



STAFF REPORT

MEETING DATE: December 10, 2025

PRESENTER: John Jansons, City Manager

SUBJECT: Update Regarding Security for Whispering Falls Public Improvements (JAJ)

RECOMMENDATION: Council to hear an update on security for public improvements associated with the Whispering Falls development.

BACKGROUND:

At the November 12, 2025 City Council meeting, in public comment, Ken Boyd requested City Council consideration of alternative forms of security required to guarantee completion of the public improvements for the Whispering Falls Development project. Council directed that the City Attorney and Staff meet with Mr. Boyd and his representatives to review his request and discuss what may be a permissible and acceptable security. The Council further directed staff to return to on December 10, 2025, with an update.

DISCUSSION:

The City Attorney had a phone meeting with Mr. Boyd's attorney on Monday, December 1, 2025, to review options and how to achieve them. On December 4, 2025, City Staff, and Mr. Boyd and his project team met to discuss the options available with the attorneys, joining by conference call.

At the end of the meeting, it was agreed that the City Attorney would provide a punch list for the Letter of Credit alternative and Mr. Boyd noted he would review his options and get back to the City. The City Attorney provided the punch list on December 5, 2025. A verbal update will be provided at the meeting.