3CC-1

Agenda It	tem#:	

PALM BEACH COUNTY

BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: Department	3/_13_/07	[X]	Consent Ordinance	[]	Regular Public Hearing
Submitted By:	TOURIST DE	EVELO	PMENT COUNC	<u>L</u>	
Submitted For:	PB COUNTY	FILM	& TELEVISION	COMMIS	SION, INC.

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: A) First Amendment to Agreement with Palm Beach County Film & Television Commission, Inc (R-2006-1991) for the provision of services under the County's Tourist Development Plan; and B) A budget transfer totaling \$20,000 in the operating budget from operating reserves for the Palm Beach County Film & Television Commission.

Summary: The Palm Beach County Film and Television Commission contract for FY 07 was approved by the BCC on September 12, 2006 (R2006-1991). The Film and Television Commission is amending the Agreement to fund (\$20,000) for advertising, travel and public relations in marketing the Palm Beach International Film Festival for Palm Beach County. The Amendment increases the contract from \$613,000 to \$633,000 and maintains prior years funding level of \$30,000. Countywide (MC)

Background and Justification: In 2004, the Tourist development Council's (TDC) Board of Director's determined that future funding support to the Palm Beach International Film festival (PBCIFF) should come from the Palm Beach County Film & television Commission (FTC) instead of the Special Projects Fund. In order to accommodate this new policy, the FTC budgeted \$10,000 within FY 07 contract. As a result of the Economic Summit and the need to develop and brand the PBIFF as a marketplace, the FTC sought after and received approval from both the FTC and TDC Board of Directors to increase the sponsorship commitment by taking an additional \$20,000 from FTC reserves to benefit initiatives of the 2007 PBIFF. The FTC's total contribution to the PBIFF in FY 07 totals \$30,000.

The PBIFF is a major marketing tool within the FTC's 2007 marketing plan. The PBIFF and the FTC will work together to lure production projects, encourage production company relocation, showcase and bring recognition to locally shot feature films, grow our own workforce and visibly brand Palm Beach County as a viable film destination and marketplace.

Attachments: 1. First Amendment

2. Exhibit A

3. Budget Transfer

Recommended by

Mel Date 3/6/07 Department Director

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of F	iscai impa	ct:				
Fiscal Years	2007	2008	2009	2010	2011	
Capital Expenditures			<u> </u>			
Operating Costs	\$ 20,000	tbd	tbd	<u>tbd</u>	<u>tbd</u>	
External Revenues		·				
Program Income (County)		****			Case - 1-20 Case -	
In-Kind Match (County) NET FISCAL IMPACT	\$ 20,000	tbd	tbd	tbd	tbd	
# ADDITIONAL FTE POSITIONS (Cumulative)	- 0-	0	0	0	0	-
Is Item Included In Current	Budget?	Yes_		NoX	<u> </u>	
Budget Account No.: Fund Category	Dept	_ U nit	<u> </u>	Object	_	Reporting
B. Recommended Source The Film & Television option bed tax. The \$2C. Department Fiscal Recommended Source The Film & Television option bed tax.	n Commissi 20,000 into l Leview:	on current FTC's con	ly receive tract incre	es 3.92% of eases PBIF	f the first 3	
A. OFMB Fiscal and/or						
B. Approved as to form Mauren County Ar	all	31/10	act Dev.	This amend	ol iment compli	es with
C. Approved as to Term	as and Con	ditions:				
Department Director	r					
This summary is not	to be used	as a basis	for payn	nent.		

FIRST AMENDMENT TO AGREEMENT

THIS FIRST AMENDMENT is made as of ________, 2007, to the agreement between Palm Beach County, a political subdivision of the State of Florida, acting by and through its Board of County Commissioners (hereinafter referred to as "County"), and the Palm Beach County Film & Television Commission (hereinafter referred to as "Commission"), dated September 12, 2006, Contract Number R 2006-1991 (such agreement together with all previous amendments thereto, shall be hereinafter referred to as the "Agreement").

WHEREAS, pursuant to the Local Option Tourist Development Act, the County has by Ordinance No. 95-30, as amended, established the Palm Beach County Tourist Development Council (hereinafter referred to as the "TDC); has levied and imposed a tourist development tax; and has established a Tourist Development Plan for use of the funds derived from the tax; and

WHEREAS, the County and the Commission entered into a five-year agreement in 2006, whereby the Commission would perform certain services and undertake certain projects that would promote Palm Beach County tourism in the State of Florida and nationally and internationally; and

WHEREAS, the TDC has determined that the Palm Beach County International Film Festival has and will continue to promote Palm Beach County tourism, and that it should now be funded through the Commission; and

WHEREAS, to provide for such additional funding, the Agreement between the Commission and the County must be amended to replace the current Exhibit "A," the Annual Budget, with a revised Exhibit "A."

