



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

December 9, 2021

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:

(346) 248-7799

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. Roles of City Council Committees and City Staff (Continuation of conversation from October 3, 2021 City Council retreat)
- 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. SWEARING IN NEWLY ELECTED CITY COUNCILMEMBERS**
 - A. Administer Oath of Office to Councilmembers Andrew Buckman, Jason Hannaman, and Jeff Harris
- III. APPROVAL OF THE AGENDA**
- IV. 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.
- V. PUBLIC HEARINGS**
 - A. [Consider Resolution No. 101-2021 Adopting an Amended Fiscal Year 2021 Annual Budget](#)
- VI. PRESENTATIONS AND PROCLAMATIONS**

- A. Every Service Update – Rebecca Galati, Senior Customer Solutions Manager

VII. 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 November 11, 2021 City Council Meeting Minutes](#)
- B. [Consider Appropriations Ordinance No. 733](#)

VIII. MAYOR'S REPORT

IX. 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

X. 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)

XI. OLD BUSINESS

XII. NEW BUSINESS

- A. [Consider Agreement with Johnson County for the Public Improvement of 47th Street from Mission Road to Rainbow Boulevard](#)

XIII. ANNOUNCEMENTS/GOVERNING BODY COMMENTS

XIV. EXECUTIVE SESSION

XV. 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, December 9, 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](#)

COUNCIL ACTION FORM

Meeting Date: December 9, 2021

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

Agenda Item: Conduct public hearing to adopt 2021 amended budget

Background/Description of Item

State budget law requires a budget amendment if expenditures in a fund are expected to exceed the approved budget amount. The process for amending the budget includes publication of the proposed amendment, a public hearing, and formal adoption of the budget amendment by the City Council prior to the end of the year.

Expenditures in two funds are expected to exceed the level authorized in the adopted 2021 budget. In order to remain in compliance with the State budget law, a budget amendment increasing authorized expenditures must be adopted.

Fund	Summary of Amendments			2021 Proposed Amended Expenditures
	2021 Adopted Budget			
	Actual Tax Rate	Amount of Tax that was Levied	Expenditures	
			0	0
Capital Improvement Plan			150,000	951,500
Woodside TIF/CID			486,844	540,000
			0	0
			0	0
			0	0

Staff Comments/Recommendation

Capital Improvement Plan (CIP) Fund

In 2021, design and engineering work commenced on both the State Line Road/47th Terrace/48th Street [2021 CIP construction] project and the 47th Street [2022 CIP] reconstruction project. Both projects are interjurisdictional and in both cases the City of Westwood has taken the leading role in project management and contract execution in a relationship where the City of Westwood will pay the upfront costs for the projects and then invoice our participating neighboring jurisdictions. As the CIP Fund is only about 10 years old and since 2021 is the first budget year since its creation that the City has planned inter/multi-jurisdictional projects (the 2021 CIP project is a partnership with Westwood Hills and Kansas City, MO and the 2022 CIP project is a partnership with the Unified Government of Wyandotte County Kansas City, KS), not enough budget authority was planned in the CIP Fund to allow

for the City of Westwood to cover the contractually obligated amounts for those project costs this year; although the City does have the budget authority in the General Fund.

To honor the fund structure and budget forecast as presented by staff for the 2022 and future budgets, staff recommends the CIP Fund be amended to provide sufficient budget expenditure authority to cover the up front contractual costs for these projects. City staff recommends funding all CIP project costs from the CIP by way of planned transfers to the CIP rather than expending separate portions of one project from separate funds.

To reduce the need for future budget amendments for this reason, the 2022 budget approved by the City Council and submitted to the State lists the CIP Fund as an unbudgeted fund, which is a fairly typical government financing strategy to allow for more ebb and flow that is naturally a part of construction projects. By listing the CIP Fund as unbudgeted, there is no budget authority cap (outside of the City's on-hand revenues and ability to pay) and the City is able to expend funds during a fiscal year without the tight tie to forecasted construction costs calculated one – two years previously during budget development.

Woodside TIF/CID Fund

Property taxes in the Woodside tax increment financing (TIF) district as well as sales tax activity at Woodside (which impacts the community improvement district (CID) sales tax revenues) is higher than anticipated when the 2021 budget was developed in the summer of 2020. 2021 expenditures (property tax and CID sales tax revenues paid out to the bondholder) in the Woodside TIF/CID Fund are expected to exceed the level authorized in the adopted 2021 budget. In order to remain in compliance with the State budget law, a budget amendment is necessary to increase expenditure authority for these bondholder payments.

All other funds have sufficient legal budget authority within the approved 2021 budget for the expenditures budgeted in each. Staff recommends the City Council conduct a public hearing and, following the hearing, approve the amended budget by way of Resolution 101-2021.

Suggested Motion

I move the City Council approve Resolution No. 101-2021 adopting amendments to the 2021 fiscal year budget.

CITY OF WESTWOOD, KANSAS

RESOLUTION NO. 101-2021

**A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF WESTWOOD, KANSAS,
ADOPTING AMENDMENTS TO THE 2021 FISCAL YEAR BUDGET**

WHEREAS, the fiscal year 2021 annual budget was presented to the Governing Body at its August 13, 2020 Governing Body meeting and was subsequently adopted at that meeting; and

WHEREAS, the City has determined that the budgeted amount for expenditures from the Capital Improvements Plan Fund and the Woodside TIF/CID Fund need to be increased;

WHEREAS, a public hearing was conducted on December 9, 2021 to consider this amendment to the 2021 budget; and

WHEREAS, the Governing Body desires to adopt the amendment to the 2021 fiscal budget.

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

Section 1. That the City of Westwood, Kansas, a municipal corporation, does hereby adopt the amendment to the 2021 Fiscal Year Budget.

Section 2. Effective Date. This resolution shall be effective upon its adoption by the Governing Body of the City of Westwood, Kansas.

ADOPTED this 9th day of December, 2021, by majority vote of the Governing Body.

David E. Waters, Mayor

ATTEST:

Leslie Herring, City Clerk

APPROVED AS TO FORM:

Ryan B. Denk, City Attorney

2021

**Amended
Certificate
For Calendar Year 2021**

To the Clerk of Johnson, State of Kansas
We, the undersigned, duly elected, qualified, and acting officers of
Westwood
certify that: (1) the hearing mentioned in the attached publication was
held;(2) after the Budget Hearing this Budget was duly approved and
adopted as the maximum expenditure for the various funds for the year.

			2021 Amended Budget		
			Amount of 2020 Tax that was Levied	Adopted 2021 Expenditures	Proposed Amended 2021 Expenditures
Table of Contents:		Page No.			
Fund	<u>K.S.A.</u>				
Capital Improvement Plan				150,000	951,500
Woodside TIF/CID				486,844	540,000
Totals		xxxxxxxx	0	636,844	1,491,500
Summary of Amendments		0			

Attested date: _____

County Clerk

Assisted by:

Leslie Herring, City Clerk

Michelle Ryan, Treasurer

Address:

4700 Rainbow Blvd., Westwood, KS

10990 Quivira Rd., #160, Overland Park, KS

Email:

leslie.herring@westwoodks.org

Governing Body

CPA Summary

The Legal Record

1701 E. Cedar St., Ste. 111
Olathe, KS 66062-1775
(913) 780-5790

ATTN: LESLIE HERRING
CITY OF WESTWOOD
4700 RAINBOW BLVD
WESTWOOD KS 66205-1831

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Emily Kares, of lawful age, being first duly sworn,
deposes and says that she is Editorial Manager for
The Legal Record which is a newspaper printed in
the State of Kansas, published in and of general
paid circulation on a weekly, monthly or yearly
basis in Johnson County, Kansas, is not a trade,
religious or fraternal publication, is published at
least weekly fifty (50) times a year, has been so
published continuously and uninterrupted in said
County and State for a period of more than one
year prior to the first publication of the notice
attached, and has been entered at the post office
as Periodicals Class mail matter. That a notice
was published in all editions of the regular and
entire issue for the following subject matter (also
identified by the following case number, if any)
for 1 consecutive week(s), as follows:

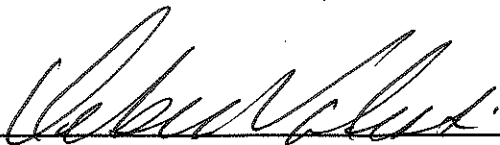
BUDGET HEARING AMENDING THE 2021
BUDGET - WESTWOOD
11/23/21



Emily Kares, Editorial Manager

Subscribed and sworn to before me on this date:

November 23, 2021



Notary Public

DEBRA VALENTI
Notary Public-State of Kansas
My Appt. Expires Aug. 21, 2023

State of Kansas
Amendment
2021

First published in The Legal Record, Tuesday, November 23, 2021.

Notice of Budget Hearing for Amending the
2021 Budget
The governing body of
Westwood

will meet on the day of 12/9/2021 at 7:00 PM at Westwood City Hall, 4700 Rainbow Blvd., Westwood, KS 66205 for the
purpose of hearing and answering objections of taxpayers relating to the proposed amended use of funds.

Detailed budget information is available at Westwood City Hall, 4700 Rainbow Blvd., Westwood, KS 66205
and will be available at this hearing.

Summary of Amendments

Fund	2021 Adopted Budget		2021 Proposed Amended Expenditures
	Actual Tax Rate	Amount of Tax that was Levied	
Capital Improvement Plan		150,000	951,500
Woodside TIF/CID		486,844	540,000
		0	0
		0	0
		0	0

Leslie Herring
Official Title: City Clerk
11/23

L94102
Publication Fees: \$14.93

**City of Westwood, Kansas
City Council Meeting
4700 Rainbow Boulevard
November 11, 2021 – 7:00 p.m.**

Council Present: David E. Waters, Mayor
Andrew Buckman, Councilmember
Jason Hannaman, Councilmember
Jeff Harris, Council President
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
Michelle Ryan, City Treasurer
Ryan Denk, City Attorney

Call to Order

Mayor David E. Waters called the meeting to order at 7:00 p.m. on November 11, 2021. 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.

Mayor Waters noted that November 11th is Veteran's Day and thanked Veterans in the community for their service, including Councilmember Buckman.

Public Comment

No comments were made.

Presentations/Proclamations

Kansas Legislative Update

Representative Rui Xu provided an update on the upcoming Kansas Legislative Session.

Consolidated Fire District 2 Update

Fire Chief Steve Chick provided an update on recent and upcoming activities at the Consolidated Fire District #2.

United Community Services Report

Christina Ashie Guidry, Director of Resource Allocation for United Community Services, provided an overview of United Community Service Human Service Fund program.

Proclamation – World Day of Remembrance for Road Traffic Victims

Mayor Waters proclaimed November 21, 2021 as World Day of Remembrance for Road Traffic Victims in Westwood, Kansas.

