



## City of Smithville, Missouri

### Board of Aldermen - Work Session Agenda

December 7, 2021

**6:00 p.m.** – \*\*\*Via Videoconference\*\*\*

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**NOTICE:** \*Due to the Health Officer's orders for safety, public meetings and public comment during public meetings will require modification. The City of Smithville is committed to transparent public meetings and will continue this commitment during the COVID-19 crisis. Anyone who wishes to view the meeting may do so in real time as it will be streamed live on the city's FaceBook page through FaceBook Live.


For Public Comment, please email your request to the City Clerk at [ldrummond@smithvillemo.org](mailto:ldrummond@smithvillemo.org) prior to the meeting to be invited via Zoom.

1. Call to Order
2. Discussion FY21 Budget Review
3. Discussion of Courtyard Alleyway RFP Draft
4. Adjourn

Join Zoom Meeting  
<https://us02web.zoom.us/j/81553806600>

Meeting ID: 815 5380 6600  
Passcode: **730768**



	<div> <div>STAFF</div> <div>REPORT</div> </div>
<b>Date:</b>	December 7, 2021
<b>Prepared By:</b>	Stephen Larson, Finance Director
<b>Subject:</b>	FY2021 Budget Recap
<b>Staff Report:</b>	Finance

### FY2021 Budget Recap

Overall, the City performed well from a financial standpoint as illustrated by the ending cash balances in each of the budgeted funds. Many, if not all, of the budgeted funds finished better than the forecast developed one to two months prior to year-end. Strong sales tax performance was bolstered by new businesses in the Smithville Marketplace and inflationary pressure in the economy which increased prices on everyday consumer goods and services. In conjunction with those factors, the COVID-19 pandemic was a driver in boosting online consumer activity as evident with the increased Use Tax receipts in the General Fund. From November 2020 through mid-2021, consumers continued to have goods and services delivered to their home which originated from online websites and webstores.

The PowerPoint presentation is designed to easily compare the FY2021 Original Budget, the 2021 Forecast used to develop the FY2022 budget, and the actual FY2021 financial results for the budgeted funds. Each fund features a FY2021 results slide and a FY2022 forecast vs budget slide.

### General Fund Performance

The General Fund started FY2021 with about \$405,000 more than the budgeted fund balance, which gave the fund an excellent start on the year. Actual revenues exceed the budget by \$800,000. Use Tax and Sales Tax came in over the revenue budget. Campground revenues which came in at \$265,527 outperformed the budgeted amount of \$154,070. In addition, a transfer of \$240,000 from the CAREs Fund to help cover Police Department salaries boosted overall revenues. On the expenditure side, savings in personnel costs for the Administration and Police Departments helped lower actual expenditures. Turnover in a key management position and vacancies in the Police Department were the primary factors for savings. Key projects, such as the Public Works/Parks and Recreation facility engineering, still need to be completed. Fortunately, FY2022 is off to a good start since the fund has a beginning cash balance of about

\$263,000 more than forecasted. The 40% of operating expenditures target reserve is also forecasted to be maintained in the General Fund at the end of FY2022.

There are key considerations in the General Fund for the Board to discuss for FY2022. The implementation of the compensation and classification study is not budgeted for FY2022, and the financial implications of the study are not yet released. Also, future staffing and infrastructure needs, such as the Public Works/Parks and Recreation building, and Police building, will require additional funding strategies beyond the current revenue streams in the General Fund.

### **Combined Water and Waste Water System (CWWS) Fund Performance**

The CWWS Fund finished well primarily because there has been a major shift in the projects originally budgeted in FY2021 compared to the decisions to complete other projects. The Forest Oaks Sewer project was budgeted but will not be completed per board decision. Instead, a new West Bypass of 144<sup>th</sup> Street Lift Station project will be completed. Based upon the performance of FY2020, the fund already started FY2021 with over \$1.6 million in additional fund balance over budget. Major savings in expenditures were recorded. \$1,000,000 in water impact projects was budgeted but was not spent. Regarding the amount paid by water impact fees, Public Works staff is pursuing a grant opportunity from MARC as an opportunity to forgo paying with water impact fees for the Raw Water Pump Station project being completed by Irvinbilt Construction. Other budget savings came through various project savings. The 188<sup>th</sup> Street waterline relocation, budgeted at \$270,000, is slated for completion by MODOT rather than the City. Highland Drive sewer improvements were also budgeted at \$270,000, but the project cost was far less. The fund will begin FY2022 about \$900,000 higher than forecasted. The FY2021 CWWS revenue budget came up short in impact fees, but experienced expenditure savings in the capital improvement project line item.

There are key considerations in the CWWS Fund for the Board to approach for FY2022. Staff is planning to complete a Utility Rate Study and has budgeted \$25,000 for this in FY2022. The ARPA funds are slated to use to fund over two-thirds of the cost of the Raw Water Pump station project (just under \$3,000,000 in project cost). Finally, there is work to be done in pursuing a grant opportunity from MARC.

### **Half Cent (0.5%) Sales Tax Funds**

All three of the half cent sales tax funds (Transportation, Capital Improvement, Parks and Recreation and Stormwater) finished better than forecasted. This was due to an excellent month of sales tax for the September 2021 distribution month which was received/recorded in October, the final month of the FY2021 fiscal year. The Parks

Recreation and Stormwater Sales Tax Fund performed very well in comparison to budget. The budget for sales tax revenue was \$442,290 and \$614,190 was received. This was the first year for the sales tax and the budget was lowered in anticipation of having businesses lagging in beginning to collect the sales taxes.

Each of the special sales tax funds are tracking well when analyzing the FY2022 budgeted ending cash balance and forecasted FY2022 ending cash balances. Not all projects slated for completion in FY2021 have yet been completely paid as there is still a portion of the Downtown Streetscape East project which Transportation Sales Tax will pay for. Park and Stormwater Sales tax finished about \$220,000 ahead of budget and staff have implemented a long-term strategy to financially support for a signature park project in the next five years. Both Park and Stormwater Sales Tax and Capital Improvement Sales Tax Funds are not subject to any TIF EATs collections so 100% of the sales tax generated at new Marketplace businesses are helping the fund's financial performance. This performance is expected to improve as new businesses such as Burger King and Domino's Pizza open at the Marketplace.

