

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

Meeting Date: November 18, 2008

Consent

Regular

Ordinance

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 approve: **A)** First Amendment to Agreement (R2007-0675) with the Historical Society of Palm Beach County, Inc. for the period May 1, 2007, through May 1, 2010, increasing the Agreement amount by \$23,769 for a new not-to-exceed total of \$602,944 for funding of the Palm Beach County History Museum; **B)** revised Project Description and Cost Estimate to expand the Project scope to include the Museum Gift Shop and Tourist Information Center as project elements and to increase the total Project cost to \$820,183; and **C)** Budget Transfer of \$23,769 within the \$25M GO Parks and Cultural Improvements Bond Fund - 2003 from Old Courthouse Renovation to Palm Beach County History Museum Exhibits.

**Summary:** This Amendment provides \$23,769 to increase the previously allocated \$579,175 from the 2002 Recreational and Cultural Facilities Bond for the Palm Beach County Historical Society, Inc.'s development of Palm Beach County History Museum Exhibits within the renovated 1916 Courthouse. This Amendment also provides a revised Project Description and Cost Estimate that expands the Project scope to include the Gift Shop and Tourist Information Center as project elements (the "expanded Project") and to increase the total project cost to include the additional project elements. The original project cost estimate was \$770,061, the actual completed cost of the Project was \$765,263, and the cost for the expanded Project is \$820,183. These cost adjustments change the Historical Society's required Project match from \$190,886 to \$217,239. The amended amount of \$23,769 is from a residual balance from Palm Beach County's 1916 Courthouse renovation project. A \$4,798 residual balance is also available from the Historical Society's original Agreement for Museum Exhibits. The two residuals total \$28,567, which will be used to help offset the Historical Society's cost for the expanded project. The \$1,500,000 bond allocation for the County's renovation of the 1916 Courthouse and the Historical Society's development of the Palm Beach County History Museum is from District 2 (\$500,000) and District 7 (\$1,000,000). District 7 (PK)

**Background and Justification:** Palm Beach County renovated the 1916 Courthouse using a portion of the funding from the \$1,500,000 bond allocation for courthouse renovation and Palm Beach County History Museum development. Then, on May 1, 2007, the County entered into an Agreement with the Historical Society of Palm Beach County, Inc. (R2007-0675) for \$579,175 for History Museum Exhibits within the renovated courthouse.

Project elements for the History Museum included an Entry Hall, a Historical Society Mural Wall, Exhibit Rooms, and General Conditions. Although the Gift Shop and Tourist Information Center are an integral part of the History Museum and were shown on the site plan in Exhibit A, they were omitted from the original Project Description and Cost Estimate because it was thought that there would not be sufficient funding to pay for them after the County completed its portion of the renovation project. Therefore, the Historical Society bore the complete expense for the Gift Shop and Tourist Information Center. Now, since there is a residual balance from the County's 1916 Courthouse renovation project, the County's residual balance of \$23,769 and the Historical Society's residual balance of \$4,798 will provide \$28,567 to help offset those additional costs for the expanded project that were borne by the Historical Society.

The Amendment has been executed by the Historical Society of Palm Beach County, Inc., and now needs to be approved by the Board of County Commissioners.


**Attachments:** 1) First Amendment to Agreement  
2) Budget Transfer

Recommended by:

  
Department Director

10.30.08  
Date

Approved by:

  
Assistant County Administrator

11/5/08  
Date

**II. FISCAL IMPACT ANALYSIS**

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

Fiscal Years	2009	2010	2011	2012	2013
Capital Expenditures	<u>23,769</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>
<b>NET FISCAL IMPACT</b>	<b><u>23,769</u></b>	<b><u>-0-</u></b>	<b><u>-0-</u></b>	<b><u>-0-</u></b>	<b><u>-0-</u></b>
<b># ADDITIONAL FTE POSITIONS (Cumulative)</b>	<u>0</u>				

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

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

FUND: 25M GO 03, Parks & Cultural Facilities Bond  
 UNIT: Old Courthouse Renovation

C. Departmental Fiscal Review: Chopelakis

**III. REVIEW COMMENTS**

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

Atwill note 11-4-08  
 OFMB 11/4/08      CN 10/20/08 + 11/9/08      John J. Jacobus 11/4/08  
 Contract Development and Control  
 11/4/08

B. Legal Sufficiency: St 10/20/08

**This amendment complies with our review requirements.**

Paul F. L.      11/5/08  
 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

**FIRST AMENDMENT TO AGREEMENT BETWEEN  
PALM BEACH COUNTY AND THE HISTORICAL SOCIETY OF PALM BEACH  
COUNTY, INC. FOR FUNDING OF EXHIBITS FOR THE PALM BEACH COUNTY  
HISTORY MUSEUM**

**THIS FIRST AMENDMENT TO AGREEMENT** (R-2007-0675) 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 Historical Museum of Palm Beach County, Inc., a Florida not-for-profit corporation authorized to do business in the State of Florida, hereinafter referred to as "AGENCY".