Approval of City Council Meeting Minutes

Minutes from the October 14, 2021, City Council meeting were included in the agenda packet. Motion by Councilmember Harris to approve the minutes from City Council meeting as submitted. Second by Councilmember Wimer. Motion carried by a 5-0 voice vote.

Treasurer's Report

Mrs. Ryan provided an overview of the October 2021 Treasurer's Report that was included in the agenda packet.

Motion by Councilmember Hannaman to approve Appropriations Ordinance No. 732 for \$384,635.22. Second by Councilmember Harris. Mrs. Herring performed a roll call vote, motion carried by a 5-0 vote.

City Attorney's Report

Consider Resolution No. 100-2021 Authorizing the Execution of a Supplemental Indenture Related to the 2014 CID Bonds for Woodside Village

The City issued Taxable Special Obligation CID Revenue Bonds for the Woodside Village project in 2014, which bonds were purchased by Great Western Bank, the bondowner. The City and Woodside previously entered into a Redevelopment Agreement dated January 12, 2012 which provides for interest on the Series 2014A Bonds to accrue at a rate determined in part by the London Interbank Offered Rate ("LIBOR"). The LIBOR is expected to cease to exist in the near future, and the City, Bondowner, Trustee (UMB Bank), and Developer must implement alternative provisions for calculating the accrual of interest on the Series 2014A Bonds.

Motion by Councilmember Hannaman to approve Resolution No. 100-2021 as written, authorizing the Mayor to execute the Second Supplemental Indenture to the Taxable Special Obligation CID Revenue Bonds, Series 2014A. Second by Councilmember Wimer. Motion carried by a 5-0 voice vote.

Administrative Report

Mrs. Herring provided a review of the October 2021 Administrative Report and offered to answer questions.

Public Safety Report

Chief Mansell referred to the October 2021 Public Safety Report and offered to answer questions.

Consider Renewal of IT Services Agreement with Johnson County Government

The police department has several IT functions that it completes on a daily, weekly, monthly or yearly basis. Many of these procedures are regulated by industry best practices, the law, FBI and KBI. Police Department IT services are required to function 24 hours a day, 7 days a week and therefore it is best to have support that mirrors those times of operation. Several small municipalities utilize Johnson County DTI to provide IT services.

This is an annual renewal and provided for in the 2022 budget process. The cost is projected to be \$11,616.00. However, the actual fee for the Check Point License (a security function) is still in flux so that may change slightly. The contract allows for billing charges to be modified in the event of a significant change in the number of devices (a change of approx. 25% increase/decrease).

The contract was reviewed by the City Attorney; however, City staff is still awaiting confirmation from the Johnson County Attorney that the revisions suggested are acceptable.

Motion by Councilmember Buckman to approve the Mayor to execute the Renewal of Information Technology Services Agreement between the Board of County Commissioners of Johnson County, Kansas and the City of Westwood, subject to final approval by the City Attorney. Second by Councilmember Harris. Motion carried by a 5-0 voice vote.

Public Works Report

Mr. Sullivan provided a review of the October 2021 Public Works Reports and offered to answer any questions.

Consider Agreement with Sternberg Lighting for Streetlights on Belinder Court and Booth Street in conjunction with the 47th Street Reconstruction Project

Street lighting, with a pedestrian component to the lighting, is important to the overall feel for this project and as such the street lighting, to include pedestrian scaled lighting in addition to the roadway lighting, has been incorporated into the scope of the project.

Like the 2019 project, it is more cost effective to purchase the street light components separate from the bidding process. The savings will be realized for two basic reasons. First, the additional cost associated with the federal funding on this project include David Bacon Wage Rates, higher labor costs and the requirement to “Buy America” or purchasing goods made in America. While worthy endeavors, it does drive costs up. Second, the street lighting components will not have a markup from the contractor bidding the job.

The light fixtures and pole assemblies would be purchased by the City of Westwood in 2022 with 2022 funds with 50% of the costs reimbursed by the Unified Government of Wyandotte County/Kansas City Kansas (UG). The agreement with the UG contemplates streetlights. Mr. Sullivan spoke with the UG representative of the project about the decorative streetlights, and the representative verbally agreed to using a more decorative option if Westwood agreed to carry the spare parts. Westwood and UG will need to work out an agreement spelling out the terms of powering and maintenance of the streetlights.

The light fixtures and pole assemblies were priced with three options and those details were included in the agenda packets. The city is looking at a price increase if the decision is delayed until the December 9, 2021 City Council meeting.

Option 1, scenario 1 most closely aligns with the look of Westwood’s interior street poles and will fit within the expected project budget.

Phase 1 drawings in the packet depict what Westwood currently uses on the interior streets and what is expected for use on Belinder Court and Booth Street. The cost of the poles would be \$3,630.00 each, or \$29,040.00 for the eight needed for both streets. The cost of installation and removal of the old poles is estimated currently at \$76,452.00. Purchase and installation of the street lights for the project was budgeted at \$44,000.00. The total estimate for this project is \$105,492.00, \$61,492 over the amount budgeted. If the Governing Body wishes to continue with the project, the City would utilize CIP funds to cover the project budget deficit. This could affect surplus year of funds anticipated for 2023, where the City has no projects budgeted in anticipation of the 2024 project.

Discussion amongst the City Council centered on the Council’s desire to replace the current street lights on Belinder Ct. and Booth St. with the new street lights due to the community’s preference for and desire of new streetlights throughout the city. Discussion also touched on the City Council’s desire to

have the street lights on 47th St. be as close in style to the street lights on residential streets as possible since the identical lights currently installed on residential streets are not appropriate for a major thoroughfare. The City Council also discussed the impact of the cost of the streetlights on the project budget and on The UG's willingness to opt for decorative poles. City staff stated that it has, in writing, approval from The UG's project representative that they are willing and ready to cover their half of the cost for whichever style of light Westwood chooses and that the cost of the streetlights, including for Option 1, Scenario 1, as presented, are included in the Engineer's Estimate of Probable Cost; however, the cost quoted for the street lights on Belinder Court and Booth Street is higher than originally estimated in the project budget for those streets.

Motion by Councilmember Hannaman to authorize Public Works Director Sullivan to place the order for poles as described in Option 1, Scenario 1, as well as including pedestrian poles in Phase 1 for Booth Street and Belinder Court. Second by Councilmember Steele. Motion carried by 5-0 voice vote.

Committee Reports

Administration & Compensation Committee

Councilmember Hannaman had nothing to report.

Business & Community Affairs Committee

Councilmember Buckman had nothing to report.

Public Safety Committee

Councilmember Harris had nothing to report.

Public Works Committee

Councilmember Steele noted following the Governing Body's retreat with BoardDynamics, during the last meeting the Public Works Committee discussed the individual committee purpose and came up with a purpose statement for the Public Works Committee.

Parks & Recreation Committee

Councilmember Wimer noted the Mayor's Holiday Tree Lighting will be on Thursday, December 2nd and will be held completely outside.

Councilmember Wimer noted the City met with Woodside to review the 2021 pool season and it was determined that the City will return to issuing pool passes for the 2022 season.

Mayor's Report

Mayor Waters provided an overview of COVID-19 case numbers in the metro area.

Mayor Waters congratulated Councilmembers Harris, Hannaman and Buckman for being elected to a four-year term during the November 2nd General Election.

Mayor Waters noted that Larry Marks, Westwood's longtime building custodian, passed way in October 2021.

Executive Session

Consider motion to recess to an executive session for consultation with the City Attorney which would be deemed privileged in the attorney-client relationship

Motion by Councilmember Wimer to recess into executive session for consultation with the City Attorney which would be deemed privileged in the attorney-client relationship concerning the Woodside Village project until 9:30 pm. Second by Councilmember Hannaman. Motion carried by a 5-0 voice vote.

The Governing Body returned to the dais at 9:30 pm.

A Governing Body worksession was scheduled to take place after adjournment, it was canceled due to the City Council meeting running longer than expected.

Adjournment

Motion by Councilmember Harris to adjourn the meeting. Second by Councilmember Hannaman. Motion carried by a 5-0 voice vote. The meeting adjourned at 9:30 pm.

APPROVED: _____
David E. Waters, Mayor

ATTEST: _____
Leslie Herring, City Clerk

**City of Westwood
Treasurer's Report
11/30/2021**

1. Balance Sheet by Fund – shows overall ending cash balances for the City by Fund.
 - a. Ending unencumbered cash through 11/30/2021 is \$3,107,285 and remains up from year end by \$697,403.
 - b. Debt Service Fund does show a negative cash balance of \$(87,761), the year-end transfer from CIP and General will restore this fund to a positive cash balance.
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 to date received of \$2,781,987 of the total \$2,701,153 budgeted. Overall year to date 2021 revenue is up compared to 2020 by \$368K.
 - i. Taxes – overall up about \$220K from prior year. Ad Valorem taxes are up \$46K from prior year. City and County sales tax revenue is up about \$154K compared to prior, the prior year November sales tax was not deposited until December 1st which is creating the larger than normal increase this month. Had this not occurred sales tax would continue tracking at about \$87K higher than in the prior year. Sales tax still strong but is declining slightly. Liquor Tax is up about \$12K, Motor Vehicle up \$4K and Special Assessments up \$4K.
 - ii. Fees and Licenses – up year to date by \$8K, Utility Franchise Fees about equal with the prior year, Pool Fees are up by about \$10K.
 - iii. Building Permits – Remain up this year by \$37K.
 - iv. Intergovernmental Fees are down by \$7K as compared to last year. Police services are down about \$12K but Public Works services are up \$4K.
 - v. Fines – continue to be at lower levels this year and are down \$22K from prior year.
 - vi. Grants and Donations – the year-to-date number reflects the Federal ARPA - American Rescue Plan Act distribution received of \$125K.
 - vii. Reimbursements – up \$1K as this was broken out into a separate line item this year.
 - viii. Miscellaneous Income – up \$3K due to reimbursements and other income received throughout the year.
 - b. Overall Year to Date Expenditures through October total \$2,181,821, up \$76K compared to the prior year.
 - i. General Overhead total expenditures of \$35,855 for the month. The year-to-date spending is up from the prior year by \$72K. The majority of increase is in the Professional Fees line items as noted in previous months. Building permit reimbursements are also up about \$8K from prior year.
 - ii. Administrative expenditures of \$22,013 for the month, year to date is down \$5K from the prior year.
 - iii. Public Works total expenditures of \$39,708 for the month, to date spending is up by \$26K compared to last year. Increases in Salary and Employee Expenses up \$1K, Professional Fees up \$5K, Utilities up \$3K, Equipment and Maintenance up \$16K.
 - iv. Police expenditures are \$76,144 this month, this is down year to date by \$17K. Decrease in Salary and Benefits \$31K, Professional Fees up by \$17K.
 - v. Parks and Rec expenditures at \$4,672 for the month which is up by \$1K compared to prior year to date.
 - vi. Cancelled Encumbrances and clearing outstanding checks totaling \$12K that is returning cash to the general fund balance.
 - c. Net Receipts Over (Under) Expenditures in the General Fund are \$(48,956) for the month. Year to date through November remains positive receipts over expenditures of \$612,977 which is an increase over the prior year of \$304K.
4. Other Funds – Current Month and Year to Date
 - a. Sales Tax Revenue has come down a bit but still at \$22K for the month.

