, poles, wires, drainage facilities, irrigation systems, ducts and cables, and similar facilities, upon, over and under these areas outlined and designated on this plat as "Utility Easement" or "U/E" is hereby granted to the City of Westwood with subordinate use of the same by other governmental entities and public utilities as may be authorized by state law to use such easement for said purposes. Utility easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of public utilities located within the easement.

The undersigned proprietor of the above described tract of land hereby agrees and consents that the Board of County Commissioners of Johnson County, Kansas and the City of Westwood Park, Johnson County, Kansas shall have the power to release such land proposed to be dedicated for public ways and thoroughfares, or parts thereof, for public use, from the lien and effect of any special assessment, and that the amount of unpaid special assessments on such land so dedicated shall become and remain a lien on the remainder of this land fronting or abutting on such dedicated public way or thoroughfare.

IN TESTIMONY WHEREOF, the undersigned proprietor has hereunto subscribed its hand this _____ day of _____, 2022.

Shawnee Mission USD No. 512

De. Joe Gilhaus, Deputy Superintendent.

ACKNOWLEDGMENT

STATE OF KANSAS)
) SS

COUNTY OF JOHNSON)

BE IT REMEMBERED on this _____ day of _____, 2022, before me, the undersigned, a Notary Public, in and for said County and State came Dr. Joe Gilhaus who being by me duly sworn did say that he is the Deputy Superintendent of Shawnee Mission USD 512, and acknowledged to me that he executed said instrument for purposes and considerations therein expressed in the capacity stated, and the act and deed of said school district.

IN WITNESS THEREOF: I have hereunto set my hand and affixed my official seal the day and year last above written:

Notary Public

Print Name

My Commission Expires: _____

APPROVALS:

Approved by the Planning Commission of the City of Westwood, Kansas, this

_____ day of _____, 2022.

Chairman: Sarah Page

Approved by the Governing Body of the City of Westwood, Kansas, this

_____ day of _____, 2022.

Mayor: David E. Waters

Attest:

City Clerk: Leslie Herring



MKEC

Overland Park, KS • 913.317.9390

FINAL PLAT WESTWOOD VIEW SCHOOL 4935 BELINDER AVE.

FINAL PLAT

PROJECT NO. 2002010686

DATE

SCALE 1"=40'

DESIGNED DRAWN CHECKED

JS BSH

NO. REVISION DATE

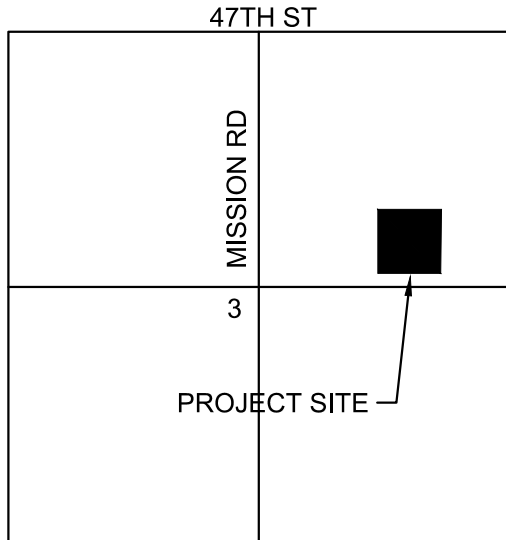
SHEET NO.

1 OF 1

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OWNER

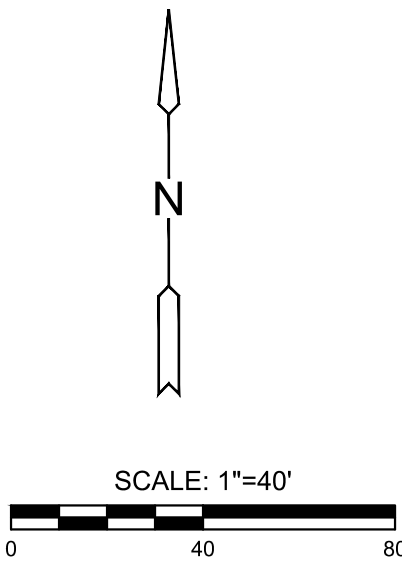
SHAWNEE MISSION USD 512
8200 W 71ST ST
OVERLAND PARK, KS. 66201



VICINITY MAP
SECTION 3, T12S, R25E

MONUMENTATION

- SECTION CORNER MONUMENT AS NOTED
- SET 1/2" REBAR WITH CLS-39 CAP
- FOUND 1/2" REBAR PHELPS CAP
- SET 5/8" REBAR WITH CLS-39 CAP IN CONCRETE
- R/W RIGHT OF WAY
- R RECORD
- M MEASURED
- B/L BUILDING LINE
- D/E DRAINAGE EASEMENT



FOUND 2.5" BRASS CAP
IN MON. BOX
CENTER OF SECTION 3,
T12S R25E
LSRR 194515

BELINDER AVE. (40' R/W)

RECORD 492.20'
491.62' N2°22'39"W

BELINDER'S ADDITION
BOOK 9, PAGE 39

N2°22'39"W 172.00'

BELINDER'S ADDITION
BOOK 9, PAGE 39

SURVEYOR'S NOTES:

PROPERTY IS CLASSIFIED ZONE X, OUTSIDE THE 0.2% ANNUAL CHANCE OF FLOODING BY FIRM COMMUNITY PANEL NO. 20091C0010G, EFFECTIVE 8-3-2009.

BOUNDARY AND EASEMENT INFORMATION TAKEN FROM THOMSON-AFFINITY TITLE REPORT. FILE NO. 227247, EFFECTIVE NOVEMBER 6TH, 2020.

BASIS OF BEARINGS IS GRID NORTH, KANSAS STATE PLANE, NORTH ZONE, NAD 1983, IN US SURVEY FT.

