

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH BUXTON COMPANY FOR ECONOMIC DEVELOPMENT TOOLS IN AN AMOUNT NOT TO EXCEED \$65,000 IN YEAR ONE

WHEREAS, the Board of Aldermen has determined it is in the best interests of the City to authorize a contract with Buxton Company for Economic Development Tools.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSAGE BEACH, MISSOURI, AS FOLLOWS, TO WIT:

Section 1. The Board of Aldermen authorizes the Mayor to execute on behalf of the City a contract with Buxton Company to provide economic development tools as indicated on the attached ("Exhibit A").

Section 2. Total expenditures or liability authorized under the contract shall not exceed Sixty-Five Thousand Dollars (\$65,000.00) in year one.

Section 3. The City Administrator is hereby authorized to take such further actions as are necessary to carry out the intent of this Ordinance and Contract.

Section 4. This Ordinance shall be in full force and effect from date of passage and approval by the Mayor.

READ FIRST TIME: October 3, 2019

READ SECOND TIME: October 3, 2019

I hereby certify that the above Ordinance No. 19.70 was duly passed on October 3, 2019, by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes: 5 Nays: 0 Abstentions: 0 Absent: 1

This Ordinance is hereby transmitted to the Mayor for his signature.

Oct 3, 2019
Date

Tara Berreth
Tara Berreth, City Clerk

Approved as to form:

Edward B. Rucker
Edward B. Rucker, City Attorney

I hereby approve Ordinance No. 19.70.

Oct 3, 2019
Date

John Olivarri
John Olivarri, Mayor

ATTEST:

Tara Berreth
Tara Berreth, City Clerk



Proposal

RETAIL RECRUITMENT & MOBILE VISITOR INSIGHTS SOLUTION



Prepared by: Chris Gracela
Expiration: September 30, 2019

Buxton[®]

OUR VALUE PROPOSITION

Since our founding in 1994, Buxton has been a leading force in retail site selection and development. We are recognized for creating solutions that provide results. Buxton began as a service to help retailers make informed site selection decisions by understanding their customers and precisely determining their markets. Buxton soon realized that the company's expertise in retail site and market analysis could also be leveraged to benefit communities desiring retail expansion.

BUXTON'S AWARDS & HONORS



Named to "The List of People
Shaping Retail's Future"



Most Innovative
Company of the Year



#2 on the Fast 50



Customer Service
Department of the Year



More than simply providing data, Buxton supplies custom marketing materials and strategies targeting the unique site requirements of retailers, developers, and commercial real estate brokers. Buxton clients achieve outstanding success using our tools for retail identification, selection, and recruitment. Clients benefit from Buxton's unique understanding of site selection from the retailer's point of view.

- **Grow Your Community.** Create new, permanent jobs that will satisfy your citizens' desire to shop at home; retain dollars currently spent outside of your community and maximize revenue growth to fund city services
- **Leverage Buxton's Retail Industry Expertise.** Establish credibility with decision makers by providing factual evidence to support your site and gain a competitive position by leveraging our experience:
 - 4,000+ total clients from the retail, restaurant, healthcare, and public sector industries
 - 800+ public sector clients nationwide
 - 40+ million square feet of retail space recruited
 - 500+ cumulative years of retail management and economic development experience
- **Access Your Buxton Solution with Ease.** Utilize your best-in-class retail recruitment solution via SCOUT™ with the touch of a button from any mobile device; gain answers to your retail recruitment and site analysis questions and have the big picture in the palm of your hand
- **Develop a Long-Term Partnership.** Receive personal guidance and ongoing insight into key industry topics

SCOPE OF SERVICES

Buxton is pleased to present this proposal to the City of Osage Beach, Missouri ("Osage Beach"). The purpose of this proposal is to outline and review your community development objectives and how Buxton's solutions will enhance your ability to effectively meet those objectives.