- b. CIP – Design Engineering Expenses \$12K.
- 5. Budget to Actual Expenditures
 - a. CIP and Woodside TIF Budget Amendments are presented for approval in the council packet.

I am happy to answer any questions at the meeting or upon request.

Michelle Ryan
City of Westwood Treasurer



City of Westwood, Kansas
Balance Sheet by Fund
As of November 30, 2021

	General Fund 11/30/2021	Capital Improvements Fund 11/30/2021	Equipment Reserve Fund 11/30/2021	Stormwater Fund 11/30/2021	Special Highway Fund 11/30/2021	Woodside TIF/CID Fund 11/30/2021	Debt Service Fund 11/30/2021	All Funds 11/30/2021
Assets								
Current Assets								
Cash In Bank	1,380,352.10	921,504.82	90,713.00	288,962.81	118,218.51	361,198.43	(87,761.89)	3,073,187.78
Cash In Bank - Bond Fund	33,775.91	0.00	0.00	0.00	0.00	0.00	0.00	33,775.91
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
Bill.com Money Out Clearing	191.90	0.00	0.00	0.00	0.00	0.00	0.00	191.90
Total Current Assets	1,414,450.03	921,504.82	90,713.00	288,962.81	118,218.51	361,198.43	(87,761.89)	3,107,285.71
Total Assets	\$ 1,414,450.03	\$ 921,504.82	\$ 90,713.00	\$ 288,962.81	\$ 118,218.51	\$ 361,198.43	\$ (87,761.89)	\$ 3,107,285.71
Liabilities and Fund Balance								
Current Liabilities								
Woodside Village Deposits	9.19	0.00	0.00	0.00	0.00	0.00	0.00	9.19
Refundable Bond Deposits	33,339.99	0.00	0.00	0.00	0.00	0.00	0.00	33,339.99
Total Current Liabilities	33,349.18	0.00	0.00	0.00	0.00	0.00	0.00	33,349.18
Total Liabilities	33,349.18	0.00	0.00	0.00	0.00	0.00	0.00	33,349.18
Fund Balance								
Fund Balance	768,123.80	850,050.47	125,319.46	175,237.98	56,119.53	275,697.32	125,984.85	2,376,533.41
Fund Balance - Current Year	612,977.05	71,454.35	(34,606.46)	113,724.83	62,098.98	85,501.11	(213,746.74)	697,403.12
Total Fund Balance	1,381,100.85	921,504.82	90,713.00	288,962.81	118,218.51	361,198.43	(87,761.89)	3,073,936.53
Total Liabilities and Fund Balance	\$ 1,414,450.03	\$ 921,504.82	\$ 90,713.00	\$ 288,962.81	\$ 118,218.51	\$ 361,198.43	\$ (87,761.89)	\$ 3,107,285.71

No assurance is provided. Substantially all disclosures omitted.

City of Westwood, Kansas

Cash Flow

For the One Month Ended November 30, 2021

	General Fund Month Ending 11/30/2021	Capital Improvements Fund Month Ending 11/30/2021	Equipment Reserve Fund Month Ending 11/30/2021	Stormwater Fund Month Ending 11/30/2021	Special Highway Fund Month Ending 11/30/2021	Woodside TIF/CID Fund Month Ending 11/30/2021	Debt Service Fund Month Ending 11/30/2021	All Funds Month Ending 11/30/2021
Unencumbered Cash, Beginning Period	1,466,812.21	911,020.35	97,300.00	291,276.79	118,218.51	364,432.88	(87,761.89)	3,161,298.85
Receipts								
Taxes	67,114.69	22,591.53	0.00	0.00	0.00	0.00	0.00	89,706.22
Fees and Licenses	25,398.44	0.00	0.00	0.00	0.00	0.00	0.00	25,398.44
Building Permits	4,626.60	0.00	0.00	0.00	0.00	0.00	0.00	4,626.60
Intergovernmental	25,439.70	0.00	0.00	0.00	0.00	0.00	0.00	25,439.70
Restricted Use	0.00	0.00	0.00	0.00	0.00	9,429.28	0.00	9,429.28
Fines	6,456.00	0.00	0.00	0.00	0.00	0.00	0.00	6,456.00
Miscellaneous	403.02	0.00	0.00	0.00	0.00	0.00	0.00	403.02
Total Receipts	129,438.45	22,591.53	0.00	0.00	0.00	9,429.28	0.00	161,459.26
Expenditures								
Salary & Benefits	119,650.59	0.00	0.00	0.00	0.00	0.00	0.00	119,650.59
Employee Expenses	3,196.85	0.00	0.00	0.00	0.00	0.00	0.00	3,196.85
Professional Fees	14,536.92	0.00	0.00	0.00	0.00	0.00	0.00	14,536.92
General Operating Expenses	4,543.40	0.00	0.00	0.00	0.00	0.00	0.00	4,543.40
Utilities	29,702.10	0.00	0.00	0.00	0.00	0.00	0.00	29,702.10
Equipment and Maintenance	5,767.71	0.00	5,619.88	164.16	0.00	0.00	0.00	11,551.75
Street and Stormwater	0.00	12,107.06	967.12	2,149.82	0.00	0.00	0.00	15,224.00
Park and Events	997.50	0.00	0.00	0.00	0.00	0.00	0.00	997.50
Miscellaneous	0.00	0.00	0.00	0.00	0.00	12,663.73	0.00	12,663.73
Interfund Transfers	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Expenditures	178,395.07	12,107.06	6,587.00	2,313.98	0.00	12,663.73	0.00	212,066.84
Prior Year Cancelled Encumbrances	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Increase / (Decrease) in Payables	(1,355.56)	0.00	0.00	0.00	0.00	0.00	0.00	(1,355.56)
Increase / (Decrease) in Refundable Bond Deposits	(2,050.00)	0.00	0.00	0.00	0.00	0.00	0.00	(2,050.00)
Unencumbered Cash, End of Period	\$ 1,414,450.03	\$ 921,504.82	\$ 90,713.00	\$ 288,962.81	\$ 118,218.51	\$ 361,198.43	\$ (87,761.89)	\$ 3,107,285.71

No assurance is provided. Substantially all disclosures omitted.

City of Westwood, Kansas

Statement of Operations

General Fund

For The One Period and Eleven Periods Ended November 30, 2021 and 2020

	Month Ending 11/30/2021	Year To Date 11/30/2021	Year To Date 11/30/2020	Year Ending 12/31/2021	
	Actual	Actual	Prior Year	Current Budget	Over/(Under) Budget
Receipts					
Taxes	\$ 67,114.69	\$ 1,691,714.14	\$ 1,470,975.20	\$ 1,717,803.00	(26,088.86)
Fees and Licenses	25,398.44	412,533.99	401,900.82	474,200.00	(61,666.01)
Building Permits	4,626.60	149,016.40	111,570.15	30,000.00	119,016.40
Intergovernmental	25,439.70	285,858.78	292,815.09	336,100.00	(50,241.22)
Fines	6,456.00	94,421.75	116,925.75	140,000.00	(45,578.25)
Grants and Donations	0.00	125,215.81	43.75	0.00	125,215.81
Reimbursements	0.00	1,101.00	225.00	0.00	1,101.00
Miscellaneous	403.02	22,125.83	18,786.27	3,050.00	19,075.83
Total Receipts	129,438.45	2,781,987.70	2,413,242.03	2,701,153.00	80,834.70
Expenditures					
General Overhead					
Salary & Benefits	2,025.80	30,906.15	44,652.67	59,478.00	(28,571.85)
Employee Expenses	1,031.00	2,908.02	0.00	1,200.00	1,708.02
Professional Fees	6,806.98	200,205.35	123,139.56	184,716.00	15,489.35
General Operating Expenses	833.79	14,856.40	12,143.36	21,630.00	(6,773.60)
Utilities	24,919.06	230,928.80	236,197.90	242,258.00	(11,329.20)
Equipment and Maintenance	0.00	451.11	2,039.39	0.00	451.11
Street and Stormwater	0.00	370.33	0.00	264,670.00	(264,299.67)
Park and Events	239.26	5,364.83	3,832.00	14,750.00	(9,385.17)
Intergovernmental	0.00	15,914.50	7,280.50	0.00	15,914.50
Interfund Transfers	0.00	0.00	0.00	296,730.00	(296,730.00)
Total General Overhead	35,855.89	501,905.49	429,285.38	1,085,432.00	(583,526.51)
Administrative					
Salary & Benefits	20,324.34	243,700.31	242,483.24	286,562.00	(42,861.69)
Employee Expenses	1,485.64	7,288.27	6,091.28	6,100.00	1,188.27
Professional Fees	0.00	1,460.00	4,876.00	0.00	1,460.00
General Operating Expenses	204.00	18,330.73	22,416.12	18,030.00	300.73
Utilities	0.00	0.00	290.92	0.00	0.00
Park and Events	0.00	221.26	678.77	2,000.00	(1,778.74)
Interfund Transfers	0.00	0.00	0.00	3,000.00	(3,000.00)
Total Administrative	22,013.98	271,000.57	276,836.33	315,692.00	(44,691.43)

No assurance is provided. Substantially all disclosures omitted.