### **Capital Projects Fund**

In FY2021, the Capital Projects Fund housed expenses related to the Main Street Trail and revenues from the DNR Grant to provide a 20% match to Main Street Trail expenditures. The fund also paid for a portion of Downtown Streetscape East and a remaining portion has been budgeted in FY2022 with support through a transfer from Capital Improvement Sales Tax to provide necessary revenue for the project. The only planned monies to remain in the Capital Projects fund is to hold \$6,250 in revenues related to payments in lieu of dedication for park projects and any future revenues of that type. Payments in lieu of dedication have a restricted use for park projects only and fund balance is monitored annually.

### **Vehicle and Equipment Replacement Fund**

The VERF fund finished FY2021 with \$25,676 which was below the budgeted ending cash balance amount of \$40,000. The primary factor for a lower ending cash balance was not receiving the number of leased vehicles from Enterprise Fleet Management (EFM) as planned. 11 of 23 vehicles have been received, with the bulk of them planned for FY2022. FY2021 budgeted revenues were entirely dependent on the number of in-house vehicles sold at auction and replaced by EFM fleet vehicles. Because EFM did not deliver replacement vehicles, the in-house vehicles were not picked up for eventual sale. The auto industry is still experiencing a micro-chip shortage which is preventing the delivery of new leased fleet vehicles. However, staff remain optimistic that 2022 will see improvements in the supply of vehicles and microchips which will speed up vehicle acquisition times.



# FY21 BUDGET RECAP

Data as of October 31, 2021  
(12 Months of Fiscal Year)







# GENERAL FUND

# GENERAL FUND – FY2021

General Fund	FY21 Original Budget	FY21 Forecasted	FY21 Actual	Delta (Budget vs. Actual)
Beginning Cash Balance	\$3,152,642	\$3,558,070	\$3,558,070	\$405,428
Revenues	\$4,634,040	\$5,182,702	\$5,421,730	\$787,690
Expenditures	\$5,576,540	\$5,284,568	\$5,259,955	\$291,972
Ending Cash Balance	\$2,210,142	\$3,456,204	\$3,719,845	\$1,509,703

- Goal is to maintain a reserve level at 40% of actual expenditures. This amount is about \$2.1 million for FY2021 ending balance.

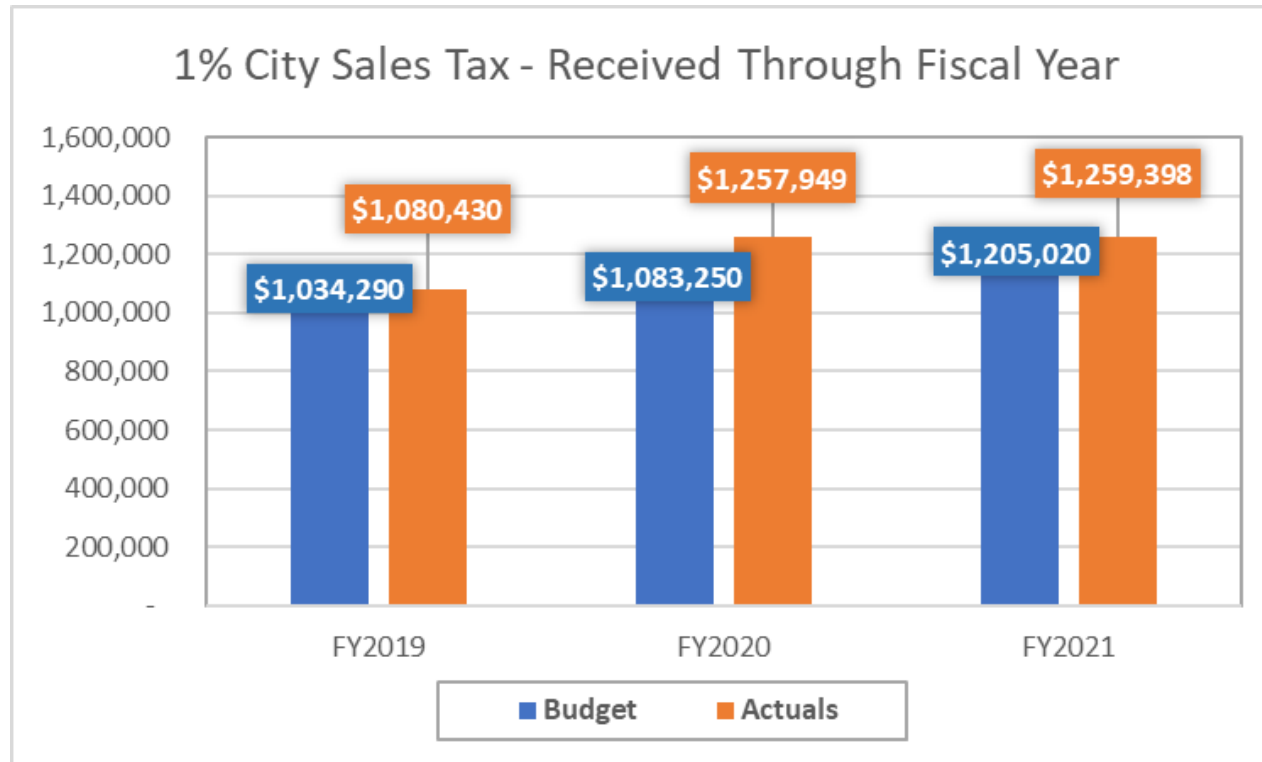
# GENERAL FUND – FY2022

General Fund	FY22 Budgeted	FY22 Forecasted	Delta (Budget vs. Projected)
Beginning Cash Balance	\$3,456,204	\$3,719,845	\$263,641
Revenues	\$4,918,620	\$4,918,620	-
Expenditures	\$5,721,850	\$5,721,850	-
Ending Cash Balance	\$2,652,974	\$2,916,615	\$263,641

- Goal is to maintain a reserve level at 40% of expenditures. This amount is about \$2.3 million for FY2022.



