

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: **September 12, 2006**

☒ Consent  
☐ Ordinance

☐ Regular  
☐ Public Hearing

Department: **Parks and Recreation**

Submitted By: **Parks and Recreation Department**

Submitted For: **Parks and Recreation Department**

**I. EXECUTIVE BRIEF**

**Motion and Title:** Staff recommends motion to receive and file: First Amendment to Agreement (R2005-1242) with Museum of Lifestyle and Fashion History, Inc., for 2004-2005 Exhibitions and Exhibition Programs.

**Summary:** This fully executed First Amendment to Agreement extends the project term and project completion date of the previously approved Agreement from December 31, 2005, to December 31, 2006. The project was completed within the project time frame, but the extension is needed in order to allow additional time for the Museum to complete the paperwork and provide documentation needed to meet County reimbursement requirements. The Amendment also provides a revised Exhibit "A", page 3 of 3 in order to more accurately reflect costs expended for the project. The Amendment is in accordance with Resolution R2005-1738, authorizing the delegation of authority for amending RAP agreements to the County Administrator or his designee. All other terms of the Agreement remain the same. Funding for the project is from the Recreation Assistance Program (RAP). **District 7(AH)**

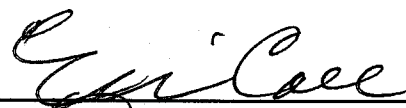
**Background and Justification:** Resolution R2005-1738 was adopted by the Board on September 13, 2005, to streamline the RAP reimbursement process. It establishes terms and conditions for amending RAP projects and delegates authority for the execution of the amendments to the County Administrator or his designee, which is the Director of the Parks and Recreation Department. The criteria for delegated signature of amendments on behalf of the Board include:

- Changes in project scope/elements within the intent of the approved RAP project;
- Adjustments in budgetary line items within the intent of the approved RAP project which do not change the contractual amount;
- Changes to the approved project time frame including the initiation date and/or project completion date for periods of less than one year; and
- Other miscellaneous modifications approved by the awarding Commissioner within the overall intent of the approved RAP project.

This delegation of authority allows for more efficient and timely reimbursements for RAP projects by streamlining the existing RAP process for amendments to agreements. The attached Amendment meets criteria listed above, and was executed on behalf of the Board of County Commissioners by the Director of the Parks and Recreation Department.

**Attachment:** First Amendment to Agreement

Recommended by: \_\_\_\_\_

  
Department Director

8/16/06  
Date

Approved by: \_\_\_\_\_

  
Assistant County Administrator

8/23/06  
Date

## II. FISCAL IMPACT ANALYSIS

### A. Five Year Summary of Fiscal Impact:

Fiscal Years	2006	2007	2008	2009	2010
Capital Expenditures	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Operating Costs	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
External Revenues	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Program Income (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
In-Kind Match (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
NET FISCAL IMPACT	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes \_\_\_\_\_ No \_\_\_\_\_  
Budget Account No.: Fund \_\_\_\_\_ Department \_\_\_\_\_ Unit \_\_\_\_\_  
Object \_\_\_\_\_ Program \_\_\_\_\_

### B. Recommended Sources of Funds/Summary of Fiscal Impact:

There is no additional financial impact created by this Amendment. Agreement is encumbered with document # KPO 583 PRRP071905\*130.

C. Departmental Fiscal Review: ckopelakis

## III. REVIEW COMMENTS

### A. OFMB Fiscal and/or Contract Development and Control Comments:

Elizabeth Blease 8/18/06  
OFMB

mg  
8/17/06

DM  
8/17/06

Don J. Jurek 8/21/06  
Contract Development & Control

### B. Legal Sufficiency:

Anne Helgert 8/23/06  
Assistant County Attorney

### C. Other Department Review:

\_\_\_\_\_  
Department Director

REVISED 10/95  
ADM FORM 01

This summary is not to be used as a basis for payment

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JUL 21 1977

**FIRST AMENDMENT BETWEEN PALM BEACH COUNTY AND THE MUSEUM OF LIFESTYLE AND HISTORY, INC. FOR 2004-2005 EXHIBITIONS AND EXHIBITION PROGRAMS**

THIS FIRST AMENDMENT is entered into on \_\_\_\_\_, by and between Palm Beach County, a political subdivision of the State of Florida, hereinafter referred to as "County", and the Museum of Lifestyle and Fashion History, Inc., a not-for-profit corporation authorized to do business in the State of Florida, hereinafter referred to as "MLFH".