ZONING IS R-1 SINGLE FAMILY HOUSING

SWATZELL VIEW BLOCK 3
BOOK 9, PAGE 9

LOT 4

LOT 5

LOT 6

LOT 7

LOT 8

LOT 9

575.00'

N87°37'21"E
FOUND 3/4" REBAR NO CAP
ON LINE ORIGIN UNKNOWN

PERM. DRAINAGE ESMT
BOOK 201905, PG 004430

.61'

.15'

.901'

85'

PRIVATE DETENTION BASIN
MAINTENANCE AGREEMENT ESMT.
TO BE RECORDED BY
SEPARATE INSTRUMENT.
EASEMENT IS A NON-EXCLUSIVE
PERPETUAL EASEMENT TO ALLOW
THE CITY TO ACCESS AND
INSPECT, CLEAN, REPAIR,
AND MAINTAIN THE DETENTION
BASIN/BMP(s).

LOT 1
6.489 AC. +/-

20' WIDE SANITARY ESMT
BOOK 201801, PG 007042

SWATZELL VIEW BLOCK 3
BOOK 9, PAGE 9

RECORD 492.20'

20'

S2°22'39"E 491.62'

LOT 11

LOT 12

LOT 13

LOT 14

LOT 15

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**PRIVATE DETENTION BASIN /
STORMWATER QUALITY BEST MANAGEMENT PRACTICE
MAINTENANCE AGREEMENT AND EASEMENT**

This Private Detention Basin/Stormwater Quality Best Management Practice Maintenance Agreement and Easement (Agreement) is made by and between the City of Westwood, Kansas (hereinafter “the City”) and Shawnee Mission School District (hereinafter “the School District”), hereinafter referred to as the “Parties.”

RECITALS

WHEREAS, the School District is the owner of certain real estate (the Property) in Johnson County, Kansas, which Property is legally described in Exhibit A attached hereto and incorporated herein by this reference; and

WHEREAS, the School District desires to plat and develop on the Property a school to be known as Westwood View Elementary School; and

WHEREAS, the development of this Property will substantially increase the volume of water runoff and will decrease the quality of the stormwater runoff from the Property, and, therefore, it is in the best interest of public health, safety and welfare for the City to condition approval of this subdivision on the School District’s promise to construct adequate drainage, water runoff control facilities, and stormwater quality structural Best Management Practices (“BMPs”) for the subdivision; and

WHEREAS, Chapter 16, Article 1.5 of the Westwood Municipal Code, as periodically amended, requires the City to condition approval of all plans and plats on a property owner’s promise to so construct adequate drainage, water runoff control facilities, and BMPs in subdivisions; and

WHEREAS, Chapter 15 of the Westwood Municipal Code, as each may be periodically amended, requires that the City take measures to protect the quality of stormwater from sediment and other contaminants, and requires landowners and owners of facilities provide adequate permanent stormwater quality BMPs with new development or significant redevelopment; and

WHEREAS, Chapter 15, Section 410 of the Westwood Municipal Code requires a Stormwater Management Permit for the construction of all stormwater quality facilities within the City; and

WHEREAS, Chapter 15, Section 416 of the Westwood Municipal Code provides for a landowner’s promise to maintain onsite drainage facilities through a Maintenance Agreement as a condition of issuance of a Stormwater Management Permit; and

WHEREAS, the School District desires to construct for the Property one (1) detention basin/stormwater quality BMP(s) (“detention basin/BMP(s)”) as the means for providing adequate drainage and stormwater runoff control and to meet requirements of the City’s NPDES Stormwater Discharge Permit, and to provide for operating, cleaning, maintaining and repairing such detention basin/BMP(s); and

WHEREAS, the School District desires to construct and maintain the detention basin/BMP(s) on the Property, as set forth on Exhibit A attached hereto.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual Promises contained herein, the sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Incorporation of Recitals: The Parties incorporate the Recitals above into this Agreement.
2. Covenants Running with the Land: The School District agrees that this entire Agreement and the performance thereof shall become a covenant running with the land, which land is legally described in Exhibit A attached hereto, and that this entire Agreement and the performance thereof shall be binding upon itself and its respective successors and assigns.
3. Maintenance: The School District agrees that it and its respective successors and assigns, will regularly and routinely inspect, clean and maintain the detention basin/BMP(s), and otherwise keep the same in good repair, all at their own cost and expense. No trees or shrubs that will impair the structural integrity of the detention basin/BMP(s) shall be planted or allowed to grow on the detention basin/BMP(s).
4. Creation of Easement: The School District hereby grants the City a non-exclusive perpetual easement upon and across the property described in Exhibit B. The purpose of the easement is to allow the City to access and inspect, clean, repair and maintain the detention basin/BMP(s). With respect to the County, however, the creation of the easement does not expressly or implicitly impose on the County a duty to so inspect, clean, repair or maintain the detention basin/BMP(s).
5. City's Rights and Obligations: Any time the City determines, in the sole exercise of its discretion, that the detention basin/BMP(s) is not properly cleaned, maintained and/or otherwise kept in good repair, the City shall give reasonable notice to the School District or their respective successors and assigns, that the detention basin/BMP(s) needs to be cleaned, maintained and/or otherwise repaired. The notice shall provide a reasonable time to correct the problem(s). Should the responsible parties fail to correct the specified problem(s), the City may enter upon the property described in Exhibit B to so correct the specified problem(s). Notice shall be effective to the above by the City's deposit of the same into the regular United States mail, postage pre- paid. Notwithstanding the foregoing, this Agreement does not expressly or implicitly impose on the City a duty to so inspect, clean, repair or maintain the detention basin/BMP(s).
6. Reimbursement of City's Costs / Covenant Running With the Land: The School District agrees and covenants for itself and its respective successors and assigns, that it will reimburse the City for its costs and expenses incurred in the process of completing construction of, cleaning, maintaining, and/or repairing the detention basin/BMP(s) pursuant to the provisions of this Agreement.

The term "actual costs and expenses" shall be liberally construed in favor of the City, and shall include, but shall not be limited to, labor costs, tools and equipment costs, supply costs, and engineering and design costs, regardless of whether the City uses its own personnel, tools, equipment and supplies, etc. to correct the matter. In the event

the City initiates any litigation or engages the services of legal counsel in order to enforce the provisions arising herein, the City shall be entitled to its damages and costs, including reasonable attorney's fees, regardless of whether the City contracts with outside legal counsel or utilizes in-house legal counsel for the same.