# 1% CITY SALES TAX



## FY2019

104% budget received

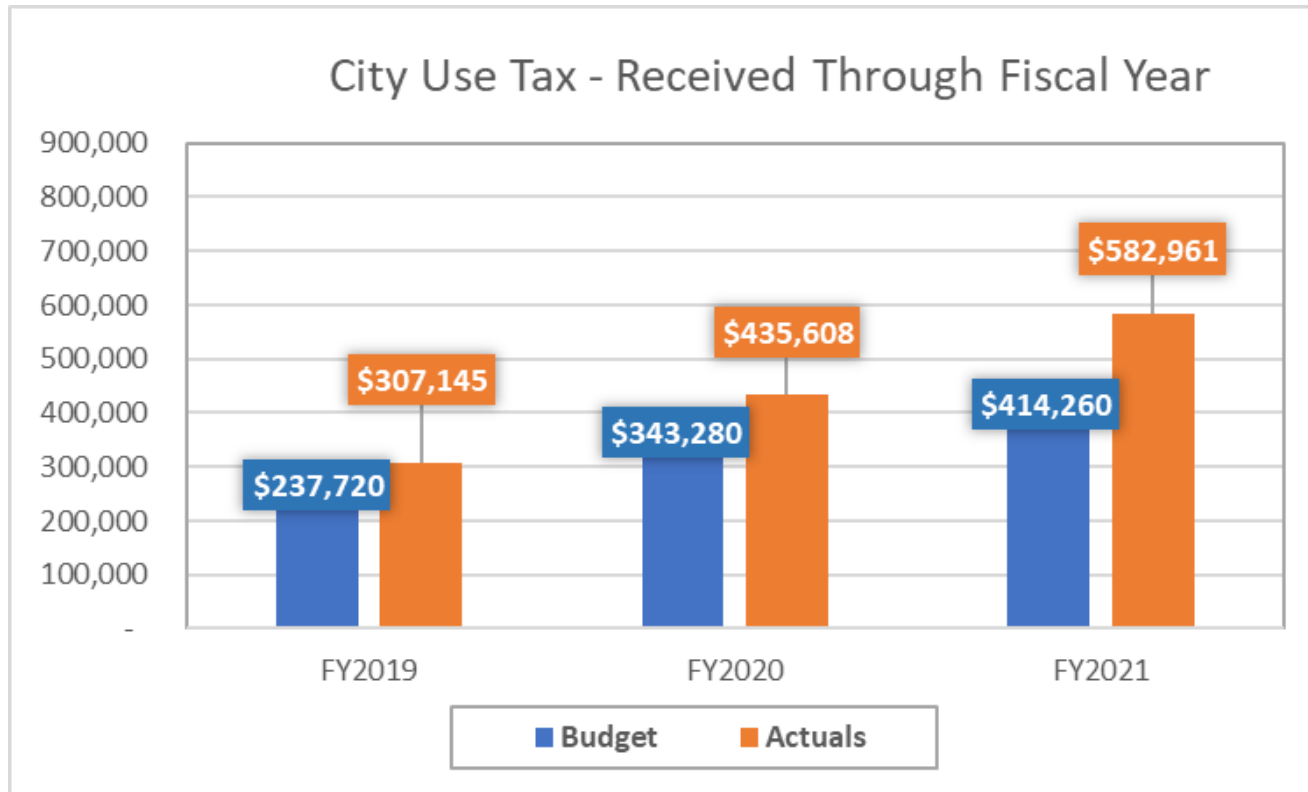
## FY2020

116% budget received  
16.4% growth

## FY2021

104% budget received  
0.1% growth

# CITY USE TAX



## FY2019

129% budget received

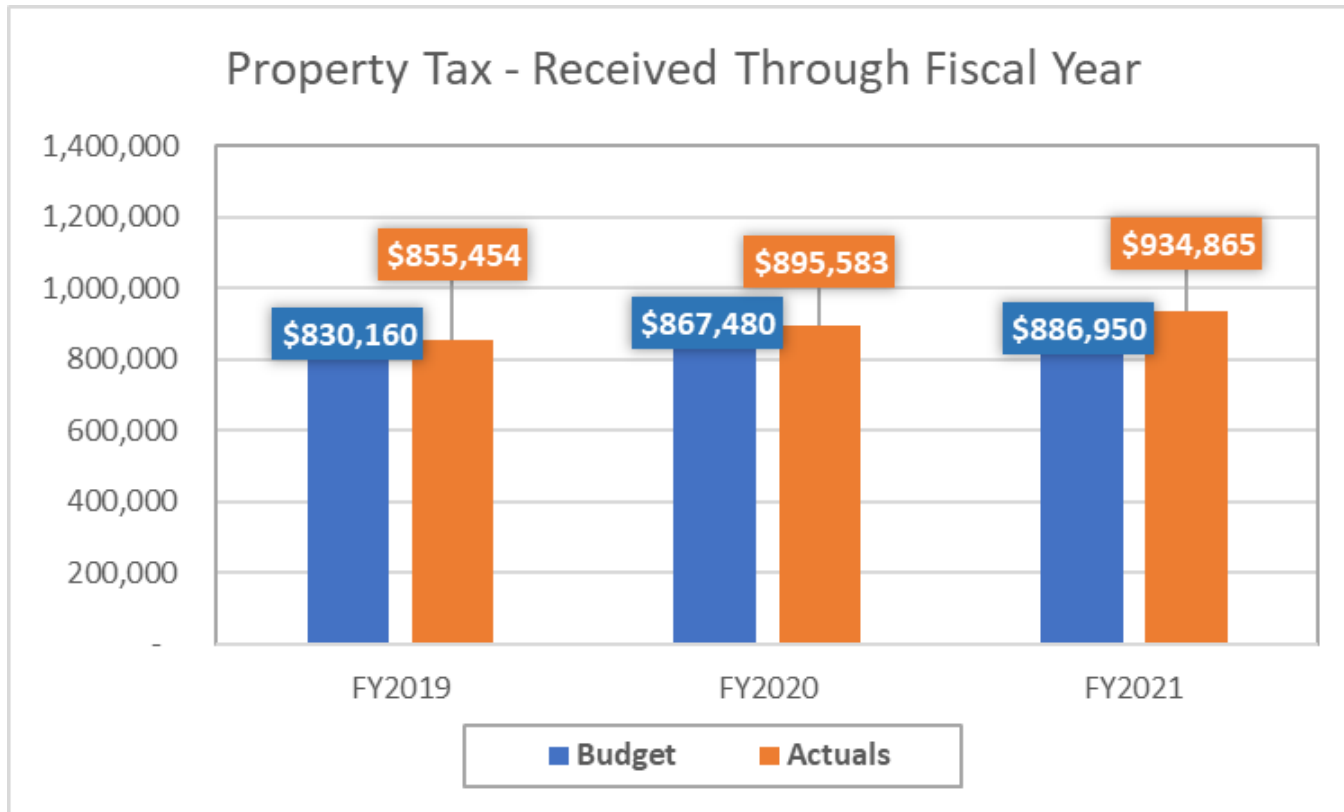
## FY2020

127% budget received  
42% growth

## FY2021

140% budget received  
34% growth

# PROPERTY TAX



**FY2019**

103% budget received

**FY2020**

103% budget received  
4.7% growth

**FY2021**

105% budget received  
4.4% growth

# KEY OBJECT CODE SUMMARY

Revenue Line Item	FY2021 Budget	FY2021 Actual	Difference
Sales Tax	\$1,205,020	\$1,259,398	\$54,378
Use Tax	\$414,260	\$582,732	\$168,472
Telecom Franchise Fees	\$83,340	\$85,478	\$2,138
Electric Franchise Fees	\$445,120	\$455,093	\$9,973
Building Permits	\$169,250	\$284,058	\$114,808
Smith's Fork Campground	\$154,070	\$265,527	\$111,457
Court Fines	\$169,980	\$138,949	(31,031)
Interest Income	\$45,000	\$50,320	\$5,320
Adult Recreation Fees	\$15,800	\$13,970	(1,830)

Expenditure Line Item	FY2021 Budget	FY2021 Actual	Difference
Personnel - Police	\$1,568,980	\$1,437,158	\$131,822
Personnel - Admin	\$473,890	\$417,477	\$56,413
Admin - CIP	\$441,000	\$342,490	\$98,510
Contractual Services - Streets	\$351,930	\$89,607	\$262,323
Operations and Maint - Parks	\$178,090	\$224,394	(46,304)

# FY2022 GENERAL FUND CONSIDERATIONS

- **Compensation and Classification Study Implementation**
- **Performance of Local Economy**
  - **Inflation = Increased Expenditures**
  - **Consumer Spending**
- **Future Staffing and Infrastructure Needs**
  - **Parks and Public Works Building**
  - **Police Facility**
- **Budget Built With Assumption of Using Fund Balance**