City of Westwood, Kansas

Statement of Operations

General Fund

For The One Period and Eleven Periods Ended November 30, 2021 and 2020

	Month Ending 11/30/2021	Year To Date 11/30/2021	Year To Date 11/30/2020	Year Ending 12/31/2021	
	Actual	Actual	Prior Year	Current Budget	Over/(Under) Budget
Public Works					
Salary & Benefits	28,402.10	346,380.82	345,487.79	389,236.00	(42,855.18)
Employee Expenses	107.95	3,773.62	2,944.41	6,900.00	(3,126.38)
Professional Fees	3,900.00	10,545.42	5,715.00	15,000.00	(4,454.58)
General Operating Expenses	1,447.69	17,619.69	17,067.30	22,050.00	(4,430.31)
Utilities	1,406.23	12,726.37	9,317.25	23,500.00	(10,773.63)
Equipment and Maintenance	4,424.93	46,096.24	30,023.20	44,000.00	2,096.24
Park and Events	20.00	20.00	0.00	0.00	20.00
Interfund Transfers	0.00	0.00	0.00	40,000.00	(40,000.00)
Total Public Works	39,708.90	437,162.16	410,554.95	540,686.00	(103,523.84)
Police					
Salary & Benefits	68,898.35	823,599.96	855,448.15	1,053,180.00	(229,580.04)
Employee Expenses	572.26	12,174.95	11,261.01	26,500.00	(14,325.05)
Professional Fees	3,829.94	53,505.42	36,546.53	65,800.00	(12,294.58)
General Operating Expenses	2,057.92	41,988.16	39,392.30	58,500.00	(16,511.84)
Utilities	442.76	2,734.85	2,842.82	5,000.00	(2,265.15)
Equipment and Maintenance	342.78	7,806.43	14,795.04	17,974.00	(10,167.57)
Park and Events	0.00	1,045.08	0.00	0.00	1,045.08
Interfund Transfers	0.00	0.00	0.00	20,000.00	(20,000.00)
Total Police	76,144.01	942,854.85	960,285.85	1,246,954.00	(304,099.15)
Parks & Rec					
Professional Fees	0.00	161.00	0.00	10,000.00	(9,839.00)
General Operating Expenses	0.00	2,452.28	998.15	2,000.00	452.28
Utilities	2,934.05	13,390.38	19,189.18	31,000.00	(17,609.62)
Equipment and Maintenance	1,000.00	3,298.67	7,424.93	6,000.00	(2,701.33)
Park and Events	738.24	9,595.76	374.74	11,850.00	(2,254.24)
Total Parks & Rec	4,672.29	28,898.09	27,987.00	60,850.00	(31,951.91)
Non-Departmental					
General Operating Expenses	0.00	0.00	204.00	0.00	0.00
Total Non-Departmental	0.00	0.00	204.00	0.00	0.00
Total Expenditures	178,395.07	2,181,821.16	2,105,153.51	3,249,614.00	(1,067,792.84)
Prior Year Cancelled Encumbrances	0.00	12,810.51	0.00	0.00	12,810.51

No assurance is provided. Substantially all disclosures omitted.

City of Westwood, Kansas

Statement of Operations

General Fund

For The One Period and Eleven Periods Ended November 30, 2021 and 2020

	Month Ending	Year To Date	Year To Date	Year Ending	
	11/30/2021	11/30/2021	11/30/2020	12/31/2021	
	Actual	Actual	Prior Year	Current Budget	Over/(Under) Budget
Receipts Over (Under) Expenditures	\$ (48,956.62)	\$ 612,977.05	\$ 308,088.52	\$ (548,461.00)	1,161,438.05

No assurance is provided. Substantially all disclosures omitted.

City of Westwood, Kansas
Statement of Operations
Other Funds
For The One Period Ended November 30, 2021

	Other Funds					
	Capital Improvements Fund Month To Date 11/30/2021 Actual	Equipment Reserve Fund Month To Date 11/30/2021 Actual	Stormwater Fund Month To Date 11/30/2021 Actual	Special Highway Fund Month To Date 11/30/2021 Actual	Woodside TIF/CID Fund Month To Date 11/30/2021 Actual	Debt Service Fund Month To Date 11/30/2021 Actual
Receipts						
Taxes						
City Sales & Use Tax - Special	22,591.53	0.00	0.00	0.00	0.00	0.00
Total Taxes	\$ 22,591.53	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Restricted Use						
WV CID-1	0.00	0.00	0.00	0.00	8,153.62	0.00
WV CID-2	0.00	0.00	0.00	0.00	1,275.66	0.00
Interfund Transfers	0.00	0.00	0.00	0.00	0.00	0.00
Total Receipts	22,591.53	0.00	0.00	0.00	9,429.28	0.00
Expenditures						
Equipment and Maintenance						
Repairs & Maint Leaf Truck	0.00	0.00	164.16	0.00	0.00	0.00
Machinery & Equipment Purchase	0.00	5,619.88	0.00	0.00	0.00	0.00
Total Equipment and Maintenance	0.00	5,619.88	164.16	0.00	0.00	0.00
Street and Stormwater						
Capital Improvement Expense	12,107.06	967.12	0.00	0.00	0.00	0.00
Stormwater Expense	0.00	0.00	2,149.82	0.00	0.00	0.00
Total Street and Stormwater	12,107.06	967.12	2,149.82	0.00	0.00	0.00
Miscellaneous						
UMB CID Payment	0.00	0.00	0.00	0.00	12,663.73	0.00
Total Miscellaneous	0.00	0.00	0.00	0.00	12,663.73	0.00
Interfund Transfers	0.00	0.00	0.00	0.00	0.00	0.00
Total Expenditures	12,107.06	6,587.00	2,313.98	0.00	12,663.73	0.00
Receipts Over (Under) Expenditures	\$ 10,484.47	\$ (6,587.00)	\$ (2,313.98)	\$ 0.00	\$ (3,234.45)	\$ 0.00

No assurance is provided. Substantially all disclosures omitted.

City of Westwood, Kansas
Statement of Operations
Other Funds
For The Eleven Periods Ended November 30, 2021

	Other Funds					
	Capital Improvements Fund Year To Date 11/30/2021 Actual	Equipment Reserve Fund Year To Date 11/30/2021 Actual	Stormwater Fund Year To Date 11/30/2021 Actual	Special Highway Fund Year To Date 11/30/2021 Actual	Woodside TIF/CID Fund Year To Date 11/30/2021 Actual	Debt Service Fund Year To Date 11/30/2021 Actual
Receipts						
Taxes						
Ad Valorem Tax	0.00	0.00	0.00	0.00	0.00	15,209.65
City Sales & Use Tax - Special	266,393.80	0.00	0.00	0.00	0.00	0.00
Motor Vehicle Tax	0.00	0.00	0.00	0.00	0.00	1,180.63
Total Taxes	\$ 266,393.80	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 16,390.28
Restricted Use						
Stormwater Utility Fee	0.00	0.00	122,099.16	0.00	0.00	0.00
State Hwy Maintenance	0.00	0.00	0.00	14,809.80	0.00	0.00
Special Highway Fund Revenue	0.00	0.00	0.00	47,642.69	0.00	0.00
WV Ad Valorem Tax	0.00	0.00	0.00	0.00	388,097.08	0.00
WV CID-1	0.00	0.00	0.00	0.00	135,842.88	0.00
WV CID-2	0.00	0.00	0.00	0.00	59,903.11	0.00
Miscellaneous	0.00	0.00	688.78	0.00	0.00	0.00
Interfund Transfers	0.00	0.00	0.00	0.00	0.00	0.00
Total Receipts	266,393.80	0.00	122,787.94	62,452.49	583,843.07	16,390.28
Expenditures						
Equipment and Maintenance						
Repairs & Maint Leaf Truck	0.00	0.00	399.22	0.00	0.00	0.00
Machinery & Equipment Purchase	0.00	33,639.34	0.00	0.00	0.00	0.00
Special Highway Maintenance	0.00	0.00	0.00	353.51	0.00	0.00
Total Equipment and Maintenance	0.00	33,639.34	399.22	353.51	0.00	0.00
Street and Stormwater						
Capital Improvement Expense	194,939.45	967.12	0.00	0.00	0.00	13,337.50
Stormwater Expense	0.00	0.00	4,248.00	0.00	0.00	0.00
Leaf Pickup Expenses	0.00	0.00	4,415.89	0.00	0.00	0.00
Total Street and Stormwater	194,939.45	967.12	8,663.89	0.00	0.00	13,337.50
Miscellaneous						
UMB TIF Payment	0.00	0.00	0.00	0.00	370,652.70	387.00
UMB CID Payment	0.00	0.00	0.00	0.00	127,689.26	0.00
Interest on GO Bond	0.00	0.00	0.00	0.00	0.00	43,206.26
Principal on GO Bond	0.00	0.00	0.00	0.00	0.00	173,206.26
Total Miscellaneous	0.00	0.00	0.00	0.00	498,341.96	216,799.52
Interfund Transfers	0.00	0.00	0.00	0.00	0.00	0.00
Total Expenditures	194,939.45	34,606.46	9,063.11	353.51	498,341.96	230,137.02
Receipts Over (Under) Expenditures	\$ 71,454.35	\$ (34,606.46)	\$ 113,724.83	\$ 62,098.98	\$ 85,501.11	\$ (213,746.74)

No assurance is provided. Substantially all disclosures omitted.

City of Westwood, Kansas
Summary of Expenditures - Actual and Budget
Regulatory Basis
For The Year Ended November 30, 2021

	Certified Budget	Expenditures Chargeable to Current Year	Difference Over/(Under)
Expenditures			
General Fund	3,249,614.00	2,181,821.16	(1,067,792.84)
Capital Improvements Fund	150,000.00	194,939.45	44,939.45
Equipment Reserve Fund	153,000.00	34,606.46	(118,393.54)
Stormwater Fund	149,516.00	9,063.11	(140,452.89)
Special Highway Fund	37,410.00	353.51	(37,056.49)
Woodside TIF/CID Fund	486,844.00	498,341.96	11,497.96
Debt Service Fund	350,750.00	230,137.02	(120,612.98)
Total Expenditures	4,577,134.00	3,149,262.67	(1,427,871.33)

No assurance is provided. Substantially all disclosures omitted.

**City of Westwood
Proposed 2021 Transfers**

Fund Transferred From	Amount	Fund Transferred To	Amount	AUTHORITY	Amount Budgeted	Variance
General	103,000	Capital Improvement	103,000	KSA 12-1, 118	103,000	-
General	177,000	Equipment Reserve	177,000	KSA 12-1, 117	255,500	(78,500)
General	15,000	Debt Service Fund	15,000	KSA 10-113	15,000	-
Stormwater Fund	75,000	Capital Improvement	75,000	KSA 12-1,118	200,000	(125,000)
Stormwater Fund	43,516	Debt Service Fund	43,516	KSA 10-113	43,516	-
Capital Improvement	175,000	Debt Service Fund	175,000	Via Bond Ordinance	-	175,000
					-	-
						-
						-
						-
						-
TOTALS	<u>588,516</u>		<u>588,516</u>		<u>617,016</u>	

City of Westwood, Kansas
Appropriation Ordinance No. 733

AN ORDINANCE APPROPRIATING CITY EXPENDITURES FOR THE PERIOD OF NOVEMBER 1, 2021 - NOVEMBER 30, 2021 AND SUMMARIZING SAID EXPENDITURE HEREIN.