Osage Beach's Objectives:

1. **Develop profile of residents and visitors, leveraging mobile analytics**
2. **Understand current retail and restaurant economic condition**
3. **Recruit new retailers and restaurants**
4. **Retain existing retailers and restaurants**

Retail Recruitment and Retention Solution: Your Community & Visitor Profile

Our solution is a total marketing strategy that enables community leaders to understand the consumer profile of their residents and to identify specific retailers and restaurants who seek a market with household purchasing habits just like yours. This solution provides you with the ability to actively pursue identified retailers, making a compelling case for their expansion to Osage Beach by utilizing custom marketing packages that Buxton will create for you. You will have access to the same analytical information and insights retailers depend on today to make site selection decisions. This knowledge will provide you with instant credibility and the ability to differentiate your community.

Step 1 – Research Your Community

Buxton uses over 250 consumer and business databases that are updated regularly and compares your potential sites to the universe of all competing sites operating in the U.S. We define your current retail situation and those in any neighboring communities that impact your retail environment.

Step 2 – Define and Evaluate Your Trade Area

Customers shop by convenience, measuring distance based on time, not mileage. We will conduct a custom drive-time analysis to determine your trade area using our proprietary methodology and knowledge of individual retail clients' actual trade areas. Your drive-time trade area will be provided to you as a map that accurately depicts your consumer shopping patterns.

Step 3 – Profile Your Trade Area's Residential and Visitor Customers

You will have insights into more than 7,500 categories of lifestyles, purchase behaviors, and media reading and viewing habits of your residents and visitors. Buxton will develop three (3) unique profiles for your solution:

1. Residential Profile – will analyze all the households in your drive-time trade area.
2. Visitor Profile (non-resident) – will analyze mobile data devices for a recent twelve-month (12) period where the device holder's originating address is located outside of your city limits (domestic addresses only). Buxton will combine this mobile dataset with our other household-level data, which provides Buxton with a way to develop an accurate consumer profile of the visitors to your community.
3. Combined Total Community Consumer Profile – Buxton will combine your residential and visitor profiles to develop your overall consumer profile which will be used to match retailers and restaurants to your community.

Step 4 – We Match Retailers and Restaurants to Market Potential

Buxton will match the combined consumer profile against the customer profiles of 5,000+ retailers in our proprietary database. We will identify the similarity between the two profiles analyzed using Buxton's proprietary retail matching algorithm to determine if your site presents an attractive opportunity for each retailer. We then qualify the list of matched results to verify that a retailer is currently operating or expanding, that they operate in similar sites, and that your site affords adequate buffer from competition and cannibalization to be realistically considered.

Step 5 – We Create Marketing Packages

Buxton will assemble individualized marketing packages for up to twenty (20) targeted retailers. We will notify each retailer's key real estate decision maker by letter, informing them that they have been qualified by Buxton as a potential viable fit for your site and should expect to be contacted by a representative of the city.

Your marketing packages will be delivered to you in SCOUT, an application in the Buxton Analytics Platform, and include a:

1. Map of the retail site and trade area
2. Map of the retailer's potential customers
3. Retailer match report that compares the site's trade area characteristics and consumer profile with the retailer's sites in similar trade areas

Step 6 – Additional Profiles

In addition to the profiles mentioned in Step 3, Buxton will provide Osage Beach with an overall profile for each season (spring, summer, fall, and winter), an overall profile for likely second homeowners, and one profile for a key destination area in the city to be specified by the city prior to the kick-off of the project. We will use mobile analytics to develop profiles of visitors with home addresses within the United States.

Buxton will work with Osage Beach to determine the business rules that will be used to define which visitors represent likely second homeowners.

All profiles will be deployed to a Tableau dashboard for visualization and comparison. Profiles will also be deployed to the Buxton Analytics Platform for visualization of actual and lookalike visitors. Exact home locations will be shifted slightly in the platform for privacy purposes.

Step 7 – We Provide Business Retention Tools

Buxton will provide reports through SCOUT that can be used to support business retention efforts by helping local business owners to make better business decision. To access the profiles that Buxton will provide for Osage Beach, Buxton is providing Tableau to view and interact with the six (6) profiles. In addition, Buxton is pleased to offer Osage Beach access to LSMx. LSMx, which stands for Local Store Marketing powered by Buxton, is a customer acquisition solution designed specifically for small business owners and franchisees. Osage Beach can also leverage this tool to support local businesses and entrepreneurs, foster an environment that encourages private-public partnerships, and strengthen the business climate in their community. Upon execution of the LSMx Addendum, Osage Beach will have access to up to 25 complimentary* LSMx monthly subscriptions/license codes to distribute to local retailers, restaurants and service providers.