NOW, THEREFORE, in consideration of the foregoing and the mutual promises and covenants contained herein, and other good and valuable consideration, the County and the Commission agree as follows:

- 1. The "Agreement" dated September 12, 2006, is amended as follows:
 - a. Exhibit "A" Annual Budget, is hereby deleted in its entirety and replaced with a new Exhibit "A," attached hereto and made a part hereof.
- 2. All other terms and conditions of the Agreement shall remain in full force and effect except as amended herein.

IN WITNESS WHEREOF, the parties hereto have of	executed this Agreement on the day and year first above
written.	
ATTEST:	PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS
By: Deputy Clerk	By:Chairman
(SEAL)	
ATTEST: By: FTC Secretary Douglas Rill	By: Kully Hullus FTC Chair Kenneth Spillias
Approved as to terms And conditions: By: TDC Executive Director Charles Lehmann	By: Maurlen Ceuller County Attorney

PALM BEACH COUNTY FILM & TELEVISION COMMISSION

FY 2007 LINE ITEM BUDGET - EXHIBIT "A"

OLD

	CONTRACTUAL EXPENSES	DIRECT COUNTY EXPENSES	RESERVES	TOTAL EXPENSES & RESERVES
	\$486,000	\$0	\$0	\$486,000
100 ADMINISTRATION	\$39,000	\$0	\$0	\$39,000
200 OPERATIONS	\$39,000 \$39,000	\$0	\$0	\$88,000
300 PROGRAM	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	· · · · · · · · · · · · · · · · · · ·	\$0	\$40,412
3080 INDIRECT OPERTING EXPENSES	\$0	\$40,412	\$0	\$5,000
4101 COMMUNICATION SERVICES	\$0	\$5,000	\$0	\$870
4103 COMM/SUNCOM-TOLL	\$0	\$870	- ·	\$5,000
4104 COMM/COMMERCIAL TOLL	\$0	\$5,000	\$0	· •
4411 RENT	\$0	\$53,000	\$0	\$53,000
4418 RENT-PAGER SERVICES	\$0	\$22	\$0	\$22
4969 TAX COLLECTOR'S COMMISSION	\$0	\$10,296	\$0	\$10,296
	\$0	\$0	\$0	\$0
9672 RESTRICTED RESERVE (GASB 31)	\$0	\$0	\$26,189	\$26,189
9938 TDC RESERVES	\$0 \$0	\$0	\$43,964	\$43,964
9939 FTV COMMISSION RESERVES TOTAL		\$114,600	\$70,153	\$797,753
1018				

DATE: 2/12/2007 FILE: LINEITEM EXHIBIT A OLD.xls

PALM BEACH COUNTY FILM & TELEVISION COMMISSION

FY 2007 LINE ITEM BUDGET - EXHIBIT "A" REVISED

	CONTRACTUAL EXPENSES	DIRECT COUNTY EXPENSES	RESERVES	TOTAL EXPENSES & RESERVES
TOTAL MICHAEL	\$486,000	\$0	\$0	\$486,000
100 ADMINISTRATION	\$39,000	\$0	\$0	\$39,000
200 OPERATIONS	939,000	\$0	\$0	\$108,000
300 PROGRAM	3442	**	\$0	\$40,412
3080 INDIRECT OPERTING EXPENSES	\$0	\$40,412	\$0	\$5,000
4101 COMMUNICATION SERVICES	\$0	\$5,000	\$0	\$870
4103 COMM/SUNCOM-TOLL	\$0	\$870	•	\$5,000
4104 COMM/COMMERCIAL TOLL	\$0	\$5,000	\$0	
4411 RENT	\$0	\$53,000	\$0	\$53,000
• • • • • • • • • • • • • • • • • • • •	\$0	\$22	\$0	\$22
4418 RENT-PAGER SERVICES	\$0	\$10,296	\$0	\$10,296
4969 TAX COLLECTOR'S COMMISSION	\$0	\$0	\$0	\$0
9672 RESTRICTED RESERVE (GASB 31)	\$0 \$0	\$0	\$26,189	\$26,189
9938 TDC RESERVES		\$0	\$43,964	\$43,964
9939 FTV COMMISSION RESERVES	\$0			\$817,753
TOTAL	S: \$633,000	\$114,600	\$70,153	\$017,755