	General Month Ending 11/30/2021	Capital Improvements Month Ending 11/30/2021	Equipment Reserve Month Ending 11/30/2021	Stormwater Month Ending 11/30/2021	Special Highway Month Ending 11/30/2021	Woodside TIF/CID Month Ending 11/30/2021	Debt Service Month Ending 11/30/2021	Total All Funds Month Ending 11/30/2021
Expenditures								
Salary & Benefits	119,650.59	0.00	0.00	0.00	0.00	0.00	0.00	119,650.59
Employee Expenses	3,196.85	0.00	0.00	0.00	0.00	0.00	0.00	3,196.85
Professional Fees	14,536.92	0.00	0.00	0.00	0.00	0.00	0.00	14,536.92
General Operating Expenses	4,543.40	0.00	0.00	0.00	0.00	0.00	0.00	4,543.40
Utilities	29,702.10	0.00	0.00	0.00	0.00	0.00	0.00	29,702.10
Equipment and Maintenance	5,767.71	0.00	5,619.88	164.16	0.00	0.00	0.00	11,551.75
Street and Stormwater	0.00	12,107.06	967.12	2,149.82	0.00	0.00	0.00	15,224.00
Park and Events	997.50	0.00	0.00	0.00	0.00	0.00	0.00	997.50
Miscellaneous	0.00	0.00	0.00	0.00	0.00	12,663.73	0.00	12,663.73
Interfund Transfers	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total Expenditures	178,395.07	12,107.06	6,587.00	2,313.98	0.00	12,663.73	0.00	212,066.84

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 2021 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 9th day of December, 2021.

MAYOR

ATTEST: CITY CLERK



Chief Administrative Officer/City Clerk Report

December 2021

To: Mayor and City Council
From: Leslie Herring, Chief Administrative Officer/City Clerk
Date: December 9, 2021
RE: Update on some of the key areas of focus of the Administration Department

Current Priorities

3rd Quarter (October) 2021 through 1st Quarter (March) 2022

- *Create a Records Retention Policy*
 - Not yet started.
- *Create a Citizen Satisfaction Strategic Plan of Action*
 - Staff is considering how to quantify and make progress on citizen satisfaction, possibly involving administering citizen satisfaction surveys relating to City operations and service delivery.
- *Review and consider updates to the Comprehensive Plan and the City's zoning ordinance*
 - The Planning Commission reviewed redline draft edits at its regular December meeting and determined it needs another meeting to continue discussion of the remaining zoning provisions being considered for recommended text amendments. Progress has been made on resolving suggestions and contributions from the Planning Commissioners to-date and the number of provisions still needing attention has shrunk. It forecasts final adoption of changes to occur within the first quarter of 2022.
- *Create City Council Strategic Planning*
 - City staff is working with the Mayor to create an approach for the Council to consider to build a strategic plan for use by City staff and the Council in guiding projects and priorities.
- *Execute the City's future facilities plan and plan for future use of City-owned/optioned property*
 - The City's ULI TAP was conducted in October 2021, with the intent of providing the City Council will recommendations and guidance related to the long-term disposition of City property. That report was issued in early December and is now up on the City's website for public access.
 - Staff will draft a request for qualifications for the City facilities assessment, with the aim of engaging a professional services firm for this work in early 2022.

- Staff is vetting options for engaging an owner's representative to help manage the various development proposals that are anticipated to be received over the next several years as a result of the ULI TAP and the City facilities assessment.
- *Support the City's Pavement Management Plan*
 - City Administration staff will support the Public Works Department as it leads the process of engaging in a joint contract for professional services to evaluate the City's streets and sidewalks and recommend prioritization of projects for inclusion in future CIPs.
- *Inventory the City's Assets*
 - Staff is currently working with the City's insurance broker to explore the benefits and logistics of conducting an inventory of the City's assets.

Building Permits

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

Residential

New Construction –

- 2023 W. 47th Terrace

Additions – None

Alterations –

- 2519 W. 51st Street – Kitchen Remodel

Demolition –

- 2023 W. 47th Terrace

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, NOVEMBER 2021
DATE: DECEMBER 7, 2021

Some of the activities for Public Works in November 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:
Public Works Directors Meeting – Virtual – 1.5 hrs.
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 began the annual leaf pickup program.
17. We installed the holiday lights at City Hall.
18. We troubleshooted an issue with the streetlights on W. 47th Place. Found a break in the underground wire. We could not attribute the damage to any construction in the area.
19. Nick constructed fire pits for the Holiday Lighting.
20. We assisted with the assembly of the replacement chairs at City Hall.
21. We swept streets in the early week and a half when not many leaves had been raked out.

22. We finished the winterization of the fountains and irrigation systems.
23. We loaded roll off containers from the leaf pickup program.
24. We started removing leaves from public properties as time allows.

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

To: Governing Body
From: John Sullivan, Director of Public Works
Date: December 7, 2021
Re: Monthly Status Report

- W. 47th Street Project: The 2nd check set of plans is at KDOT for review. The ROW easement agent is working on obtaining both permanent and temporary easements. The streetlights are in the queue for production. We appear currently to be on schedule. We will know more once we receive KDOT comments.
- 2021 Street Improvement Projects: This project has been delayed until April 1, 2022. Kansas Gas has completed its relocation work of phase I. Phase II has been started on W. 48th Street. Due to the high voltage electric line located below the roadway I have allowed them to install dual gas mains on this section of roadway. This will prevent the roadway from having to be crossed for each of the service connections on the opposite side of the installed main. While I don't particularly like having two mains, I believe this will reduce the chance for damage to the high-profile electric line. In addition, our street will not suffer the issue of potholing trying to locate all the existing utilities. We should see the south side of W. 48th Street main installation complete today. We expect to see potholing to begin on the northside of W. 48th Street tomorrow and finishing up the first part of next week with the actual main installation to begin on toward the middle of next week with completion before the holiday break. The fourth phase of installation will begin tomorrow with potholing to begin on Rainbow from W. 48th Terrace to W. 47th Place. The main installation will follow.
- State Line CARS Project: We have received the approved agreement from the Kansas AG office.
- Mission Woods request for participation in a traffic signal modification, striping and handicap ramp relocation related to Shawnee Mission Parkway and Rainbow: The City of Westwood shares the intersection previously mentioned with the City of Mission Woods (25% Westwood, 75% Mission Woods). Mission Woods would like to add an additional crosswalk on the east side of the intersection and on the south side of the intersection. They would also like to move the crosswalk that is on the west side of the intersection farther east which would require new handicap ramps. I indicated

we would not participate in any improvements in Mission Woods, and I would have to discuss with the Public Works committee whether we want to bring forward a project and what that may cost. We are in the very early stages of discussion, and I don't think we have a good understanding of what signal modifications will be required. The city of Mission Woods wants this done sooner rather than later. We shall see. I have not heard anything else on this matter to date.

- Westwood View School Project: The project appears to be moving along with the steel structure visibly coming out of the ground.
- Leaf Pickup: Leaf pickup this year had a slow start for the first couple of weeks. Leaves were not falling at any great rate which provided us with small amounts to pick up. Starting the week of the 15th the leaves started falling at a better rate giving us plenty to pick up. We are currently poised to complete our 3rd pass at the end of this week. We have had a great deal of issues with get our roll offs picked up by WCA. We have finally engaged another vendor to start servicing our roll offs as of the 6th of December. It is imperative that we receive pickups of at least 2 roll offs a day as we do not have sufficient space to store leaves waiting for a pickup. The new company so far has been very responsive. My intention is to phase WCA out once we caught up with loading leaves out of our facility. I am hoping to start our last pass through the City maybe as early as this week with completion before the holiday break. We have also noticed that many of the residents are placing leaves in the street instead of along the edge of their yard. If we should get a significant rain event or a snow event this could clog storm drains as well as if a snow event create narrow roadways when we plow snow onto the leaf piles which will hamper the removal as we will have to wait for the snow to melt.

WESTWOOD					
November 2021					
ACTIVITIES / OFFENSE	THIS MONTH	21-YTD	20-YTD	21-Avg	CHANGE
<i>PART I CRIMES</i>					
MURDER					No Change
RAPE			1		-1
ROBBERY		2		0.18	2
BURGLARY					
BUSINESS		1		0.09	1
RESIDENTIAL	1	3	2	0.27	1
VEHICLE	4	10	23	0.91	-13
MOTOR VEH THEFT		4	6	0.36	-2
LARCENY / THEFT	2	12	21	1.09	-9
ASSAULT / BATTERY		1	4	0.09	-3
ARRESTS					
FELONY		1	3	0.09	-2
MISDEMEANOR		1	2	0.09	-1
TRAFFIC	1	2	2	0.18	No Change
DRUG		9	14	0.82	-5
DUI		1	2	0.09	-1
WARRANTS	8	47	24	4.27	23
CONFINED					No Change
SUMMONS					
HAZARD	15	120	451	10.91	-331
NON-HAZARD	38	320	982	29.09	-662
DUI		1	2	0.09	-1
ORD. VIOLATION		62	44	5.64	18
ACCIDENTS					
NON-INJURY		12	16	1.09	-4
INJURY		3	4	0.27	-1
PRIVATE PROPERTY	1	5	1	0.45	4
ADMIN.DUTIES-PD	29	199	338	18.09	-139
ADMIN.DUTIES - CITY	69	80	45	7.27	35
ALARM	7	61	50	5.55	11
ANIMAL	3	26	13	2.36	13
ASSIST - POLICE	15	68	59	6.18	9
ASSIST - PUB MOTOR	29	126	116	11.45	10
BLD. CHECK-SHAKE	21	64	69	5.82	-5
BLD. CHECK-PATROL	595	7307	12841	664.27	-5534
BUSINESS CHECK	26	1400	1040	127.27	360
CIVIL MATTER	1	3	3	0.27	No Change
EXTRA PATROL HAZARD					No Change
EXTRA PATROL NON HAZ			3		-3
EXTRA PATROL DUI					No Change
EXTRA PATROL ORD.					No Change

WESTWOOD

November 2021

ACTIVITIES / OFFENSE	THIS MONTH	21-YTD	20-YTD	21-Avg	CHANGE
CRIMINAL DAMAGE	1	3	7	0.27	-4
DISTURBANCE	1	11	33	1.00	-22
DISORDERLY CONDUCT					No Change
FIELD INTERVIEW FORM			1		-1
FIRE	1	8	7	0.73	1
FOLLOW UP	8	68	25	6.18	43
INFO / INVEST	3	53	41	4.82	12
JUVENILE	2	8	4	0.73	4
MENTAL HEALTH					
SUICIDE			1		-1
ATT SUICIDE			2		-2
INVOLUNTARY COMMITTAL			2		-2
ALL OTHER MENTAL HEALTH		5	6	0.454545455	-1
MEDICAL CALL	12	115	77	10.45454545	38
NATURE UNKNOWN			3		-3
NOISE COMPLAINT	1	8	10	0.73	-2
OPEN DOOR	2	10	23	0.91	-13
ORD. COMPLAINT	2		5		-5
ORD. VIOL WARNING			1		-1
ORD. VIOL LETTER			1		-1
OTHER			4		-4
PED. CHECK		3	5	0.27	-2
PUBLIC SERVICE	9	138	145	12.55	-7
RECOVERED PROP		7	12	0.64	-5
RESIDENCE CHECK	2	137	318		-181
SUSPICIOUS SUBJECT	2	38	46	3.45	-8
VEH CHECK OCCUPIED		8	20	0.73	-12
VEH CHECK UNOCCUPIED	4	56	32	5.09	24
TELE. CALL HARASS			1		-1
TELE. CALL THREAT		2		0.18	2
TRAFFIC COMPLAINT	3	16	23	1.45	-7
TRAFFIC WARNING	15	238	134	21.64	104
UNATTENDED DEATH		3		0.27	3

Total Activity

856

Last Year - YTD Activity

15502

Year to Date Activity

10084

Difference in Activity

-5418

Total Monthly Summons

53

Hazardous Summons Percentage

28%

**WESTWOOD
INCIDENT SUMMARY**

RESIDENTIAL BURGLARY

CASE NO: 20210295 **LOCATION:** 2916 W 49th Pl
DATE : 11/14/2021
ACTIVITY: Unknown suspect(s) broke out the back window and entered the residence and exited thru sliding door. No loss was noticed.

