

COUNCIL ACTION FORM

Meeting Date: November 13, 2025

Staff Contact: Leslie Herring, City Administrator

Agenda Item: Public Hearing – Consider Resolution No. 150-2025 amending the fiscal year 2025 budget [to increase TIF/CID Fund budget authority for expenses related to 47th Pl. Complete Street improvements]

Background/Description of Item

Background

In 2021, the City sought and was awarded funding through Mid-America Regional Council (MARC) to conduct a Planning Sustainable Places (PSP) Study on West 47th Place between Rainbow Blvd. and State Line Rd., specifically investigating a possible Complete Streets Project. (Details of that study are available here, on the City's website: <https://www.westwoods.org/projects-and-plans/page/rainbow-state-line-connections>.) Prior to and following that study, Woodside owner Blair Tanner had expressed interest in the City making Complete Streets improvements – specifically pedestrian safety enhancements – within the right of way between his north and south Club facilities.

In concert with Tanner making recent improvements to his Club facilities in 2023 and 2024, he approached the City asking to move up the timeline for public improvements to W. 47th Pl. in the City's Capital Improvement Plan (CIP), which was programmed for 2030. Although City staff and Tanner discussed at that time the possibility of using CID2 sales tax receipts accruing in the TIF/CID Fund for these public improvements, when the 2025 fiscal year budget was adopted in September 2024, City staff did not yet have a formal agreement in place nor had terms been negotiated for the City to expend the cost for capital improvement costs out of the Woodside TIF/CID Fund. As such, budget authority for engineering design costs was not included in the recommendation for budget adoption.

Over the course of the spring (2025), City staff negotiated with Tanner to gain consent and partnership to use these revenues from the 0.9% CID sales tax, more commonly referred to as CID2 sales tax receipts¹. Specifically, the City intends to use the proceeds from this revenue source to fund the local share² of 47th Place improvements. The City's use of CID2 proceeds is limited by the local share portion of the engineer's estimate for 47th Place improvements, which local share is estimated to be \$1,281,084³, however, this is a "not to exceed" number. If actual costs come in less than the engineer's estimate, the City's actual costs will be recovered.

Description

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 one fund is expected to exceed the level authorized in the adopted 2025 budget. To remain in compliance with the State budget law, a budget amendment increasing authorized expenditures must be adopted.

¹ On May 29, 2025, the City Council considered and approved an 11th Amendment to Woodside Village Redevelopment Agreement allowing for use of the CID proceeds for this public improvement. ([May 29, 2025 City Council action item linked here.](#))

² W. 47th Pl. is a CARS-eligible route, and, on October 9, 2025, the JoCo BOCC took final action to approve 2026 funding through the County Assistance Road System (CARS) cost-share program for this project. A local match is required, which the CID2 receipts are covering. ([October 9, 2025 Johnson County Board of County Commissioners meeting item linked here.](#))

³ On April 10, 2025, the City Council considered a professional services agreement with the City Engineer for this public improvement, which was approved with the condition that CID2 revenues be used to cover the full cost of the contract upon consent of the Woodside Club owner. ([April 10, 2025 City Council action item linked here.](#))

Summary of Amendments

Fund	2025 Adopted Budget			2025 Proposed Amended Expenditures
	Actual Tax Rate	Amount of Tax that was Levied	Expenditures	
Woodside TIF/CID			768,677	968,677
			0	0
			0	0
			0	0
			0	0
			0	0

Staff Comments/Recommendation

\$96,365 of the \$184,145 engineering contract with Uhl (City Engineer) has already been expensed in 2025 from the Woodside TIF/CID Fund in anticipation of amending the current fiscal year’s budget. Design engineering is ongoing and could possibly extend into early 2026. The budget amendment is proposed to cover the full cost of the Uhl Engineering services agreement approved by the City Council in April 2025. The FY 2026 budget was adopted with authority to use the full balance of funds available on both engineering and construction.

In order to use the CID2 receipts for the design of this project in 2025 to be ready to bid and build the project in 2026, budget authority must be granted/available to the City to expend.

Budget Impact

The funds in the Woodside TIF/CID Fund are restricted to only eligible expenses and are not available nor tied to the City’s operating budget. There is no budget impact from amending the fiscal year 2025 budget to expend funds on engineering services. In fact, there would be negative impact on the City’s operating budget if this amendment is not passed, as the Uhl Engineering invoices would need to be reclassified to be paid from the General Fund, which Fund has been tightly budgeted for other purposes.

Suggested Motion

I move the City Council approve Resolution No. 150-2025 adopting an amendment to the 2025 fiscal year budget.