Solution Deliverables:

- Buxton Analytics Platform/SCOUT access
- Drive time trade area maps
- Retail site assessment

- Nine (9) profiles deployed to a Tableau dashboard for comparison and to the Buxton Analytics Platform for visualization:
 - Residential profile
 - Overall visitor profile
 - Combined profile (residents and overall visitors)
 - Overall profile for each season (spring, summer, fall, and winter)
 - One profile for likely second homeowners in the city
 - One profile for a key destination area in the city to be specified before kick-off of project
- Retailer specific marketing packages (for up to twenty (20) retailers)
- LSMx subscriptions (for up to twenty-five (25) monthly license codes)*

Multi Year Deliverables:

Years 2 and 3 of this agreement will include a Retail Recruitment model refresh, retail marketing packages, LSMx subscriptions,* and full access to the Buxton Analytics Platform.

**LSMx deliverables are contingent upon Osage Beach executing the LSMx Addendum and the terms and conditions described therein.*

Access and Use Your Retail Recruitment Solution via the Buxton Analytics Platform

Buxton's Retail Recruitment and Retention solution will allow you to actively recruit retailers to your community and support existing businesses with just a few clicks using SCOUT, which provides you with crucial information about your community, your trade areas, your residents, and much more. SCOUT is a geospatial application in the web-based Buxton Analytics Platform, which is accessible with an Internet connection. It is designed to give decision-makers in your community access to the data and solutions that will assist them in making better business decisions. The Retail Recruitment and Retention solution enables four (4) SCOUT users with the ability to run demographic and trade area profile reports, and view maps and other data elements.

In SCOUT you will be able to:

- Identify retail matches
- Run variable reports
- View city limit maps
- Run healthcare reports
- See existing locations for prospective retailers to avoid cannibalization
- See aerial view
- View physician intelligence
- Run comparable reports
- Run demographic reports
- Track outreach activity to quickly report on recruitment efforts

Support local business retention and expansion efforts with reports contained in the SCOUT reporting suite, including but not limited to:

Consumer Propensity Report

Quantifies likelihood of consumers of a given trade area to consume various goods and services or possess certain attitudes and opinions. This report can help local entrepreneurs, business owners and store managers better optimize their merchandise/product offerings or their local marketing strategies.

Create Profiles Report

Profiles a specific trade area to determine the likes/dislikes, spending behavior, and marketing preferences of the households and workers within that geography. This report can help local businesses evaluate a market's retail potential or enhance marketing efforts.

Retail Leakage and Surplus Report

Quantifies the potential surplus or leakage in a trade area. This guide can help businesses understand how well the retail needs of residents are being met, uncover unmet demand and opportunities, and measure the difference between actual and potential retail sales.

Count Base Daytime Population Report

Examines the workforce in the study area and provides a count of the workforce population by industry. This report allows retail and restaurant owners to gain insights about how the population in the trade area differs during work hours so local businesses can cater to different types of workers.



SUPPORT

Buxton Analytics Platform Technical Requirements

The Buxton Analytics Platform can be accessed at the following URL: www.buxtonco.com

The Buxton Analytics Platform is a web-based collection of applications accessible on any desktop, laptop, or mobile tablet device that has an Internet connection. When operating the platform, Buxton's recommended hardware configuration is 4-core CPU, 4 GB RAM (or higher). Examples include most modern-day laptops or desktops purchased within the last 3 years, iPad Pro 2017 or newer, Microsoft Surface Pro 2 or newer, or Samsung Galaxy Tab S3. The recommended browser for accessing the platform is the latest version of Chrome.

Buxton's Helpdesk

(1-817-332-3681) is available during normal office hours (8:00 AM-5:00 PM CST, excluding weekends and public holidays). Buxton's Helpdesk team will be available to support all educational, functional, and technical inquiries and will respond to all requests within twenty-four (24) hours of submission.