7. Agreement Monitored by City of Westwood Department of Public Works: Any and all actions and decisions to be made hereunder by the City shall be made by the Director of the Westwood Department of Public Works. Accordingly, any and all documents, submissions, plan approvals, inspections, etc. shall be submitted to and shall be made by the Director of the Department of Public Works.

8. Indemnification and Hold Harmless: To the extent authorized by law, the School District agrees for itself and its respective successors and assigns, that it will indemnify, defend, and hold the City harmless from any and all loss, costs, damage, injury, liability, claim, lien, demand, action and causes of action whatsoever, whether at law or in equity, arising from or related to their respective intentional or negligent acts, errors or omissions or that of their agents, officers, servants, employees, invitees and licensees in the construction, operation, inspection, cleaning (including analyzing and disposing of any solid or hazardous wastes as defined by State and/or Federal environmental laws and regulations), maintenance, and repair of the detention basin/BMP(s), and such obligation arising under this Paragraph shall be joint and several. Nothing in this Paragraph shall be deemed to waive or otherwise limit the defense available to the City as provided by law.

9. Severability: In the event any Court of competent jurisdiction declares any part of this Agreement to be unenforceable, such declaration shall not affect the enforceability of the remaining parts of this Agreement.

10. Third Parties: This Agreement does not and shall not be deemed to confer upon or grant to any third party any right to claim damages or to bring any lawsuit, action or other proceeding against the City or the School District or their respective successors and assigns because of any breach hereof or because of any terms, covenants, agreements or conditions contained herein.

11. Applicable Law and Venue: The laws, rules, and regulations of the State of Kansas and Johnson County shall be applicable in the enforcement, interpretation, and execution of this Agreement.

Remainder of this page left intentionally blank.

IN WITNESS WHEREOF, the School District and City have executed this Agreement.

SHAWNEE MISSION SCHOOL DISTRICT

By: _____

Name: Dr. Joe Gilhaus

Title: Deputy Superintendent

STATE OF KANSAS)
) ss
JOHNSON COUNTY)

Personally came before me this ____ day of _____, 2022, the above named _____ to me known to be the same person who executed the foregoing instrument and acknowledged the same.

Notary Public
Johnson County, Kansas

My Commission Expires _____

CITY OF WESTWOOD, KANSAS

By: _____

Name: _____

Title: _____

STATE OF KANSAS)
) ss
JOHNSON COUNTY)

Personally came before me this ____ day of _____, 2022, the above named _____ to me known to be the same person who executed the foregoing instrument and acknowledged the same.

Notary Public
Johnson County, Kansas

My Commission Expires _____

EXHIBIT A

Property Legal Description

All that part of the Northeast Quarter of Section 3, Township 12 South, Range 25 East of the 6th Principal Meridian in the City of Westwood, Johnson County, Kansas, described as follows:

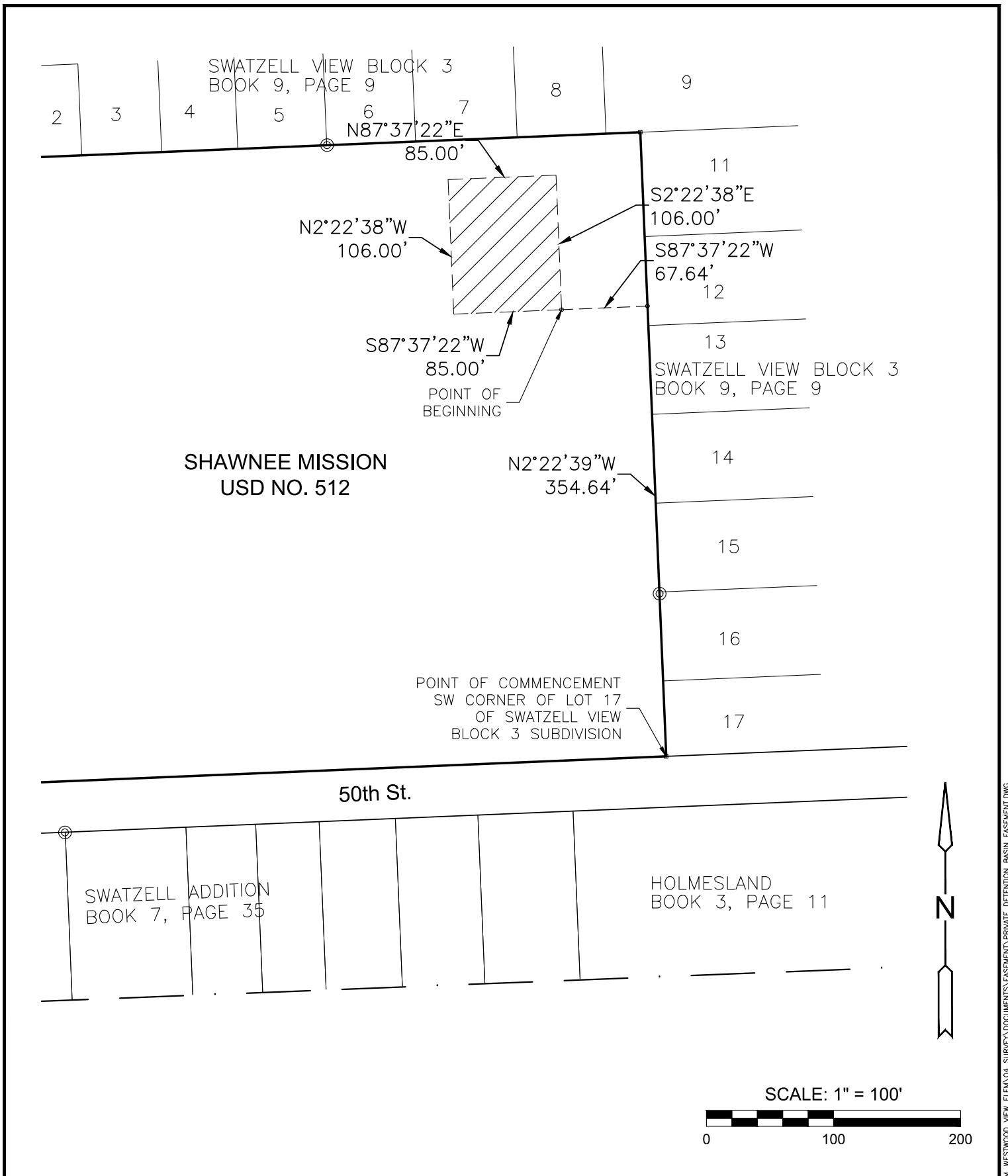
Commencing at the Southeast Corner of said Northeast Quarter, thence along the South line thereof S87°43'46"W a distance of 1326.46' to a point on the East right of way of Belinder Avenue, as now established; thence along said line N2°22'39"W a distance of 172.00' to a point on the North right of way of 50th Street, as now established and Point of Beginning; thence along said right of way of Belinder Ave. N2°22'39"W a distance of 491.62' to the Southwest corner of Lot 2, Swatzell View block 3, a subdivision of record at Book 9, Page 9 in Johnson County, Kansas; thence along the South line of said subdivision N87°37'21"E a distance of 575.00' to the Northwest corner of Lot 11 in said subdivision; thence along the West line thereof S2°22'39"E a distance of 491.62' to the Southwest corner of Lot 17 in said subdivision; thence along the North right of way of said 50th Street S87°37'21"W a distance of 575.00' to the Point of Beginning, containing 6.489 ac., more or less, subject to easements and restrictions of record.