# COMBINED WATER AND WASTEWATER FUND

# CWWS FUND – FY2021

Combined Water/Wastewater Fund	FY21 Original Budget	FY21 Forecasted	FY21 Actual	Delta (Budget vs. Actual)
Beginning Cash Balance	\$2,902,646	\$4,528,147	\$4,528,147	\$1,625,501
Revenues	\$4,808,890	\$4,919,703	\$4,954,935	\$146,045
Expenditures	\$6,127,260	\$4,804,800	\$3,957,146	\$2,170,114
Ending Cash Balance	\$1,584,276	\$4,643,050	\$5,525,936	\$3,941,660



# CWWS FUND – FY2022

Combined Water/Wastewater Fund	FY22 Budgeted	FY22 Projected	Delta (Budget vs. Projected)
Beginning Cash Balance	\$4,643,050	\$5,525,936	\$882,886
Revenues	\$5,119,400	\$5,119,400	-
Expenditures	\$6,485,415	\$6,485,415	-
Ending Cash Balance	\$3,277,035	\$4,159,921	\$882,886

# FY2022 CWWS CONSIDERATIONS

- **Utility Rate Study**
- **Use of ARPA Stimulus Money**
- **Continue to work with MARC and Clay County on potential funding beyond the Raw Water Pump Station, Zebra Mussel, Valve Box project**
- **COP (Certificate of Participation) issuance in FY2023**

# KEY OBJECT CODE SUMMARY

Revenue Line Item	FY2021 Budget	FY2021 Actual	Difference
Water Sales	\$2,493,650	\$2,625,091	\$131,441
Wastewater Sales	\$1,689,910	\$1,775,549	\$85,639
Connection Revenue	\$75,000	\$53,245	(21,755)
Water Impact Fees	\$176,590	\$134,400	(42,190)
Wastewater Impact Fees	\$202,420	\$157,896	(44,524)

Expenditure Line Item	FY2021 Budget	FY2021 Actual	Difference
Electricity	\$292,910	\$225,508	\$67,402
Repairs & Maint - Water Plant	\$67,500	\$85,214	(17,714)
Capital Improvement Projects	\$2,986,000	\$249,003	\$2,736,997
Professional Services	\$377,740	\$502,948	(125,208)
Wastewater Treatment Service	\$129,240	\$119,940	\$9,300
Water Impact Projects	\$1,000,000	\$205,663	\$794,337