DATE: 2/12/2007 FILE: LINEITEM EXHIBIT A REVISED.xls

AC	ORD CERTIFIC	ATE OF LIABILI			OPID M3 PALMB52	DATE (MM/DD/YYY) 01/25/07	
	astridge Agency, Inc E. 6th Avenue		THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.				
elray	7 Beach FL 33483 :561-276-5221 Fax:56	1-276-5244	INSURERS AF	INSURERS AFFORDING COVERAGE			
NSURED			INSURER A:	The Travelers Insur	ance Co.	05590	
			INSURER B:	INSURER B: Western Heritage Ins. Co.			
	Palm Beach County 1 Television Commiss 1555 Palm Beach La	Film &	INSURER C.	INSURER C. AmComp Preferred Ins. Co.			
	1555 Palm Beach La	kes Bivd. 900	INSURER D:				
	West Palm Beach FL	33401	INSURER E:	INSURER E:			
OVERA	GES						
THE POLI	ICIES OF INSURANCE LISTED BELOW HAVE NUIREMENT, TERM OR CONDITION OF ANY C KTAIN, THE INSURANCE AFFORDED BY THE F S, AGGREGATE LIMITS SHOWN MAY HAVE BE	INTRACT OR OTHER DOCUMENT WITH RES OLICIES DESCRIBED HEREIN IS SUBJECT	PECT TO WHICH THIS (TO ALL THE TERMS, E)	CERTIFICATE MAY BE IS XCLUSIONS AND CONDI	TIONS OF SUCH		
ISR ADD'L	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMIT		
- Torta	GENERAL LIABILITY				EACH OCCURRENCE	\$ 1000000	
вх	X COMMERCIAL GENERAL LIABILITY	SCP0640614	01/17/07	01/17/08	PREMISES (Ea occurence)	\$ 100000	
-	CLAIMS MADE X OCCUR		·		MED EXP (Any one person)	\$ 5000	
			i	1 .			

		CIES OF INSURANCE LISTED BELOW HAVE JIREMENT, TERM OR CONDITION OF ANY CO	NITOACT OD OTHED DOCI IMENT WITH RE	SPECT TO WHICH THIS	CERTIFICATE MAT DE 13	SUED OK		
MA	ANY REQUIREMENT, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES, AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.							
ndep-	ADD'L NSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS		
LIK	NSKL	GENERAL LIABILITY					\$ 1000000	
_		X COMMERCIAL GENERAL LIABILITY	SCP0640614	01/17/07	01/17/08	PREMISES (Ea occurence)	\$ 100000	
В	X	CLAIMS MADE X OCCUR	BC10040011	02,2.,			\$ 5000	
		CEANUS WADE A OCCUR			·	PERSONAL & ADV INJURY	s excluded	
						GENERAL AGGREGATE	\$ 2000000	
		GEN'L AGGREGATE LIMIT APPLIES PER:				PRODUCTS - COMP/OP AGG	s excluded	
		POLICY PRO-						
		AUTOMOBILE LIABILITY				COMBINED SINGLE LIMIT	\$ 1000000	
		ANY AUTO		1		(Ea accident)	\$ T000000	
		ALL OWNED AUTOS				BODILY INJURY	\$	
		SCHEDULED AUTOS			1	(Per person)	•	
В		X HIRED AUTOS	SCP0640614	01/17/07	01/17/08	BODILY INJURY	s	
В		X NON-OWNED AUTOS				(Per accident)	•	
"		The state of the s				PROPERTY DAMAGE	\$	
						(Per accident)	*	
		GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT	\$	
		ANY AUTO	1			OTHER THAN EA ACC	\$	
		,,,,,,,,,,				AUTO ONLY: AGG	\$	
_	 	EXCESS/UMBRELLA LIABILITY				EACH OCCURRENCE	\$	
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		RETENTION \$	1				\$	
-	wor	KERS COMPENSATION AND				WC STATU- 01H- TORY LIMITS ER		
c	EMP	LOYERS' LIABILITY	WCV7002694	05/29/06	05/29/07	E.L. EACH ACCIDENT	\$ 100000	
	OFF	PROPRIETOR/PARTNER/EXECUTIVE CER/MEMBER EXCLUDED?				E.L. DISEASE - EA EMPLOYEE	\$ 100000	
	If ye	s, describe under CIAL PROVISIONS below				E.L. DISEASE - POLICY LIMIT	\$ 500000	
\vdash	OTH							
A	Di	rectors & Office	103961846	11/05/06	11/05/07			
1								
DES	CRIPT	ON OF OPERATIONS / LOCATIONS / VEHIC	LES / EXCLUSIONS ADDED BY ENDORS	EMENT / SPECIAL PROV	VISIONS	-n-1		
Pa	lm	Beach County Board o	f County Commission	ers is show	m as Addition	OHT		
Ir	sui	ed with respect to C	comprehensive Genera	ıl Liability	coverage.			
		•						
				CANCELLA	TION			

CERTIFICATE HOLDER

Palm Beach County Board of County Commissioners 301 N Olive Ave West Palm Beach FL 33401

PALMB35

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

ACORD 25 (2001/08)

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07-06/0

BOARD OF COUNTY COMMISSIONERS PALM BEACH COUNTY, FLORIDA BUDGET TRANSFER Page 1 of 1 pages

FUND TDC Film Commission Fund 1451

BGEX - 022807 *1124

Use this form to provide budget for items not anticipated in the budget.

ACCT.NUMBEFACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED AS OF	REMAINING BALANCE
EXPENDITURES							
710-7240-3401 Other Contractual Services	613,000	613,000	20,000		633,000	613,800	30,080
710-7299-9902 Operating Reserves	70,152	70,152		20,000	50,152		
TOTAL			20,000	20,000			

Film and Television Commission

INITIATING DEPARTMENT/DIVISION Administration/Budget Department Approval OFMB Department - Posted Signatures Julian Julia

2/14/07

Date

By Board of County Commissioners At Meeting of

Deputy Clerk to the Board of County Commissioners