Buxton's Helpdesk

Monday – Friday: 8:00 am – 5:00 pm CST

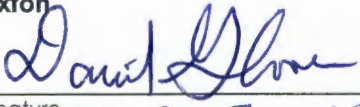
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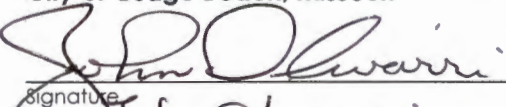
TERM, FEES, AND DELIVERY

Agreement Term	Three (3) Years
Year 1 Fee (100% invoiced upon execution of this agreement)	\$65,000
Year 2 Fee (Invoiced 1 st anniversary of this agreement)	\$50,000
Year 3 Fee (Invoiced 2 nd anniversary of this agreement)	\$50,000

Delivery Osage Beach will have access to retail match lists and marketing packages within sixty (60) business days of execution and receipt of the additional location to be studied in the visitor analysis.

Your Buxton Analytics Platform access will be enabled within ten (10) business days of the execution of this agreement. Osage Beach will have access to retail match lists and marketing packages within sixty (60) business days of execution and receipt of the additional location to be studied in the visitor analysis. The initial term of this agreement is for three (3) years with services invoiced annually. However, at any time during this initial 3-year term, Osage Beach may cancel services for the following year by providing written notice to Buxton at least sixty (60) days in advance of a yearly renewal. If Osage Beach cancels services prior to the expiration of the initial term, Osage Beach will be invoiced 10% of the total remaining balance. All service fees associated with this agreement are due in net ten (10) days of the date of the invoice. Execution of this agreement will act as full consent that Buxton may include Osage Beach on its client list and in presentations and public relations efforts. Additionally, Buxton may issue a press release announcing Osage Beach as a client. When doing so, Buxton will not reveal information that is confidential and proprietary to Osage Beach.

Buxton

 Signature
 DAVID GLOVER
 Printed Name
 CHIEF FINANCIAL OFFICER
 Title
 Date 10/3/2019

City of Osage Beach, Missouri

 Signature
 John Olivari
 Printed Name
 Mayor
 Title
 Date 10-8-19

Please provide us with a primary point of contact for invoice receipt.

Name: Jeana Woods
Phone: 573.302.2000 x 1010
Email: jwoods@osagebeach.org

Preferred Method of Receipt: Email OR U.S. Mail

Please provide us with a primary point of contact.

Name: Jeana Woods
Phone: 573.302.2000 x 1010
Email: jwoods@osagebeach.org

PROJECT TIMELINE



OPTIONAL RECOMMENDED SOLUTIONS (SEPARATELY SCOPED)

GPS On Demand Reporting: \$10,000

Through the GPS On Demand Reporting module in SCOUT, Buxton allows users to draw their own custom geofenced territories to run custom reports. These reports can be generated for various geographies, including block groups, City Limits, Counties and ZIP Codes. Using the reporting module, SCOUT samples the GPS traffic data within the custom geofenced territory, ties it back to residential consumer points, de-identifies the visitors for privacy concerns, and then builds a profile of the people who visit the territory to provide on-the-spot insights on visitors to a territory.

Additional Visitor Profile: \$5,000

In addition to the visitor profiles outlined in the scope of work, Buxton can provide Osage Beach with additional visitor profiles at a rate of \$5,000 per profile. We will use mobile analytics to develop profiles of visitors with home addresses within the United States.



LSMx Addendum
Business Retention
Supplement

Buxton®

LSM ™

Prepared by Chris Gracela

August 27, 2019

City of Osage Beach, Missouri

1000 City Parkway
Osage Beach, MO 65065

This Addendum is entered into between the City of Osage Beach, Missouri ("Osage Beach"), Buxton Company ("Buxton"), and LSMx, Inc. ("LSMx") (each a "Party" and collectively the "Parties"). This Addendum is attached to and made part of the Agreement between Buxton and Osage Beach, dated _____ ("Buxton Agreement").

The purpose of this Addendum is to provide Osage Beach with access to LSMx software subscriptions for the Term of the Buxton Agreement, unless terminated earlier as set forth in the Buxton Agreement. The Parties acknowledge that this Addendum and each of its provisions is expressly contingent upon the Buxton Agreement and associated fees remaining in full force and effect.