**SPECIAL  
0.5%  
SALES TAX  
FUNDS**

# TRANSPORTATION SALES TAX FUND – FY2021

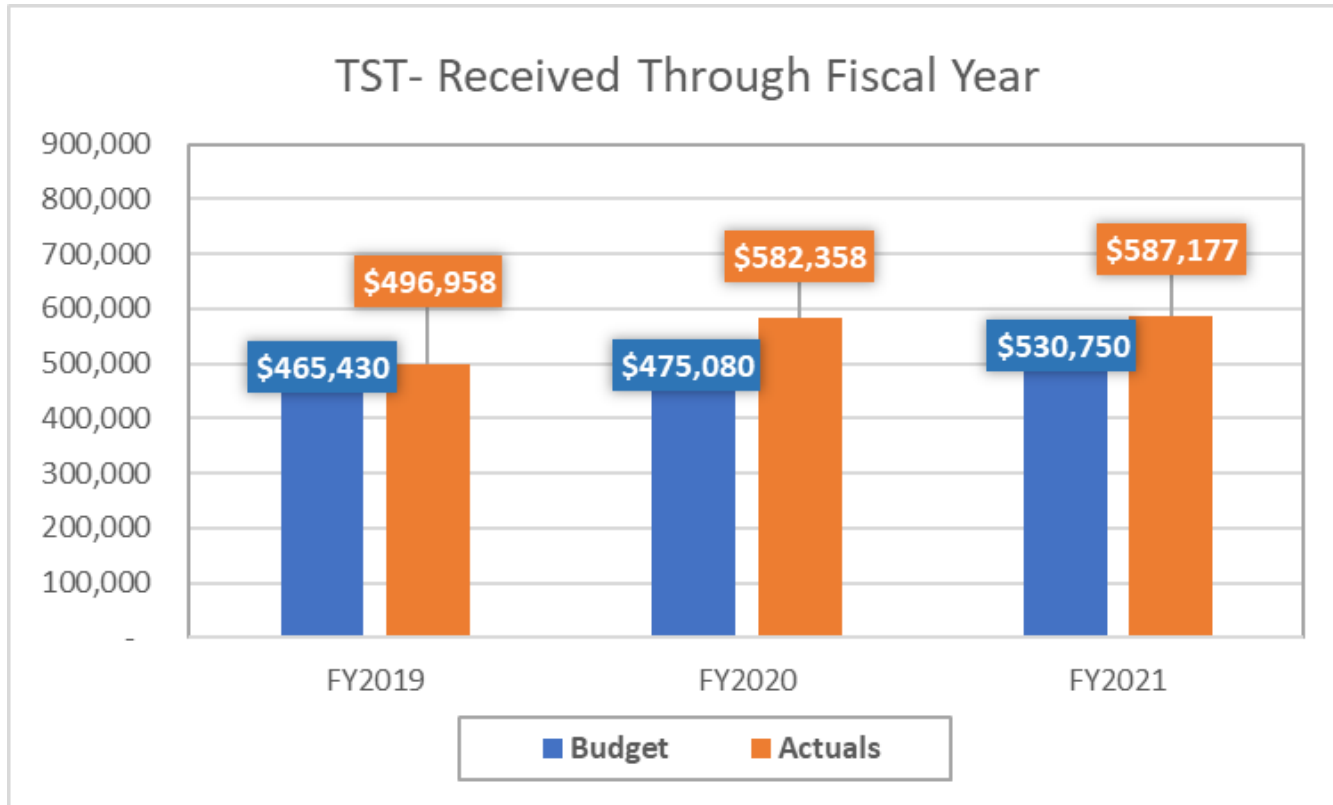
Transportation Sales Tax Fund	FY21 Original Budget	FY21 Forecasted	FY21 Actual	Delta (Budget vs. Actual)
Beginning Cash Balance	\$447,087	\$762,606	\$762,606	\$315,519
Revenues	\$530,750	\$558,000	\$587,177	\$56,427
Expenditures	\$687,820	\$895,411	\$893,832	(206,012)
Ending Cash Balance	\$290,017	\$425,195	\$455,951	165,934

- Original FY2021 Budget Shown.
- Budget Amendments were authorized by the Board for Streetscape East project and the 2021 Street Maintenance Mill and Overlay Program led to increased expenditures over original budget.

# TRANSPORTATION SALES TAX FUND – FY2022

Transportation Sales Tax Fund	FY22 Budgeted	FY22 Projected	Delta (Budget vs. Projected)
Beginning Cash Balance	\$425,195	\$455,951	30,756
Revenues	\$569,160	\$569,160	-
Expenditures	\$782,630	\$782,630	-
Ending Cash Balance	\$211,725	\$242,481	30,756

# 3 YEAR HISTORY TRANSPORTATION SALES TAX



**FY2019**

**107% budget received**

**FY2020**

**122% budget received  
17% growth**

**FY2021**

**110% budget received  
0.8% growth**



# CAPITAL IMPROVEMENT SALES TAX FUND – FY2021

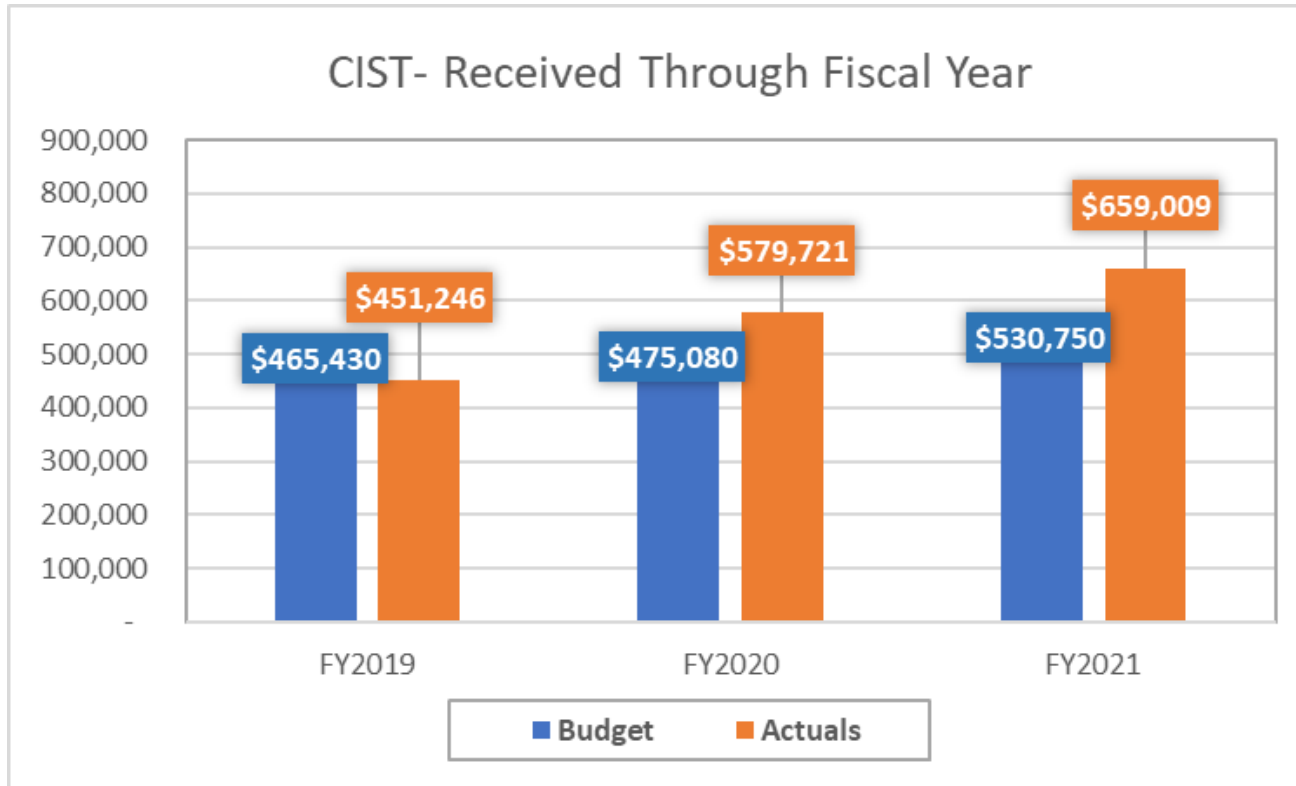
Capital Improvement Sales Tax Fund	FY21 Original Budget	FY21 Forecasted	FY21 Actual	Delta (Budget vs. Actual)
Beginning Cash Balance	\$34,679	\$347,270	\$347,270	\$312,591
Revenues	\$530,750	\$615,250	\$659,009	\$128,259
Expenditures	\$509,250	\$752,250	\$752,250	(243,000)
Ending Cash Balance	\$56,179	\$210,270	\$254,029	\$197,850