BURGLARY TO AUTO

CASE NO: 20210291 **LOCATION:** 2609 W 50th St
DATE : 11/10/2021
ACTIVITY: Unknown suspect(s) removed the catalytic converter from the vehicle without permission.

CASE NO: 20210306 **LOCATION:** 1900 W 47th Pl
DATE : 11/21/2021
ACTIVITY: Unknown suspect removed currency and a medical IV starter kit from the victim's unlocked vehicle without permission.

CASE NO: 20210308 **LOCATION:** 4740 Rainbow Blvd
DATE : 11/24/2021
ACTIVITY: Unknown suspect(s) broke out the passenger side window gaining access to the vehicle and removed a vehicle jack a

CASE NO: 20210314 **LOCATION:** 2650 Shawnee Msn Pkwy
DATE : 11/29/2021
ACTIVITY: Unknown suspect(s) removed a hand gun from the center console without permission. The gun was later found inside the vehicle under the front seat. It was not stolen.

LARCENY / THEFT

CASE NO: 20210302 **LOCATION:** 2000 W 47th P
DATE : 11/19/2021
ACTIVITY: Unknown suspect(s) removed the catalytic converter from the vehicle without permission.

CASE NO: 20210316 **LOCATION:** 4701 Mission I
DATE : 11/30/2021
ACTIVITY: Unknown suspect(s) stole the victim's wallet which she accidentally left at the register.

WESTWOOD
COURT SUMMARY
NOVEMBER, 2021

COURT DATE	ARRAIGNMENTS	TRIALS	FINES	LETTERS	WARRANTS
November 05, 2021	07	03	\$4,142.00	05	00
November 12, 2021	12	05	\$3,405.00	00	09
November 19, 2021	10	01	\$ 260.00	02	03
TOTALS					
November, 2021	29	09	\$ 7,807.00	07	12
November, 2020	87	14	\$ 7,247.50	151	11
TOTAL (7,807.00) less					
* Kansas DL fees:					\$122.00
* Judges Training Fund:					\$ 13.00
* LET Training Fund:					\$ 292.50
* Comm Corrections:					\$ 0.00
* Seat Belt Safety Fund:					\$ 20.00
November, 2021 TOTAL:					\$ 7,359.50

Y.T.D. TOTALS 2021		Y.T.D. TOTALS 2020	
ARRAIGNMENTS:	719	ARRAIGNMENTS:	1664
TRIALS	137	TRIALS:	225
LETTERS:	359	LETTERS:	1772
WARRANTS:	280	WARRANTS:	250
FINES:	\$90,180.50	FINES:	\$129,179.40
KS DL FEES:	\$1829.00	KS DL FEES:	\$2007.00
JUDGES FUND:	\$219.50	JUDGES FUND:	\$473.00
L.E.T.FUND:	\$4,987.50	L.E.T FUND:	\$9,136.50
COMM CORRECT FUND:	\$0.00	COMM CORRECT FUND:	\$0.00
SEATBELT SAFETY FUND:	\$240.00	SEATBELT SAFETY FUND:	\$280.00

Council Action Form

Meeting Date: December 9, 2021

Staff Contact: John Sullivan, Public Works Director

Agenda Item: Johnson County CARS 2022 Funding Agreement – 47th Street, Mission Road to Rainbow Boulevard

Background / Description of Item

47th Street will undergo resurfacing and geometric improvements in 2022, including a two-inch mill and overlay and a Complete Streets redesign. This is a joint project with the Unified Government of Wyandotte County-Kansas City, KS (“The UG”). The total project cost is currently estimated to be just under \$2.5 million, with the total cost to Westwood estimated to be under \$500,000¹.

As a designated County Assistance Road System (“CARS”) Program road, this work on 47th Street qualifies for up to 50% financial assistance from Johnson County. Since the roadway is located within two jurisdictions, Westwood will be reimbursed by the Unified Government of Wyandotte County-Kansas City, KS for the work performed within its jurisdiction and Westwood will be reimbursed up to \$259,000 for the work within its (Westwood’s) jurisdiction by Johnson County. Enclosed is the agreement for Johnson County CARS funding for the 47th Street work.

Staff Comments/Recommendation

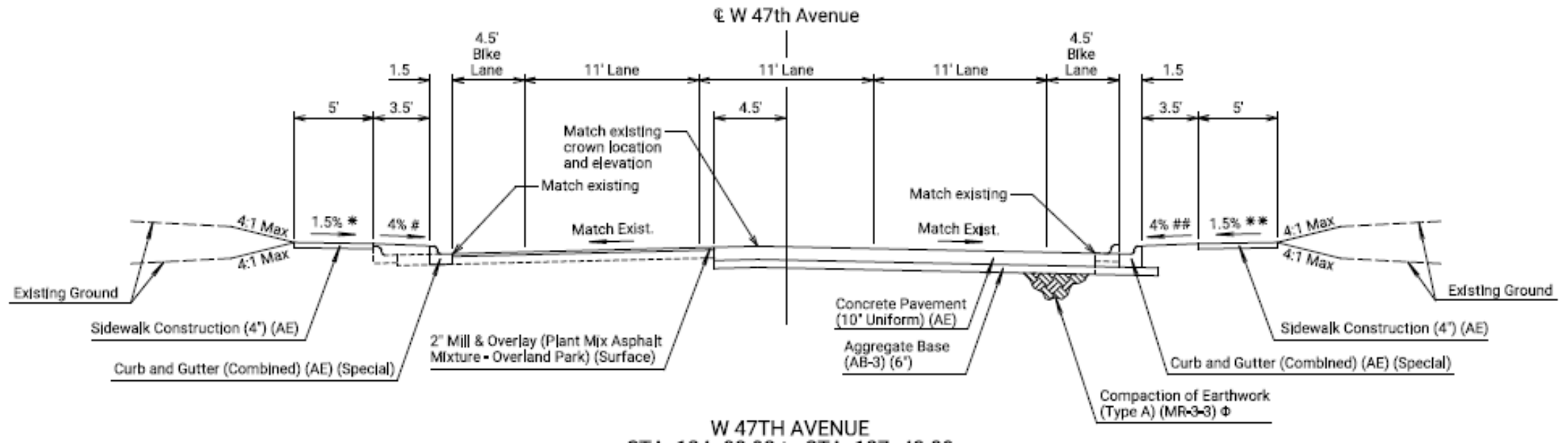
The engineering/design phase for this project is wrapping up and KDOT is currently reviewing the plans and working toward a April 2022 letting (construction contract competitive bidding process). As such, the plans submitted to KDOT in November illustrate the [pretty close to] final design for the project and highlights are presented in your packet materials for your information and for you to have an opportunity to ask questions about the project and what can be expected upon project construction and completion next year.

Suggested Motion

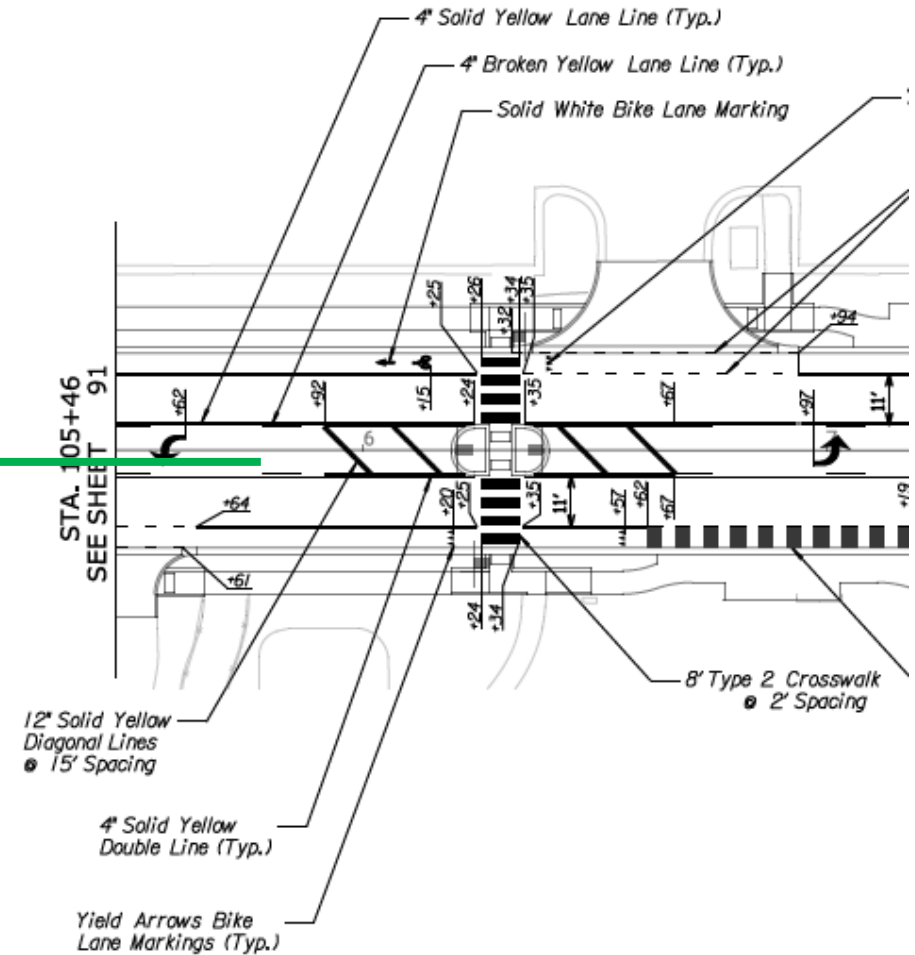
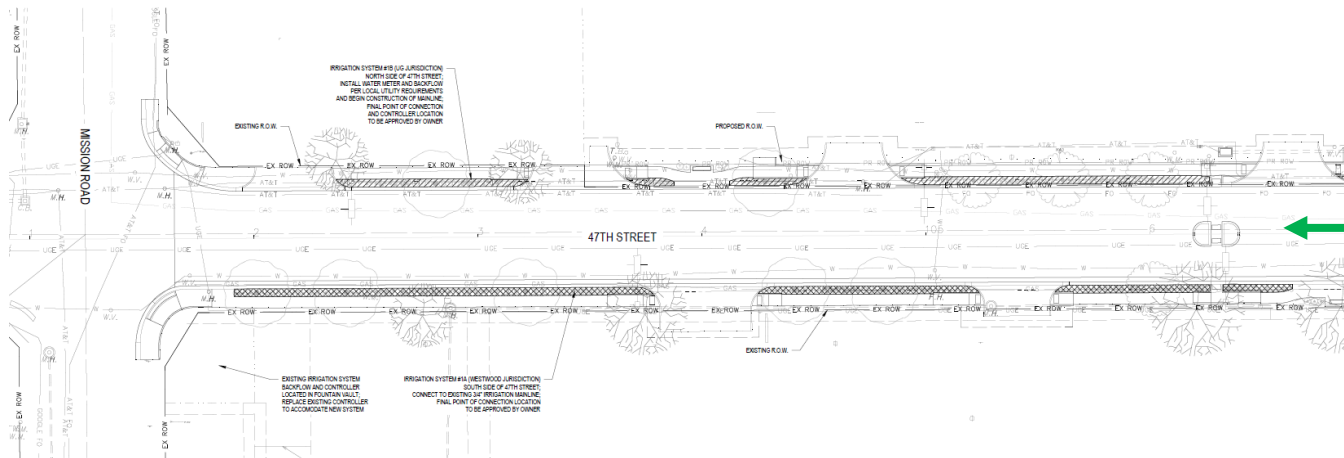
I move to authorize the Mayor to execute the Agreement between Johnson County, Kansas, and the City of Westwood, Kansas, for the Public Improvement of 47th Street from Mission Road to Rainbow Boulevard.