EXHIBIT B

Private Detention Basin Easement Description

Description for a private detention basin easement in the Northeast Quarter of Section 3, Township 12 South, Range 25 East of the 6th Principal Meridian in the City of Westwood, Johnson County, Kansas, described as follows:

Commencing at the Southwest Corner of lot 17 of Swatzell View Block 3 subdivision recorded at Plat Book 9, Page 9 in said county, thence along the West line thereof N2°22'39"W a distance of 354.64'; thence departing said line S87°37'22"W a distance of 67.64' to the Point of Beginning; thence continuing S87°37'22"W a distance of 85.00'; thence N2°22'38"W a distance of 106.00'; thence N87°37'22"W a distance of 85.00'; thence S2°22'38"W a distance of 106.00' to the Point of Beginning.



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COUNCIL ACTION FORM

Meeting Date: July 14, 2022

Staff Contact: Leslie Herring, Chief Administrative Officer/City Clerk

Discussion Item: Consider Agreement with JLL Valuation and Advisory Services for 4700 Rainbow Blvd., 5000 Rainbow Blvd., and 5050 Rainbow Blvd.

Background/Description of Item

In September 2021, the Governing Body held a work session to discuss a plan of action for determining the future of public lands in Westwood. As a result of that work session the following plan achieved consensus from the Governing Body and provided direction to staff to execute:

1. Engage the Urban Land Institute to conduct a follow-up [to the 2015] Technical Assistance Panel (TAP) to: (a) evaluate highest and best use for the corners of 47th & Rainbow and 50th & Rainbow Blvd. to maximize long-term economic and social impact for the community, (b) recommend the best location of municipal facilities, and (c) recommend ways in which Westwood could further the objectives of providing quality accessible and affordable housing. ***This was conducted and concluded in Fall 2021.***
2. Conduct a City facilities analysis of existing buildings, including an assessment and cost estimate of deferred maintenance and optimal site selection, if different from the current location of City facilities. ***This is currently taking place.***
3. Reconvene at the conclusion of the City facilities analysis in the Fall of 2022 to determine strategic direction for the southwest corner of 50th & Rainbow and the southwest corner of 47th & Rainbow.
4. Execute the plan of action, possibly including issuing RFP's for private development opportunities.

Staff Comments/Recommendation

Working with the Multistudio (f/k/a Gould Evans) consultant team, two local appraisal firms were identified and asked to submit proposals for the City's needs. One proposal (from JLL Valuation and Advisory Services, LLC) was received, which is acceptable to both Multistudio and City staff.

JLL Managing Director Ken Jagers will be present at the Council meeting to introduce himself to the Governing Body and to provide an overview of his firm's qualifications and approach to the project. Upon consent of the Governing Body, City staff will submit the proposed agreement to the City Attorney for review and then will arrange for the Mayor's signature once final terms have been reached.

Budget Impact

JLL Valuation and Advisory Services' fee proposal is not included within the approved facilities study project budget of \$75,000, as budgeted in the 2022 Capital Improvement Plan. This fee will be expensed to the General Fund's General Overhead budget. Including this expenditure in 2022 year-end forecasts, the 2022 General Overhead budget is still expected to come in at/under budget for this department.

Suggested Motion

I move to approve a services agreement with JLL Valuation and Advisory Services to perform valuation services in an amount not to exceed \$9,500, conditioned upon such agreement's approval by the City Attorney.

Kenneth Jagers, MAI, FRICS
Managing Director
7500 College Blvd, Suite 920
Overland Park, KS 66210
+1 913 748 4704
ken.jagers@am.jll.com

June 21, 2022

Leslie Herring
City Clerk
City of Westwood Kansas
4700 Rainbow
Westwood, KS 66205
Leslie.herring@westwoodks.org
+1 913 942 2128

RE: Valuation & Advisory Services for the Property: Westwood KS City Hall, Westwood View Elementary School, and Joe D. Dennis Park, Westwood, KS 66205

Dear Ms. Herring,

JLL Valuation & Advisory Services, LLC (JLL VA) is pleased to provide this proposal and engagement letter for valuation and advisory services regarding the Properties.