Original FY2021 Budget shown. Budget Amendments authorized by the Board for Streetscape East project led to increased expenditures.

# CAPITAL IMPROVEMENT SALES TAX FUND – FY2022

Capital Improvement Sales Tax Fund	FY22 Budgeted	FY22 Projected	Delta (Budget vs. Projected)
Beginning Cash Balance	\$210,270	\$254,029	\$43,759
Revenues	\$627,555	\$627,555	-
Expenditures	\$575,550	\$575,550	-
Ending Cash Balance	\$262,275	\$306,034	\$43,759

# 3 YEAR HISTORY CAPITAL IMPROVEMENT SALES TAX



**FY2019**

**97% budget received**

**FY2020**

**122% budget received  
28% growth**

**FY2021**

**124% budget received  
13% growth**

# PARK & STORMWATER SALES TAX FUND – FY2021

Park and Stormwater Sales Tax Fund	FY21 Original Budget	FY21 Forecasted	FY21 Actual	Delta (Budget vs. Actual)
Beginning Cash Balance	-	-	-	-
Revenues	\$442,290	\$565,960	\$614,190	\$171,900
Expenditures	\$225,000	\$225,000	\$176,872	\$48,128
Ending Cash Balance	\$217,290	\$340,960	\$437,318	\$220,028

# PARK & STORMWATER SALES TAX FUND – FY2022

Park and Stormwater Sales Tax Fund	FY22 Budgeted	FY22 Projected	Delta (Budget vs. Projected)
Beginning Cash Balance	\$340,960	\$437,318	\$96,358
Revenues	\$627,555	\$627,555	-
Expenditures	\$485,000	\$485,000	-
Ending Cash Balance	\$483,515	\$579,873	\$96,358



# **CAPITAL PROJECT FUND AND INTERNAL SERVICE FUNDS**

# CAPITAL PROJECTS FUND – FY2021

Capital Projects Fund	FY21 Original Budget	FY21 Forecasted	FY21 Actual	Delta (Budget vs. Actual)
Beginning Cash Balance	\$243,440	\$1,261,031	\$1,261,031	\$1,017,591
Revenues	-	\$301,827	296,689	\$296,689
Expenditures	\$243,440	\$1,556,608	\$1,536,744	(1,293,304)
Ending Cash Balance	-	\$6,250	\$20,976	\$20,976

Original FY2021 Budget shown. Budget Amendments authorized by the Board for the Main Street Trail project and Downtown Streetscape project led to increased expenditures.



# CAPITAL PROJECTS FUND – FY2021

Capital Projects Fund	FY22 Budgeted	FY22 Projected	Delta (Budget vs. Projected)
Beginning Cash Balance	\$6,250	\$20,976	\$14,726
Revenues	\$137,000	\$122,274	(\$14,726)
Expenditures	\$127,000	\$127,000	-
Ending Cash Balance	\$16,250	\$16,250	-

# DEBT SERVICE FUND – FY2021

Debt Service Fund	FY21 Original Budget	FY21 Forecasted	FY21 Actual	Delta (Budget vs. Actual)
Beginning Cash Balance	\$231,260	\$231,262	\$231,262	\$2
Revenues	\$342,190	\$342,190	\$342,190	-
Expenditures	\$329,860	\$329,860	\$329,855	\$5
Ending Cash Balance	\$243,590	\$243,592	\$243,597	\$7

# DEBT SERVICE FUND – FY2022

Debt Service Fund	FY22 Budgeted	FY22 Projected	Delta (Budget vs. Projected)
Beginning Cash Balance	\$243,592	\$243,597	\$5
Revenues	\$351,550	\$351,550	-
Expenditures	\$339,213	\$339,213	-
Ending Cash Balance	\$255,929	\$255,934	\$5

# SANITATION FUND – FY2021

Sanitation Fund	FY21 Original Budgeted	FY21 Forecasted	FY21 Actual	Delta (Budget vs. Actual)
Beginning Cash Balance	\$32,039	\$55,436	\$55,436	\$23,397
Revenues	\$890,550	\$867,351	\$872,880	(17,670)
Expenditures	\$885,710	\$864,412	\$865,324	\$20,386
Ending Cash Balance	\$36,879	\$58,375	\$62,992	\$26,113

# SANITATION FUND – FY2022

Sanitation Fund	FY22 Budgeted	FY22 Projected	Delta (Budget vs. Projected)
Beginning Cash Balance	\$58,375	\$62,992	\$4,617
Revenues	\$849,530	\$849,530	-
Expenditures	\$836,450	\$836,450	-
Ending Cash Balance	\$71,455	\$76,072	\$4,617

# VERF (VEHICLE AND EQUIPMENT REPLACEMENT FUND) – FY2021

VERF Fund	FY21 Original Budget	FY21 Forecasted	FY21 Actual	Delta (Budget vs. Actual)
Beginning Cash Balance	-	-	-	-
Revenues	\$165,000	\$91,971	\$91,972	(73,028)
Expenditures	\$125,000	\$65,838	\$66,296	\$58,704
Ending Cash Balance	\$40,000	\$26,133	\$25,676	(14,324)