**WITNESSETH:**

**WHEREAS**, on June 21, 2005, County entered into an Agreement (R-2005-1242) with MLFH, hereinafter referred to as "Agreement," to provide Recreation Assistance Program (RAP) funding in an amount not to exceed \$10,000 for funding of 2004-2005 Exhibitions and Exhibition Programs, hereinafter referred to as the "Project" to be completed on or before December 31, 2005; and

**WHEREAS**, MLFH has requested that the project completion date for the Agreement be extended until December 31, 2006, in order to allow additional time to complete the reimbursement request for this completed Project; and

**WHEREAS**, MLFH has also requested that the County amend Exhibit "A", pg. 3 of 3, to said Agreement to more accurately reflect project elements and costs expended for the Project; and

**WHEREAS**, the revised Exhibit "A" accurately reflects actual project elements within the approved scope and budget of the Project; and

**WHEREAS**, the Project will benefit all citizens of Palm Beach County.

**NOW THEREFORE**, the parties hereby agree as follows:

1. Section 8 of the Agreement shall be amended to state: "The term of this Agreement shall be until December 31, 2006, commencing upon the date of execution by the parties hereto."
2. Section 11 of the Agreement shall be amended to state: MLFH shall complete the Project and shall provide its final reimbursement request(s) and final accounting data to County for the completed project on or before December 31, 2006."
3. A revised Exhibit "A" pg 3 of 3 as attached hereto and incorporated herein by reference shall replace the original Exhibit "A" pg. 3 of 3 of the original Agreement.
4. Except as provided herein, each and every other term of the Agreement, as amended, shall remain in full force and effect and the Agreement, as amended is reaffirmed as modified herein.

**IN WITNESS WHEREOF**, the parties, by and through their duly authorized agents, have hereunto set their hands and seals on the date indicated above.

**WITNESSES:**

Arsen W. Yin  
Deonica Burnett

**WITNESSES:**

Joanne Dyke  
Jeff Harlow

**PALM BEACH COUNTY, FLORIDA, FOR ITS BOARD OF COUNTY COMMISSIONERS**

By: Dennis L. Eshleman  
Dennis L. Eshleman, Director  
Parks and Recreation Department

**MUSEUM OF LIFESTYLE AND FASHION HISTORY, INC.**

By: Lori J. Durante  
Name (Type or Print)  
Executive Director/Chief Curator  
Title LJ Durante  
Signature

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY**

By: Anne Helgert  
County Attorney

**MUSEUM OF LIFESTYLE & FASHION HISTORY (MLFH)**

322 N.E. 2<sup>nd</sup> Avenue/Pineapple Grove Way

Delray Beach, FL 33444

Phone: (561) 243-2662 / Fax: (561) 243-9916

**JUL 21 REC'D**

**EXPENSES:**

Exhibit Development by MLFH

Traveling Exhibit Fees by Smithsonian

Traveling exhibit loan fees from other than Smithsonian

Exhibit Related Programs (*Special events, lectures, arts & crafts, 3<sup>rd</sup> Sunday*)

- Exhibit promotional (*flyers, postcards, signage*)

- General museum marketing materials (*flyers, postcard, signage, etc.*)

Exhibit Crate Shipping

Children's Summer Camp Interactive program (*teacher, art supplies, etc*)

MLFH Narrated Bus Tours of Historic Delray Beach program

Insurance

Climate Control Warehouse Rental

General Office Supplies

Fundraising expenses (*postage, envelopes, copies, related supplies*)

Utilities

Telephone

Wages/Salaries/ Benefits

*Executive Director/Curator*

*Receptionist/Curatorial/Research Support/Temp. Help*

Maintenance/Janitorial

Exhibit Display Furniture/Equipment Repairs

Exhibit Display Furniture/Equipment Purchase

Miscellaneous

**Total Expenses: \$189,000**