¹ This project is being funded by multiple partners including The UG, Johnson County, and the federal government through the Surface Transportation Program (STP).

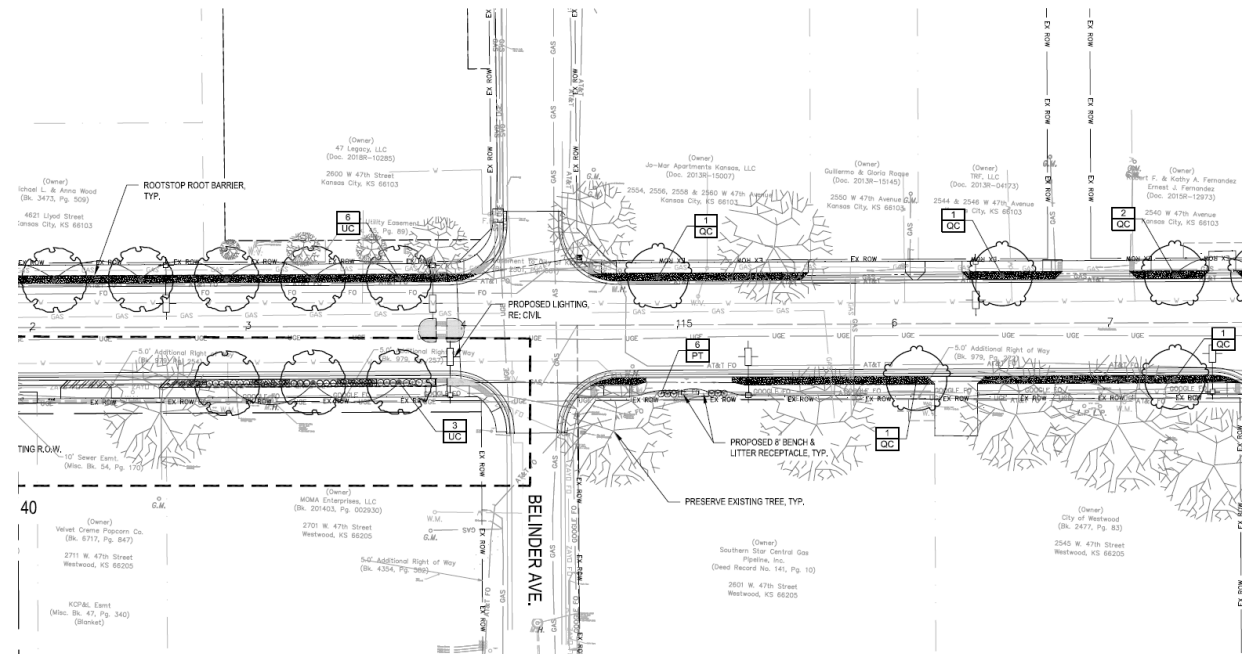
Typical Cross Section



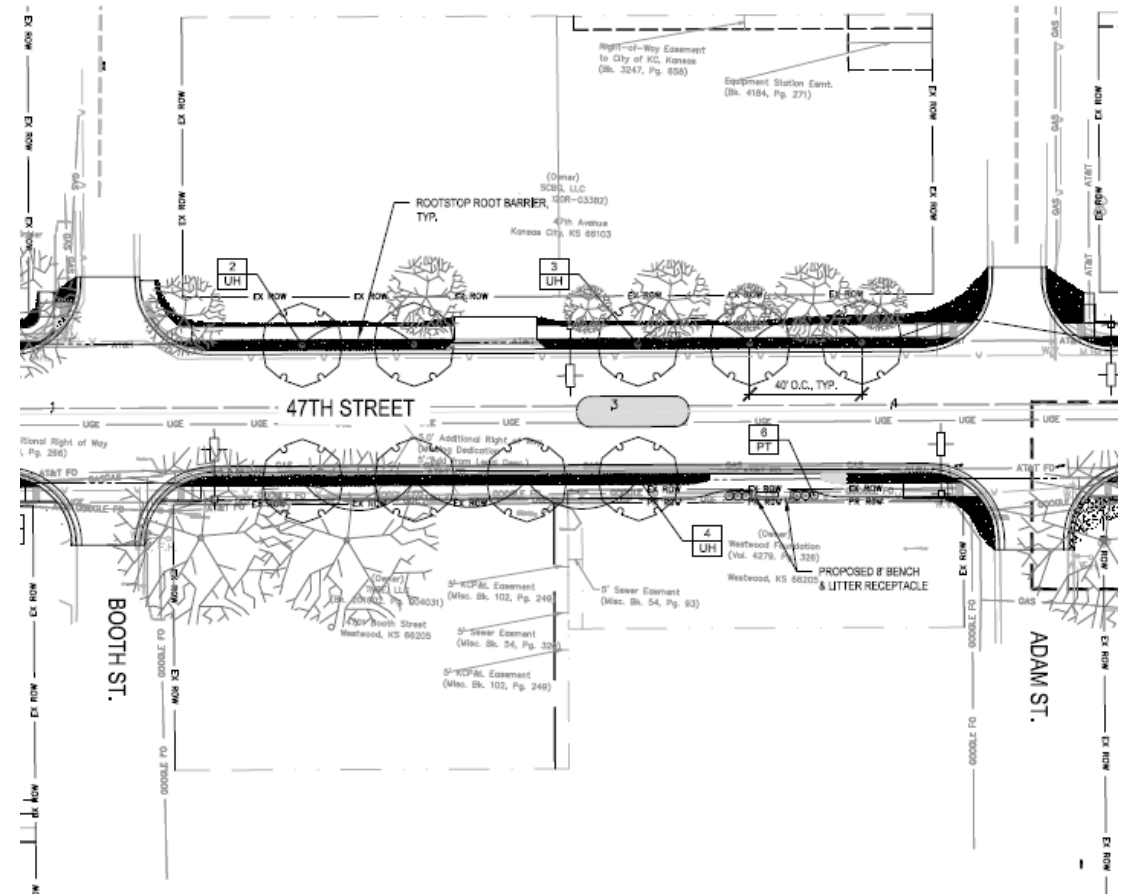
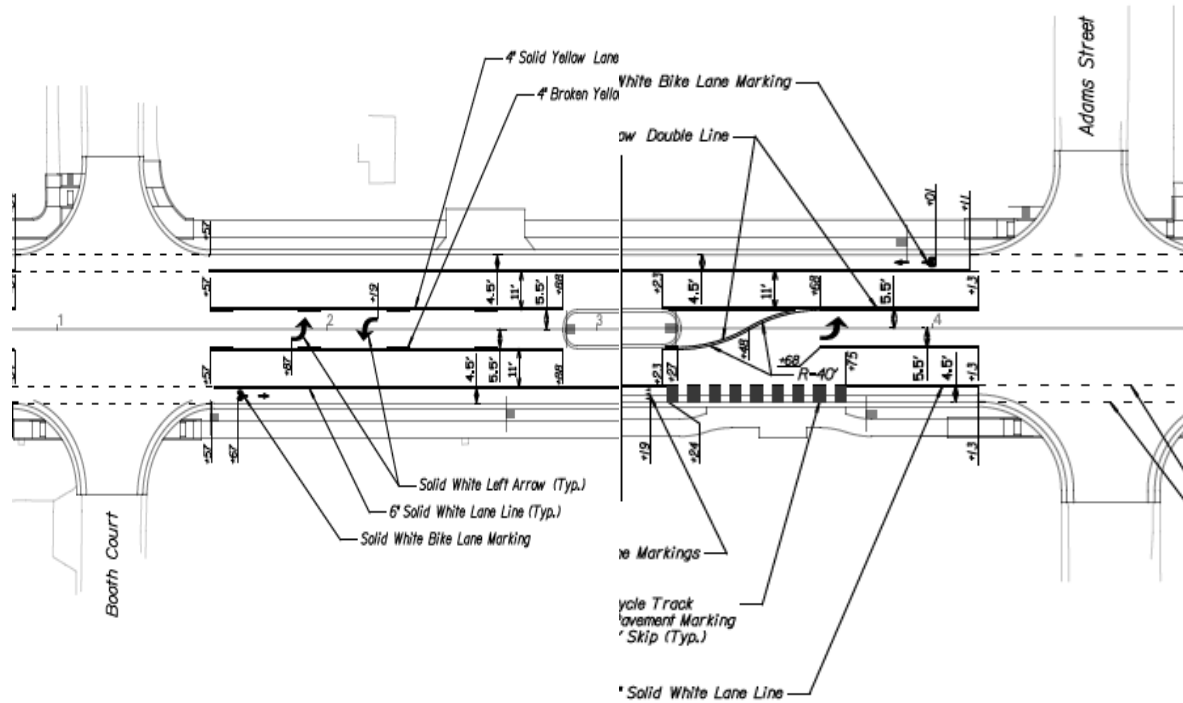
47th Street at Walmart Neighborhood Market



Technical drawing of a street intersection showing lane markings, crosswalks, and dimensions. The drawing includes labels for various pavement markings such as "Solid White Left Arrow (Typ.)", "4" Solid Yellow Lane Line (Typ.)", "6" Solid White Lane Line (Typ.)", "8" Type 2 Crosswalk (Typ.)", and "24" Solid White Stop Line". Dimensions are provided for various segments, including 4.5', 6.5', 11', 12', 15', 24', 36', and 76'. The intersection is labeled "Fisher Street" and "West 47th Street". A "Belvidere Avenue" label is also present. A scale bar at the top right indicates "STA. 117+36".