# VERF (VEHICLE AND EQUIPMENT REPLACEMENT FUND) – FY2022

VERF Fund	FY22 Budgeted	FY22 Projected	Delta (Budget vs. Projected)
Beginning Cash Balance	\$26,133	\$25,676	(457)
Revenues	\$284,000	\$284,000	-
Expenditures	\$175,749	\$175,749	-
Ending Cash Balance	\$134,384	\$133,927	(457)



# YEAR END BUDGET ACCOMPLISHMENTS

- **Improved Budget Document (Fund Summaries, Dept Pages)**
- **Improved 5 Year CIP Document (Summaries, CIP Project Pages)**
- **Popular Annual Financial Report (Drafting Stage)**
- **Enhanced Quarterly Budget Updates to Board of Aldermen**

<b>Date:</b>	December 2, 2021
<b>Prepared By:</b>	Anna Mitchell, Assistant City Administrator
<b>Subject:</b>	Sale of Land RFP

Earlier this year, staff received and presented to the Board a request for proposed use of the parkland at 111 North Bridge Street for outdoor dining space for Humphrey's Bar and Grill. At the May 4, 2021 Work Session, the Board directed staff to research options for potential use of this space to bring back for review and discussion.

The proposal submitted is included as is a map of the Downtown area with the potential area of use outlined in black (in the alleyway portion of Courtyard Park).

The land that the proposed patio would be located on is City Land and part of the adjacent Courtyard Park. The owner is asking for the use of the property to then construct the patio with no financial help from the City. The options below hold the assumption that the constructed patio is for private use only and not available for public use.

Because the proposal uses park land (the area used as an alleyway is technically park land and not designated as an official alley or parking lot) and in the Downtown area, this proposal has been reviewed by both the Parks and Recreation Committee and the Main Street group. Both groups have indicated the proposed use is consistent with goals of the community.

During the September 16, 2021 Work Session, staff presented three separate options on how to move forward with the submitted proposal. The Board directed staff to develop an RFP for the sale of the portion of land. The draft RFP is attached.

Staff is looking for direction and any changes that the Board would like to see regarding the RFP, prior to the proposed posting date of December 9, 2021.

**RFP #22-xx Sale of City-Owned Property in Downtown District****THE CITY OF SMITHVILLE REQUESTS SEALED PROPOSALS FOR THE FOLLOWING PROFESSIONAL SERVICE:**

The City currently owns real estate which it is not using and has no reasonable anticipation or plans of using or developing in the future. The City believes that if a private individual or entity were to develop the property the sale of the property and subsequent development would benefit the City. Therefore, the City of Smithville is soliciting proposals from qualified individuals and entities to buy City-owned property located in the downtown area on Bridge Street, south of 111 Bridge Street. The property is being sold "as is" without any representation as to its condition.

The purpose of this RFP is to identify a buyer with the interest, resources, and experience to purchase and develop the property into a desirable addition to downtown Smithville. The bidder deemed to have submitted the highest and best bid will be offered the opportunity to sign a standard real estate purchase contract with the City as drafted by the City. If the City and the selected preferred buyer are reasonably unable to reach agreement as to the terms of the contract, the City may at its option select the second highest and best bid or reject all bids submitted in response to this RFP.

All bidders for said property by submitting a bid recognize and agree that the City makes no representations as to what can or cannot be built or developed on this land. That the land is and will be subject to all applicable rules, regulations, and procedures attendant with regard to the development of any property. The information below has been estimated, is not guaranteed to be accurate, and it is the Bidder's responsibility to confirm the accuracy of these claims.

**INSTRUCTIONS TO BIDDERS**

1. RFPs must be addressed to Anna Mitchell, 107 West Main Street, Smithville, Missouri 64089, and be received before 10:00 a.m. on the date of closing.
2. Responses and anything pertaining to the RFP should be in a sealed envelope. It is preferred that the PROPOSAL RESPONSE FORM in this RFP be used. All RFPs must be sealed and marked on the outer envelope by RFP number and date of closing. The only information we will read at the closing will be the vendors, contractors, or proposers who responded. The closing is at 10:00 a.m. on the 3<sup>rd</sup> day of January 2022, at City Hall.
3. Disabled persons wishing to participate in the RFP closing and who require a reasonable accommodation may call the City at (816) 532-3897. A forty-eight-hour notice is required.
4. Any questions regarding this RFP should be directed to Anna Mitchell, Assistant City Administrator, 107 West Main Street, Smithville, Missouri 64089; (816) 532-3897.

THE CITY OF SMITHVILLE RESERVES THE RIGHT TO REJECT ANY OR ALL PROPOSALS.

**CITY OF SMITHVILLE REQUEST FOR WRITTEN QUOTATIONS  
GENERAL INSTRUCTIONS AND CONDITIONS**

1. Written quotations, subject to the conditions listed below and any special conditions set forth in the attached specific Proposal, will be received by the City of Smithville, 107 West Main Street, Smithville, Missouri 64089, until the closing.
2. The City reserves the right to accept or reject any and all proposals and/or alternatives and to waive technicalities, and to accept the offer that the City considers to be the most advantageous.
3. Vendors, contractors or proposers should use the form provided for the purpose of submitting quotes and if applicable should give the offered price. Any questions regarding this request may be addressed to Anna Mitchell, Assistant City Administrator, 107 West Main Street, Smithville, Missouri 64089, (816) 532-3897.

## **RFP #22-xx Sale of City-Owned Property in the Downtown District**

### **General Information**

#### **I. Site Information**

Smithville was established in 1867 and still retains its strong agricultural roots. Downtown Smithville seeks to be the civic, entertainment, and cultural heart of the community. The City is in process of completing a \$3.45 million streetscape project in the general downtown area which includes asphalt street replacement, curb and gutter, sidewalk, storm sewer, streetlights, traffic signs, and other amenities. A 1.6-mile trail connecting downtown Smithville to Smithville Lake has recently been constructed.