PROPERTY IDENTIFICATION:	4700 Rainbow, 5050 Rainbow, 5000 Rainbow, Westwood, KS 66205
PROPERTY TYPE:	City hall is an institutional use property as is Westwood View Elementary. Joe D. Dennis Park is recreational use.
INTEREST APPRAISED:	Fee Simple
PURPOSE:	Market Value of each property
INTENDED USERS:	City of Westwood Kansas [NO OTHER USERS ARE INTENDED BY JLL VALUATION & ADVISORY SERVICES, LLC]
INTENDED USE:	Due Diligence
EFFECTIVE DATE:	Current and prospective as needed
APPRAISAL STANDARDS:	Uniform Standards of Professional Appraisal Practice (USPAP) by the Appraisal Foundation, the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute, and the State of Kansas.
PROPERTY INSPECTION:	On-site inspection
VALUATION APPROACHES:	All applicable approaches to value (income approach excluded)
REPORT OPTION:	Appraisal Report for each property
FEE:	\$9500
EXPENSES:	The fee includes the expenses related to this engagement. There will be no added charges for travel, delivery fees or report production costs.
RETAINER:	No retainer
FINAL PAYMENT:	JLL VA will provide a final invoice with the delivery of our first report. The invoice is due and payable within 30 days of delivery. The entirety of our fee is earned upon delivery of the first report.
DELIVERY DATE:	45 days from receiving the executed engagement letter and requested source documents. Timely delivery assumes all requested source documents will be provided within 48 hours. Delays in obtaining the data needed to complete

this assignment or delays in accessing the property for inspection (if applicable) may result in delays in the date our analysis is completed and delivered.

DELIVERY METHOD: A PDF of the report(s) will be delivered to the client contact identified on this engagement letter.

This engagement letter is subject to the General Terms and Conditions attached to this letter as Exhibit A, the Statement of Assumptions and Limiting Conditions attached to this letter as Exhibit B. Should the assignment be cancelled for any reason, the following billings rates would apply to the percentage of the work completed.

Billing Rates for Hourly Services Rendered

Position	Hourly Rate
Managing Director	\$600 per hour
Executive Vice President	\$500 per hour
Senior Vice President	\$400 per hour
Vice President	\$300 per hour
Associate	\$200 per hour
Analyst	\$150 per hour
Administrative	\$80 per hour

Per USPAP, we are required to analyze any current purchase or option to purchase the subject properties and request that copies of these, or a term sheet be provided with other applicable information. We will update you within 48 hours of receiving the signed engagement to confirm our information request was provided and a property inspection is scheduled, if applicable.

We appreciate the opportunity to be of service; sincerely,

JLL VALUATION & ADVISORY SERVICES, LLC



Kenneth Jagers, MAI, FRICS
Managing Director
+1 913 748 4704
ken.jagers@am.jll.com

AGREED AND ACCEPTED BY:

City of Westwood Kansas

Signature

Date

Printed Name

Email Address

Title

Phone Number

Exhibit A

Terms and Conditions

1. INTRODUCTION

- 1.1** These Terms and Conditions supplement the proposal, agreement, letter of engagement or email (the “engagement”) between JLL Valuation and Advisory Services, LLC and the Client indicated in the engagement that sets out details of the Services to be provided to the Client. All capitalized terms in this exhibit have the meanings given to them in the engagement unless given a different meaning in this exhibit. These Terms and Conditions, together with the engagement and all other exhibits, schedules and riders to the engagement, are collectively called the “agreement”.

2. SERVICES

- 2.1** We will provide the Services using reasonable care and skill.
- 2.2** We may make changes to the Services if necessary to comply with any law or safety requirement. We will notify you if that happens. Otherwise, JLL and the Client must agree in writing to any changes to the Services, the Fees, or any other provision of the agreement.

3. CLIENT OBLIGATIONS

- 3.1** You agree to give us all documents and other information that we advise you are reasonably necessary for us to provide the Services.
- 3.2** You will maintain adequate property and public liability insurance to reasonably insure property that you own or occupy and any activities on that property. You will obtain all necessary licenses, permissions and consents which may be required to enable us to perform the Services (other than professional licenses that we are required to maintain to perform the Services). You are responsible to keep your property in a safe condition so that we may perform the Services in reasonable safety.
- 3.3** You will notify us promptly if you believe any information you have provided is incomplete or inaccurate.

4. DELAY

We are not responsible for any delay in our performance of the Services if caused by any event beyond our reasonable control, or for any delay caused by your failure to comply with the agreement.

5. FEES, EXPENSES AND PAYMENT

- 5.1** Our fee in its entirety is earned upon delivery of the first report. We will invoice you at time of delivery for any outstanding balance.
- 5.2** You agree that your obligation to pay the Fee is not contingent upon the results, conclusions or recommendations we provide.
- 5.3** If we are asked to invoice any other party, you agree to settle our invoice immediately if the other party does not do so within 30 days of the date of the invoice.
- 5.4** Delinquent payments under the agreement will earn interest at the rate of one and one-half percent (1-1/2%) per month from the date due until paid, or if lower, the maximum rate permitted by law. If the Fee or any part of it remains unpaid 30 days after it was due, you may not use any report or work product we have delivered to you for any reason.
- 5.5** If you terminate this agreement before the Services are completed, you will pay us, no later than the termination date, a reasonable fee proportionate to the part of the Services performed to the date of termination.
- 5.6** Our rights under Section 5.3 and 5.4 are in addition to, and will not limit, our right to pursue any other rights and remedies under the agreement or at law or in equity.

6. INDEMNITY

You agree to indemnify and defend us and hold us harmless from any loss, liability or expense (including attorneys’ fees) arising from a third party action, claim or proceeding (“Loss”) that we suffer arising out of the agreement or the Services, other than Loss that a court of competent jurisdiction has determined was the result of our negligence or willful misconduct. We agree to indemnify and defend you and hold you harmless from any Loss that you suffer arising out of our negligent performance of Services under the

agreement, other than Loss that is found by a court of competent jurisdiction to result from your negligence or willful misconduct.

7. EXCLUSIONS OF, AND LIMITATIONS ON, LIABILITY

- 7.1** EACH OF JLL AND THE CLIENT WAIVES ANY CLAIMS AGAINST EACH OTHER FOR LOSS OF PROFITS, CONSEQUENTIAL, PUNITIVE, EXEMPLARY OR SIMILAR DAMAGES IN CONNECTION WITH THE AGREEMENT. IN NO EVENT SHALL JLL'S LIABILITY IN CONNECTION WITH THE AGREEMENT EXCEED THE FEE PAID TO JLL HEREUNDER.