47th Street between Booth and Adams



**Agreement between Johnson County, Kansas,
and the City of Westwood, Kansas, for the Public Improvement of
47th Street from Mission Road to Rainbow Boulevard
(320001372)**

THIS AGREEMENT, made and entered into this _____ day of _____, 202_ by and between the Board of County Commissioners of Johnson County, Kansas ("Board") and the City of Westwood, Kansas, ("City").

WITNESSETH:

WHEREAS, the parties have determined that it is in the best interests of the general public in making certain public improvements to 47th Street from Mission Road to Rainbow Boulevard (the "Project"); and

WHEREAS, the laws of the State of Kansas authorize the parties to this Agreement to cooperate in undertaking the Project; and

WHEREAS, the governing bodies of each of the parties have determined to enter into this Agreement for the purpose of undertaking the Project, pursuant to K.S.A. 12-2908 and K.S.A. 68-169, and amendments thereto; and

WHEREAS, the Project has been approved, authorized, and budgeted by the Board as an eligible project under the County Assistance Road System ("CARS") Program; and

WHEREAS, the Board has, by County Resolution No. 106-90, authorized its Chairman to execute any and all Agreements for County participation in any CARS Program project which has been approved and authorized pursuant to the Policies and Guidelines adopted by the Board and for which funding has been authorized and budgeted therefore; and

WHEREAS, the governing body of the City did approve and authorize its Mayor to execute this Agreement by official vote on the _____ day of _____, 202_.

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter contained, and for other good and valuable consideration, the parties agree as follows:

1. **Purpose of Agreement.** The parties enter into this Agreement for the purpose of undertaking the Project to assure a more adequate, safe and integrated roadway network in the developing and incorporated areas of Johnson County, Kansas.
2. **Estimated Cost and Funding of Project**
 - a. The estimated cost of the Project ("Project Costs"), a portion of which is reimbursable under this Agreement, is One Million Two Hundred Forty One Thousand Dollars (\$1,241,000).
 - b. Project Costs include necessary costs and expenses of labor and material used in the construction of the Project and construction inspection and staking for the Project.
 - c. The Project Costs shall be allocated between the parties as follows:
 - i. The Board shall provide financial assistance for the Project in an amount up to but not exceeding Fifty Percent (50%) of the Project Costs. However, the Board's financial obligation under this Agreement shall be limited to an amount not to exceed Two Hundred Fifty Nine Thousand Dollars (\$259,000). For purposes of this Agreement, Project Costs shall not include any portion of costs which are to be paid by or on behalf of any state or federal governmental entity or for which the City may be reimbursed through any source other than the general residents or taxpayers of the City. Further, it is understood and agreed by the parties hereto that the Board shall not participate in, nor pay any portion of, the Costs incurred for or related to the following:
 1. Land acquisition, right-of-way acquisition, or utility relocation;
 2. Legal fees and expenses, design engineering services, Project administration, or financing costs;

3. Taxes, licensing or permit fees, title reports, insurance premiums, exactions, recording fees, or similar charges;
4. Project overruns;
5. Project scope modifications or major change orders which are not separately and specifically approved and authorized by the Board; and;
6. Minor change orders which are not separately and specifically approved and authorized by the Director of Public Works & Infrastructure of Johnson County, Kansas ("Public Works Director"). Minor change orders are those which do not significantly alter the scope of the Project and which are consistent with the CARS Program Policies and Guidelines and administrative procedures thereto adopted by the Board.

It is further understood and agreed that notwithstanding the designated amount of any expenditure authorization or fund appropriation, the Board shall only be obligated to pay for the authorized percentage of actual construction costs incurred or expended for the Project under appropriate, publicly bid, construction contracts. The Board will not be assessed for any improvement district created pursuant to K.S.A. 12-6a01 et seq., and amendments thereto, or any other improvement district created under the laws of the State of Kansas.

- ii. The City shall pay One Hundred Percent (100%) of all Project Costs not expressly the Board's obligation to pay as provided in this Agreement.

3. **Financing**

- a. The Board shall provide financial assistance, as provided in Paragraph 2.c. above, towards the cost of the Project with funds budgeted, authorized, and appropriated by the Board and which are unencumbered revenues that are on-hand in deposits of Johnson County, Kansas. This paragraph shall not be construed as limiting the ability of the Board to finance its portion of the costs and expenses of the Project through the issuance of bonds or any other legally authorized method.
- b. The City shall pay its portion of the Project Costs with funds budgeted, authorized, and appropriated by the governing body of the City.

4. **Administration of Project.** The Project shall be administered by the City, acting by and through its designated representative who shall be the City public official designated as Project Administrator. The Project Administrator shall assume and perform the following duties:

- a. Cause the making of all contracts, duly authorized and approved, for retaining consulting engineers to design and estimate the Project Costs.
- b. Submit a copy of the plans and specifications for the Project to the Johnson County Public Works Director for review, prior to any advertisement for construction bidding, together with a statement of estimated Project Costs which reflects the Board's financial obligation under the terms of this Agreement. The Public Works Director or his designee shall review the copy of the plans and specifications for the Project and may, but shall not be obligated to, suggest changes or revisions to the plans and specifications.
- c. If required by applicable state or federal statutes, solicit bids for the construction of the Project by publication in the official newspaper of the City. In the solicitation of bids, the appropriate combination of best bids shall be determined by the City.
- d. Cause the making of all contracts and appropriate change orders, duly authorized and approved, for the construction of the Project.
- e. Submit to the Public Works Director a statement of actual costs and expenses in the form of a payment request, with attached copies of all invoices and supporting materials, on or before the tenth day of each month following the

month in which costs and expenses have been paid. The Public Works Director shall review the statement or payment request to determine whether the statement or payment request is properly submitted and documented and, upon concurrence with the Finance Director of Johnson County, Kansas, ("Finance Director") cause payment to be made to the City of the Board's portion of the Project Costs within thirty (30) days after receipt of such payment request. In the event federal or state agencies require, as a condition to state or federal participation in the Project, that the Board make payment prior to construction or at times other than set forth in this subsection, the Public Works Director and the Finance Director may authorize such payment.

- f. Except when doing so would violate a state or federal rule or regulation, cause a sign to be erected in the immediate vicinity of the Project upon commencement of construction identifying the Project as part of the CARS Program. The form and location of the sign shall be subject to the review and approval of the Public Works Director.

Upon completion of the construction of the Project, the Project Administrator shall submit to each of the parties a final accounting of all Project Costs incurred in the Project for the purpose of apportioning the same among the parties as provided in this Agreement. It is expressly understood and agreed that in no event shall the final accounting obligate the parties for a greater proportion of financial participation than that set out in Paragraph 2.c. of this Agreement. The final accounting of Project Costs shall be submitted by the Project Administrator no later than sixty (60) days following the completion of the Project construction.

It is further understood and agreed by the City that to the extent permitted by law and subject to the provisions of the Kansas Tort Claims Act including but not limited to maximum liability and immunity provisions, the City agrees to indemnify and hold the County, its officials, and agents harmless from any cost, expense, or liability not expressly agreed to by the County which result from the negligent acts or omissions of the City or its employees or which result from the City's compliance with the Policy and Procedures.

This agreement to indemnify shall not run in favor of or benefit any liability insurer or third party.

In addition, the City of Westwood shall, and hereby agree to, insert as a special provision of its contract with the general contractor ("Project Contractor") chosen to undertake the Project construction as contemplated by this Agreement the following paragraphs:

The Project Contractor shall defend, indemnify and save the Board of County Commissioners of Johnson County, Kansas and the City of Westwood harmless from and against all liability for damages, costs, and expenses arising out of any claim, suit, action or otherwise for injuries and/or damages sustained to persons or property by reason of the negligence or other actionable fault of the Project Contractor, his or her sub-contractors, agents or employees in the performance of this contract.

The Board of County Commissioners of Johnson County, Kansas shall be named as an additional insured on all policies of insurance issued to the Project Contractor and required by the terms of his/her agreement with the City.

5. Acquisition of Real Property for the Project

- a. The Board shall not pay any costs for acquisition of real property in connection with the Project.
- b. The City shall be responsible for the acquisition of any real property, together with improvements thereon, located within the City's corporate boundaries, which is required in connection with the Project; such real property acquisition may occur by gift, purchase, or by condemnation as authorized and provided by the Eminent Domain Procedure Act, K.S.A. 26-201 et seq. and K.S.A. 26-501 et seq., and any such acquisition shall comply with all federal and state law requirements.

6. **Duration and Termination of Agreement**

- a. The parties agree that this Agreement shall remain in full force and effect until the completion of the Project, unless otherwise terminated as provided for in Paragraph 6.b. herein below. The Project shall be deemed completed and this Agreement shall be deemed terminated upon written certification to each of the parties by the Project Administrator that the Project has been accepted as constructed. The City shall provide a copy of the Project Administrator's certification to both the Public Works Director and the Finance Director within thirty (30) days of the Project Administrator's determination that the Project is complete.
- b. It is understood and agreed that the Public Works Director shall review the status of the Project annually on the first day of March following the execution of this Agreement to determine whether satisfactory progress is being made on the Project by the City. In the event that the Public Works Director determines that satisfactory progress is not being made on the Project due to the City's breach of this Agreement by not meeting the agreed upon project deadlines or otherwise not complying with the terms of this Agreement, the Public Works Director is authorized to notify the City that it shall have thirty (30) days from receipt of such notification to take steps to cure the breach (the "Cure Period"). It is further understood and agreed that the Board shall have the option and right to revoke funding approval for the Project and terminate this Agreement should the Board find, based upon the determination of the Public Works Director, that satisfactory progress is not being made on the Project and that the City has not taken sufficient steps to cure the breach during the Cure Period. Should the Board exercise its option as provided herein, it shall send written notice of the same to the City and the Board shall have no further liability or obligation under this Agreement.

7. **Placing Agreement in Force.** The attorney for the City shall cause sufficient copies of this Agreement to be executed to provide each party with a duly executed copy of this Agreement for its official records.

IN WITNESS WHEREOF, the above and foregoing Agreement has been executed by each of the parties hereto and made effective on the day and year first above written.

**Board of County Commissioners of
Johnson County, Kansas**

City of Westwood, Kansas

Ed Eilert, Chairman

David E. Waters, Mayor

Attest:

Attest:

Lynda Sader
Deputy County Clerk

City Clerk

Approved as to form:

Approved as to form:

Robert A. Ford
Assistant County Counselor

City Attorney