Background

LSMx, which stands for **Local Store Marketing** powered by Buxton, is a proprietary customer acquisition solution designed specifically for small business owners and franchisees. Local governments and economic development agencies can also leverage this tool to support local businesses and entrepreneurs, foster an environment that encourages private-public partnerships, and strengthen the business climate in their community. For each month of the Term of the Buxton Agreement, Osage Beach will have access to up to 25 complimentary LSMx monthly subscriptions.

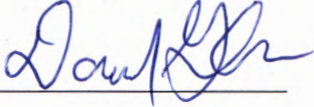
Deliverables and Terms

- Up to 25 LSMx subscriptions will be provided at no additional charge to Osage Beach for designation of access at Osage Beach's sole discretion to local retail, restaurant and service provider subscribers (each a "subscriber") during the Term of the Buxton Agreement.
- Any default or termination under the Buxton Agreement will also constitute a default and termination under this Addendum. In the event that the Buxton Agreement is terminated, the 25 monthly subscriptions will be canceled, at which time, each Subscriber will have the option of continuing their subscription at standard rates. Standard rates will be the prevailing rate at the time of cancellation.
- All fees associated with advertising campaigns executed via the LSMx software by the subscriber are at an additional cost to the subscriber. Each subscriber executing advertising campaigns within the LSMx software are responsible for such costs via the credit card information they provide in the LSMx software.
- If Osage Beach requests services not specified in this Addendum, the parties shall enter into an additional Addendum setting forth the additional services, fees, and other mutually agreed upon terms.
- The Parties to this Addendum expressly agree to the following terms and conditions:
 - Each subscriber will be subject to the applicable terms and conditions contained in the LSMx software license agreement accessed via the LSMx software.
 - The LSMx software is provided to each subscriber under a non-exclusive, non-transferable, limited, non-sublicensable, revocable license to access and use the LSMx software.
 - The LSMx software is not being sold to Osage Beach or a subscriber and it is not available for resell.
 - The LSMx software license does not convey any rights in or to the LSMx software or any patent, copyright, trademark or any other intellectual property rights of LSMx.

LSMx retains all right, title, and interest in and to the LSMx software (including any upgrades, improvements, modifications, derivatives, and refinements to the LSMx software).

The parties hereby agree to and accept the terms of this Addendum as of the date written below.

Buxton Company

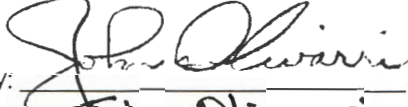
By: 

Name: David Glover

Title: Chief Financial Officer

Date: 10/3/2019

City of Osage Beach, Missouri

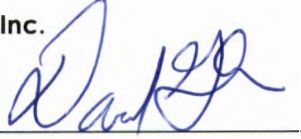
By: 

Name: John Olivari

Title: Mayor

Date: Oct. 7, 2019

LSMx, Inc.

By: 

Name: David Glover

Title: Chief Financial Officer

Date: 10/3/2019

LSM Benefits

Powered by Buxton™

LSMx, **L**ocal **S**tore **M**arketing powered by Buxton, is a simple, but powerful, customer acquisition solution that allows local business owners to easily see and understand:

- Who and where their best potential customers are coming from
- How far their most valuable customers are willing to drive to their location
- How many potential customers are near or around them

LSMx:

- Alerts users about upcoming local events that could be driving business
- Shows where specific competitors are in relation to potential customers
- Highlights traffic congestion that might interfere with performance

Key Differentiator

LSMx completely executes marketing campaigns to the potential customers users see right from their mobile device in just minutes. Local businesses can target the potential customers that LSMx identifies with any or all the following marketing channels:

- Direct Mail
- Email
- Facebook
- Google
- Mobile Banner Ads

Benefits to Osage Beach

- Encourages private-public partnerships
- Supports local businesses
- Provides local businesses with resources (analytics, application, marketing automation, marketing execution) normally reserved for much larger entities
- Supports business retention
- Supports localization efforts
- Supports increase in local tax income because businesses can be more successful