8. TERMINATION

- 8.1** Either of us may terminate the agreement without reason by giving 30 days' advance written notice to the other.
- 8.2** Either of us may terminate the agreement immediately if the other breaches the agreement and fails to remedy the breach within 10 days of notice by the non-breaching party.
- 8.3** We may terminate the agreement immediately for any of the following reasons:
- (a) We cannot provide any of the Services due to conditions beyond our reasonable control.
 - (b) In our reasonable opinion, there is insufficient information available to provide a report or other work product that meets our standards.
 - (c) A conflict of interest arises which prevents us from acting for you.
 - (d) You have asked us to provide reports or work product that we do not consider to be accurate.

9. ASSUMPTIONS AND LIMITATIONS

- 9.1** Any report or other work product we deliver as part of the Services will be subject to our standard Statement of Assumptions and Limiting Conditions, provided as an exhibit and as part of the agreement, which will be incorporated into the report or work product.
- 9.2** We understand that you may wish to use the report or other work product we deliver as part of the Services to support your Stark law and Anti-Kickback compliance process. Our reports and work product are appraisals prepared

pursuant to Uniform Standards of Professional Appraisal Practice, and do not undertake to evaluate any such compliance. You acknowledge that many factors in addition to property value must be considered to determine Stark or anti-kickback law compliance, and agree that any reports and work product we deliver make no opinion or representation that any transaction involving property we appraise is compliant with Stark law or any anti-kickback law.

10. CONFIDENTIALITY

- 10.1** We each agree to maintain the confidentiality of each other's confidential information and will not disclose any information received in confidence from each other, until two years after termination or expiration of the agreement, except where required to do so by law.
- 10.2** Any report or other work product that we deliver to you in connection with the Services is confidential and may be used by only you, unless we agree otherwise in writing.

11. INTELLECTUAL PROPERTY RIGHTS

- 11.1** We retain all copyright (and other intellectual property rights) in all materials, reports, systems and other deliverables which we produce or develop for the purposes of the agreement, or which we use to provide the Services.
- 11.2** You will not reproduce or copy any part of any report or other work product we produce as part of the Services without our prior written consent.

12. GENERAL

- 12.1** The agreement may be modified only by a written agreement signed by both of us. Liability accruing before the agreement terminates or expires will survive termination or expiration.
- 12.2** The agreement states the entire agreement, and supersedes all prior agreements, between you and JLL with respect to the matters described in the agreement.
- 12.3** If a court determines that any part of the agreement is unenforceable, the remainder of the agreement will remain in effect.
- 12.4** The agreement is governed by the laws of the State of Illinois. Each of us irrevocably submits

to the exclusive jurisdiction of the courts of that State.

- 12.5** The agreement may be executed in multiple counterparts.
- 12.6** No director, officer, agent, employee or representative of either of us has any personal liability in connection with the agreement.
- 12.7** Neither of us may assign or transfer any rights or obligations under the agreement without the prior written approval of the other. We each agree to be reasonable in evaluating such a request for approval.
- 12.8** If there is any conflict between the terms of the letter and this exhibit, the terms of the letter will prevail.
- 12.9** If either of us fails to enforce any provision or exercise any right under the Agreement at any time, that failure will not operate as a waiver to enforce that provision or to exercise that right at any other time.
- 12.10** The agreement does not establish any partnership or joint venture between us, or make either of us the agent of the other.
- 12.11** A person who is not a party to the agreement does not have any rights to enforce its terms unless specifically agreed in writing.
- 12.12** Neither of us may publicize or issue any specific information to the media about the Services or the agreement without the written consent of the other.
- 12.13** Each of us represents to the other that it is not a person or entity with whom U.S. entities are restricted from doing business under regulations of the Office of Foreign Asset Control ("OFAC") of the Department of the Treasury (including those named on OFAC's Specially Designated and Blocked Persons List) or under any statute, executive order or other governmental action. Each of us agrees to comply with all applicable laws, statutes, and regulations relating to anti-bribery and anti-corruption.
- 12.14** If either party does not comply with the obligations under the agreement and legal action is commenced to enforce the rights under the agreement, the losing party will reimburse the prevailing party reasonable costs (including attorneys' fees), associated with such action.
THE PARTIES HEREBY WAIVE TRIAL BY JURY.
- 12.15** Upon request by you, we will provide commercial general liability additional insured coverage to the property owner or its affiliates to

the extent a loss is attributable to JLL VA's negligence.

- 12.16** Sections 5, 6, 7, 10, 11, 12.1, 13, 17 and 18 will survive termination of the agreement.

13. USE OF DATA AND DATA PROTECTION

- 13.1** You agree as follows: (i) The data we collect in connection with the agreement will remain our property. (ii) We and our affiliates may utilize, sell and include data you have provided (either in the aggregate or individually) in the databases of JLL and its affiliates and for use in derivative products. (iii) We may utilize all data already in the public domain on an unrestricted basis.
- 13.2** In order for us to provide the Services, we may need to record and maintain in hard copy and/or in electronic form, information regarding the Client, its officers and any other individuals connected with the Client (collectively "Data Subjects"). We may also verify the identity of Data Subjects, which could include carrying out checks with third parties such as credit reference, anti-money laundering or sanctions checking agencies.
- 13.3** We may use all information that we hold regarding Data Subjects to provide the Services. We may also use and share it with third parties for other purposes as described in our Privacy Statement available at www.jll.com. We may use both commercially available and proprietary software programs to perform the Services (web based and others).

14. SPECIAL EXPERTS

- 14.1** If you request our assistance in hiring a special expert to contribute to any assignment (such as a surveyor, environmental consultant, land planner, architect, engineer, business, personal property, machinery and equipment appraiser, among others), you will perform your own due diligence to qualify the special expert. You will be responsible to pay for the services of the special expert.
- 14.2** We not responsible for the actions and findings of any special expert. You agree to indemnify and defend us and hold us harmless from all damages that may arise out of your reliance on any special expert.