**WITNESSETH:**

**WHEREAS**, on May 1, 2007, COUNTY entered into an Agreement with AGENCY (R-2007-0675) for the period May 1, 2007, through May 1, 2010, to provide an amount not-to-exceed \$579,175 from the \$50 Million Recreation and Cultural Facilities Bond for funding of Palm Beach County History Museum Exhibits to be located within the renovated 1916 Courthouse (the "Project"); and

**WHEREAS**, AGENCY desires to amend the Project Description of the completed Project to expand the Project scope to include the Museum's Gift Shop and Tourist Information Center, which is an integral part of the Museum; and

**WHEREAS**, AGENCY desires to amend the Cost Estimate for the Project to include the Gift Shop and Tourist Information Center and to allow for adjustments in the costs for the completed original Project elements; and

**WHEREAS**, AGENCY is in need of additional funding for the Project to help offset the increase in the total project cost for the proposed change in project scope; and

**WHEREAS**, Agency has requested that the County provide the \$28,567 remaining as an unexpended residual balance for the 1916 Courthouse renovation project; and

**WHEREAS**, the original cost estimate for the project was \$770,061 with \$579,175 to be paid by County and \$190,886 to be paid by Agency; and

**WHEREAS**, the total cost of the Museum Exhibits plus the Gift Shop and Tourist Information Center was \$820,183 for the completed project; and

**WHEREAS**, including the additional \$28,567 from the residual balance of the 1916 Courthouse renovation project, the County's contribution to the Project would increase to \$602,944 and the required match from AGENCY would be \$217,239; and

**WHEREAS**, both parties desire to amend the Agreement.

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

1. A Revised Project Description and Cost Estimate is attached to replace the original Project Description and Cost Estimate in Exhibit "A" to the Agreement.

2. Section 1.03 of the Agreement shall be amended by deleting "COUNTY will pay to AGENCY a total amount not-to-exceed \$579,175 for the design and construction of the Project as more fully described in the Project Description, Conceptual Site Plan, and Cost Estimate attached hereto and made a part hereof as Exhibit "A"; and inserting "COUNTY will pay to AGENCY a total amount not-to-exceed \$602,944 for the construction of the Project as more fully described in the revised, Project Description and Cost Estimate attached hereto and made a part hereof as the Revised Exhibit "A".

3. Section 1.04 of the Agreement shall be amended by deleting "AGENCY agrees to provide funding in an amount of \$190,886 or greater to complete the Project. The parties agree that the COUNTY shall provide its portion of the funding only after AGENCY has expended \$190,886." and inserting "AGENCY agrees to provide funding in an amount of \$217,239 or greater to complete the Project. The parties agree that the COUNTY shall provide its portion of the funding only after AGENCY has expended \$217,239."

4. Except as provided herein, each and every other term of the Agreement shall remain in full force and effect and the Agreement 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.

**ATTEST:**

**SHARON R. BOCK, CLERK & Comptroller**

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

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Chair

**WITNESSES**

**HISTORICAL SOCIETY OF PALM BEACH COUNTY, INC.**

*Margaret Stansberg*  
\_\_\_\_\_  
*PLB*

By: Loren A. Mintz  
Name (Type or Print)  
President and CEO  
Title  
*LAM*

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY**

**APPROVED AS TO TERMS AND CONDITIONS**

By: \_\_\_\_\_  
County Attorney

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

HISTORICAL SOCIETY OF PALM BEACH COUNTY  
FUNDING FOR EXHIBITS FOR PALM BEACH COUNTY HISTORY MUSEUM

PROJECT DESCRIPTION AND COST ESTIMATE  
REVISED EXHIBIT A

The Palm Beach County Board of County Commissioners has leased space on the second floor of the Historic 1916 Courthouse to the Historical Society of Palm Beach County, Inc. to create a historical museum with exhibits depicting the rich history of Palm Beach County. The exhibits will be presented in an exciting fashion, using special effects, interactive components, and numerous artifacts, historic photographs and documents from the Society's collection. The exhibits will accurately reflect the history of the County and will be reflective of the multi-racial make up of the population.

Project Elements Include:

Entry Hall

Historical Society Mural Wall

Exhibit Rooms: The People  
The Place  
Temporary Exhibits Area

Gift Shop and Tourist Information Center

General Conditions

Cost Estimate: \$820,183

**BOARD OF COUNTY COMMISSIONERS  
PALM BEACH COUNTY, FLORIDA  
BUDGET TRANSFER**

BGEX 581 101408\*222

FUND 3019 - \$25M GO Park and Cultural Improv 03

ACCT NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED 10/14/2008	REMAINING BALANCE
<b><u>Old Courthouse Renovation</u></b>								
3019-411-B019-6505	Design/Eng/Mgmt- Cip Admin	76,421	23,770		23,769	1	0	1
<b><u>Palm Beach County History Museum Exhibits FY2007</u></b>								
3019-581-P631-8201	Contributions-Non-Govts Agnces	139,732	4,798	23,769		28,567	0	28,567
<b>TOTAL</b>				<u>23,769</u>	<u>23,769</u>			

Signatures

Date

By Board of County Commissioners

At Meeting of

November 18, 2008

Deputy Clerk to the Court

*Randy E. Miller* 10/15/08  
 \_\_\_\_\_  
 \_\_\_\_\_

Parks and Recreation Department  
INITIATING DEPARTMENT/DIVISION

Administration/Budget Department Approval

OFMB Department - Posted