The subject property is approximately .05 acres, 17.5 feet of frontage along North Bridge Street and approximately 120 feet of frontage along Courtyard Park (see exhibit 1 attached). The site is currently an undeveloped vacant lot with adjacent parking and direct access to Courtyard Park and is being offered for sale "as is" without any representation concerning its condition. The property is located north of the main intersection of the historic Smithville's downtown, a burgeoning historic district characterized by Courtyard Park, restaurants, and retail.

The property is currently zoned B-4. See Section 400.170 of the City Code for precise language of allowed uses. You can view the code online at [www.smithvillemo.org](http://www.smithvillemo.org), or us the following link: <https://ecode360.com/28674544>

#### **II. Evaluation & Selection**

The City will evaluate proposals and select the proposal that it judges to be in the highest and best interests for the City. The City shall be the sole judge of what constitutes the highest and best interests of the City.

The City's evaluation criteria will include in no particular order, but shall not be limited to the following:

- Price to be paid for said property.
- Overall responsiveness to the RFP.
- The generally anticipated use by the bidder of the property and how such use will benefit the City.
- The experience of the bidder with using property for the generally anticipated use.
- Financial capability of the bidder to develop the property for the generally anticipated use.
- Unique strengths or capabilities of the bidder

The proposal evaluation and selection process will follow the following general timeline. The City reserves the right to change this schedule to meet the needs of City staff, the selection committee, and the Board of Alderman.

Issue RFP: December 9, 2021

Final day to submit questions: December 27, 2021

Final amendment/addendum issued no later than: December 29, 2021

Proposals due: January 3, 2022, 10:00 a.m.

A City review committee will review all proposals and may interview a short list of respondents and make a recommendation to the Board of Alderman. After selection by the Board of Alderman, within 30 days the City will present the successful bidder a real estate sales contract. The successful bidder will have 10 days to execute the contract.

The City may also request additional information from respondents at any time prior to final approval of a selected respondent to clarify (but not substantially change the bid as submitted). The City reserves the right to reject any or all of the respondents. The City will select what, in its sole judgment, it determines will be in the highest and best bid received.

All submittals shall become the property of the City, and, after selection process, will be a part of the public record.

### **III. Response Requirements**

Responses shall include the following information, presented in this order:

**A. Cover Letter:** On firm letterhead, please identify the principal contact, providing the name, title, street address, email address, and telephone number, as well as all persons authorized to make representations for the respondent. The letter must indicate the type of organization of the respondent (e.g., individual, partnership, corporation, limited liability company, joint venture, etc.). The letter must briefly summarize the respondent's proposal and be signed by an authorized agent of the respondent.

**B. Qualifications and Experience:** Summarize the respondent's development experience, including:

1. Examples of similar projects undertaken by the developer.
2. Administrative capacity to undertake the project.
3. Expertise in developing high-quality, projects of similar scope and scale.
4. Experience with development in the local Kansas City market or similar markets.

**C. Legal Disclosure:** Disclosure of any judgments, bankruptcies, legal proceedings, or conflicts of interest to projects the respondent has developed, owned, or has a substantial ownership interest in.

**D. Purchase Price:** Provide a statement of the proposed purchase price associated with the respondent's proposal.

### **IV. Questions & Information Requests**

Any amendments or addenda to this RFP will be posted on the City's website and distributed directly to respondents known to have the RFP. To ensure you are sent the latest information regarding this request, you must register as an interested respondent by submitting your contact information to Assistant City Administrator Anna Mitchell. The City will distribute any amendments or addenda by email.

Questions about the RFP may be directed to Anna Mitchell, Assistant City Administrator, at 816-532-3897 or amitchell@smithvillemo.org. Contact regarding the RFP with any persons other than Anna Mitchell, including both other City staff and City elected officials, may result in the disqualification of the submitted response to the RFP.

All respondent communications with the City will be considered confidential prior to the opening of responses. Any questions regarding the RFP must be submitted by December 27, 2021. Responses will be sent to all registered respondents no later than December 29, 2021. No further questions will be answered after this date.

## **V. Terms & Conditions**

- A. All proposals shall become an integral part of any real estate purchase contract and/or development agreement executed between the City of Smithville and the buyer/developer.
- B. The City retains the right to use any or all ideas presented in any proposal. Selection or rejection of the proposal does not affect this right.
- C. Supplemental materials will not be accepted after the proposals have been opened, unless requested of all bidders by the City.
- D. The City reserves the right to amend, modify, or withdraw this RFP for any reason, or no reason whatsoever, and at the City's sole and absolute discretion.
- E. This RFP does not commit the City to select any buyer or developer of the subject property or enter into an agreement with any buyer or developer.
- F. The City reserves the right to reject any proposal or all proposals if deemed to be in the best interest of the City. The City reserves the right to waive informalities in the RFP.
- G. No respondent may withdraw their proposal for a period of ninety (90) days from the response date.
- H. All responses to this RFP and documents and meetings relating thereto may remain closed records or meetings under the Missouri Sunshine Act until a contract is executed or until RFP responses are rejected. All responses to this RFP, proposals and supplementary material will become the property of the City when submitted. Thereafter, all responses to the RFP and all proposals will become public information.
- I. The selection of a buyer and/or developer is subject to the approval of the City by its Board of Alderman, at its sole discretion.
- J. The City will not be liable for any expenses incurred by a respondent in replying to this RFP or for expenses incurred by the successful respondent during the negotiation of a development agreement between the respondent and the City.

(It is preferred that the Bid Response use this Form, however, the City reserves the right to accept Bids which provide the necessary information without using this form)

**RFP #22-xx Sale of City-Owned Property in the Downtown District**

**PROPOSAL RESPONSE FORM**

I, \_\_\_\_\_, hereby representing  
(Agent Submitting RFP)

\_\_\_\_\_, have read and reviewed the attached specifications.  
(Firm or Company)

I state the hereby offer meets or exceeds all requirements. All other required information must be attached.

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Authorized Person (Print)

\_\_\_\_\_  
Address

\_\_\_\_\_  
Signature

\_\_\_\_\_  
City/State/Zip

\_\_\_\_\_  
Title

\_\_\_\_\_  
Telephone

\_\_\_\_\_  
Date

\_\_\_\_\_  
Tax ID No.

\_\_\_\_\_  
E-Mail Address



## Exhibit 1