15. CONFLICTS POLICY

JLL adheres to a strict conflict of interest policy. If we learn of a conflict of interest, we will notify you and recommend a course of action to resolve the conflict. If we learn of a conflict that we do not believe can be resolved, we may terminate the agreement without penalty.

16. FIRREA REQUIREMENTS

Federal banking regulations require banks and other lending institutions to engage appraisers where FIRREA compliant appraisals must be used in connection with mortgage loans or other transactions involving federally regulated lending institutions. Given that requirement, any report produced by JLL under the agreement, if ordered independent of a financial institution or agent, might not be FIRREA compliant or acceptable to a federally regulated financial institution.

17. USPAP REQUIREMENTS

The Ethics Rule of the Uniform Standards of Professional Appraisal Practice ("USPAP") requires us to disclose to you any prior services (appraisal or otherwise) performed within three years prior to the date of this letter by the individual JLL appraiser who will be performing Services for the Property. We represent that to our knowledge, that JLL has not provided prior services within the designated disclosure period, outside of what we have identified.

18. USE OF WORK PRODUCT AND RELIANCE

- 18.1** You agree that any report or other work product we produce in connection with the Services are for your use only, and only for the purpose indicated in the agreement. No person or entity other than the Client may use or rely on any such report or work product unless we consent otherwise in writing, even if such reliance is foreseeable. Any person who receives a copy of any report or other work product we produce as

a consequence of disclosure requirements that apply to the Client, does not become an intended user of this report unless the Client specifically identified them at the time of the engagement.

- 18.2** You will not use any such report or work product in connection with any public documents. You will not refer to JLL in any public documents without our prior written consent. We may give or withhold our consent in our sole discretion for any purpose under this Section 18.
- 18.3** Notwithstanding the foregoing, JLL understands that applicable law in eminent domain proceedings may require you to disclose our reports and work product to landowners and to otherwise make our reports and work product available to the public. To the extent required by applicable law, JLL consents to such disclosure. However, you and only you, and no such landowner or other person or entity, may rely on our reports or our work product.

19. LITIGATION MATTERS

- 19.1** We are not required to testify or provide court-related consultation or to be in attendance in court unless we have agreed to do so in the agreement or otherwise in writing, or if required by law.
- 19.2** If we receive a subpoena or other judicial command to produce documents or to provide testimony in a lawsuit or proceeding regarding the agreement, we will notify you if allowed by law to do so. However, if we are not a party to these proceedings, you agree to compensate us for our professional time at the then prevailing hourly rates of the personnel responding to the subpoena or providing testimony, and to reimburse us for our actual expenses incurred in responding to any such subpoena or judicial command, including attorneys' fees, if any, as they are incurred.

v. 10_22_2020

Exhibit B

Statement of Assumptions and Limiting Conditions

1. All reports and work product we deliver to you (collectively called “report”) represents an opinion of value, based on historical information and forecasts of market conditions. Actual results may vary from those forecast in the report. There is no guaranty or warranty that the opinion of value reflects the actual value of the property.
2. The conclusions stated in our report apply only as of the effective date of the appraisal, and no representation is made as to the effect of subsequent events. Assessed values may change significantly and unexpectedly over short periods. We are not liable for any conclusions in the report that may be different if there are subsequent changes in value. We are not liable for loss relating to reliance upon our report more than three months after its date.
3. There may be differences between projected and actual results because events and circumstances frequently do not occur as predicted, and those differences may be material. We are not liable for any loss arising from these differences.
4. We are not obligated to predict future political, economic or social trends. We assume no responsibility for economic factors that may affect or alter the opinions in the report if the economic factors were not present as of the date of the letter of transmittal accompanying the report.
5. The report reflects an appraisal of the property free of any liens or encumbrances unless otherwise stated.
6. We assume responsible ownership and competent property management.
7. The appraisal process requires information from a wide variety of sources. We have assumed that all information furnished by others is correct and complete, up to date and can be relied upon, but no warranty is given for its accuracy. We do not accept responsibility for erroneous information provided by others. We assume that no information that has a material effect on our appraisal has been withheld.
8. We assume the following, unless informed to the contrary in writing: Each property has a good and marketable title. All documentation is satisfactorily drawn and that there are no encumbrances, restrictions, easements or other adverse title conditions, which would have a material effect on the value of the interest under consideration. There is no material litigation pending involving the property. All information provided by the Client, or its agents, is correct, up to date and can be relied upon. We are not responsible for considerations requiring expertise in other fields, including but not limited to: legal descriptions, interpretation of legal documents and other legal matters, geologic considerations such as soils and seismic stability, engineering, or environmental and toxic contaminants. We recommend that you engage suitable consultants to advise you on these matters.
9. We assume that all engineering studies correct. The plot plans and illustrative material in the report are included only to help the reader visualize the property.
10. We assume that there are no hidden or unapparent conditions of the property, subsoil or structures that render it more or less valuable. We are not responsible for such conditions or for obtaining the engineering studies that may be required to discover them.
11. We assume that the property is in full compliance with all applicable federal, state, and local environmental regulations and laws unless the lack of compliance is stated, described, and considered in the report. We have not made or requested any environmental impact studies in conjunction with the report. We reserve the right to

revise or rescind any opinion of value that is based upon any subsequent environmental impact studies. If any environmental impact statement is required by law, the report assumes that such statement will be favorable and will be approved by the appropriate regulatory bodies.

12. Unless otherwise stated in the report, you should assume that we did not observe any hazardous materials on the property. We have no knowledge of the existence of such materials on or in the property; however, we are not qualified to detect such substances, and we are not providing environmental services. The presence of substances such as asbestos, urea-formaldehyde foam insulation and other potentially hazardous materials may affect the value of the property. Our report assumes that there is no such material on or in the property that would cause a loss in value. We do not assume responsibility for such conditions or for any expertise or engineering knowledge required to discover them. We encourage you to retain an expert in this field, if desired. We are not responsible for any such environmental conditions that exist or for any engineering or testing that might be required to discover whether such conditions exist. We are not experts in the field of environmental conditions, and the report is not an environmental assessment of the property.
13. We may have reviewed available flood maps and may have noted in the report whether the property is generally located within or out of an identified Special Flood Hazard Area. However, we are not qualified to detect such areas and therefore do not guarantee such determinations. The presence of flood plain areas and/or wetlands may affect the value of the property. Any opinion of value we include in our report assumes that floodplain and/or wetlands interpretations are accurate.
14. We have not made a specific survey or analysis of the property to determine whether it is in compliance with the Americans with Disabilities Act ("ADA"), Stark law or any anti-kickback laws. We claim no expertise in such issues and render no opinion regarding compliance of you or the property with ADA, Stark law or anti-kickback law or regulations.
15. We assume that the property conforms to all applicable zoning and use regulations and restrictions unless we have identified, described and considered a non-conformity in the report.
16. We assume that all required licenses, certificates of occupancy, consents, and other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the opinion of value contained in the report is based.
17. We assume that the use of the land and improvements is confined within the boundaries or property lines of the property described and that there is no encroachment or trespass unless noted in the report.
18. We have not made any investigation of the financial standing of actual or prospective tenants unless specifically noted in the report. Where properties are valued with the benefit of leasing, we assume, unless we are informed otherwise, that the tenants are capable of meeting their financial obligations under the leases, all rent and other amounts payable under the leases have been paid when due, and that there are no undisclosed breaches of the leases.
19. We did not conduct a formal survey of the property and assume no responsibility for any survey matters. The Client has supplied the spatial data, including sketches and/or surveys included in the report, and we assume that data is correct, up to date and can be relied upon.
20. Unless otherwise stated, the opinion of value included in our report excludes any additional value attributable to goodwill, or to fixtures and fittings which are only of value, in situ, to the present occupier. We have made no allowance for any plant, machinery or equipment unless they form an integral part of the building and would normally be included in a sale of the building. We do not normally carry out or commission investigations into the capacity or condition of services being provided to the property. We assume that the services, and any

associated controls or software, are in working order and free from defect. We also assume that the services are of sufficient capacity to meet current and future needs.

21. In the case of property where construction work is in progress, such as refurbishment or repairs, or where developments are in progress, we have relied upon cost information supplied to us by the Client or its appointed experts or upon industry accepted cost guides. In the case of property where construction work is in progress, or has recently been completed, we do not make allowance for any liability already incurred, but not yet discharged, in respect of completed work, or obligations in favor of contractors, subcontractors or any members of the professional or design team. We assume the satisfactory completion of construction, repairs or alterations in a workmanlike manner.
22. Any allocation in the report of value between the land and the improvements applies only under the stated program of utilization. The separate values allocated to the land and buildings must not be used in conjunction with any other appraisal and are invalid if so used.
23. The report is confidential to the party to whom it is addressed and those other intended users specified in the report for the specific purpose to which it refers. Use of the report for any other purpose or use by any party not identified as an intended user of the report without our prior written consent is prohibited, and we accept no responsibility for any use of the report in violation of the terms of this Agreement.
24. We are not required to testify or provide court-related consultation or to be in attendance in court unless we have agreed to do so in writing.
25. Neither the whole report, nor any part, nor reference thereto, may be published in any manner without our prior written approval.
26. We may rely on, and will not verify, the accuracy and sufficiency of documents, information and assumptions provided to it by the Client or others. We will not verify documents, information and assumptions derived from industry sources or that JLL or its affiliates have prepared in the regular course of business. We are not liable for any deficiency in the report arising from the inaccuracy or insufficiency of such information, documents and assumptions. However, our report will be based on our professional evaluation of all such available sources of information.
27. JLL IS NOT LIABLE TO ANY PERSON OR ENTITY FOR LOSS OF PROFITS, CONSEQUENTIAL, PUNITIVE, EXEMPLARY OR SIMILAR DAMAGES IN CONNECTION WITH THIS AGREEMENT. IN NO EVENT SHALL THE LIABILITY OF JLL AND ITS AFFILIATES IN CONNECTION WITH THIS AGREEMENT EXCEED THE FEE PAID TO JLL HEREUNDER.
28. Unless expressly advised to the contrary, we assume that appropriate insurance coverage is and will continue to be available on commercially acceptable terms.
29. We assume that no material changes in any applicable federal, state or local laws, regulations or codes (including, without limitation, the Internal Revenue Code) are anticipated.
30. We may determine during the course of the assignment that additional Hypothetical Conditions and Extraordinary Assumptions may be required in order to complete the assignment. The report will be subject to those Hypothetical Conditions and Extraordinary Assumptions. Each person that is permitted to use the report agrees to be bound by all the Assumptions and Limiting Conditions and any Hypothetical Conditions and Extraordinary Assumptions stated in the report.

COUNCIL ACTION FORM

Meeting Date: July 14, 2022

Staff Contact: Leslie Herring, CAO / City Clerk

Agenda Item: Consider allowing the consumption of alcoholic beverages in the City park during the Music in the Park event, to be held on Thursday, July 21, 2022

Background / Description of Item

Music in the Park is scheduled to be held on Thursday, July 21, 2022 from 7 to 8 PM in Joe D. Dennis Park, located at 5000 Rainbow Blvd. City staff has been directed by member(s) of the Governing Body to prepare and bring forward an action for Council consideration to allow the possession and consumption of alcoholic beverages during this event, to comply with the provisions of Westwood Municipal Code Section 12-206(3), which requires approval by the Governing Body for the allowance of alcoholic beverages in the park.

Staff Recommendation

Grant a special exception to allow the possession and consumption of alcoholic beverages on City grounds on Thursday, July 21, 2022, from 6 – 9 PM.

Suggested Motion

I move to approve the possession and consumption of alcoholic beverages on Thursday, July 21, 2022 from 6 to 9 PM on City-owned property at 5000 Rainbow Blvd. for the City's Music in the Park event.