

**ADD ON**

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**AGENDA ITEM SUMMARY**

Meeting Date: 6/02/2009

Consent  
 Ordinance

Regular  
 Public Hearing

Department

Submitted By: TOURIST DEVELOPMENT COUNCIL

Submitted For: TOURIST DEVELOPMENT COUNCIL

**I. EXECUTIVE BRIEF**

**Motion and Title:** Staff recommends motion to approve: Amendments to the Agreements with (A) Discover Palm Beach County, Inc., d.b.a. the Palm Beach County Convention & Visitors Bureau (CVB); (B) the Palm Beach County Cultural Council, Inc.; (C) the Palm Beach County Sports Commission, Inc.; and (D) the Palm Beach County Film & TV Commission, Inc. to provide for receipt of additional 'bed tax' funding for a tourism stimulus campaign.

**Summary:** The amendments to the County's agreements with the four 'TDC agencies' provide for revised budgets reflecting their receipt of additional funding for the multi-prong marketing campaign to promote Palm Beach County tourism. The campaign with a combined cost of \$3,000,000. will be funded from the operating reserve fund of the 1<sup>st</sup> cent of the bed tax which allocation was approved by the BCC on May 19<sup>th</sup> and will be available upon enactment of an amendment to the TDC Ordinance which is set for public hearing today. (Countywide (MC))

**Background and Justification:** Each 'TDC agency' is currently under contract with the County to provide services for the County's tourism promotion program in its area of expertise. Recognizing the decreases in room nights and 'bed tax revenues', the four 'agencies' developed a strategy to stimulate the County's tourism industry with enhanced marketing and promotion." The plan for a multi-prong marketing campaign was presented to and approved by the Tourist Development Council at its April meeting. On May 19<sup>th</sup> the BCC approved the expenditure of Three Million Dollars (\$3,000,000.) from the operating reserve fund of the 1<sup>st</sup> cent of 'bed tax' revenues to finance the campaign and approved an amendment to the TDC ordinance/plan to provide for the re-allocation.

Receipt of these additional funds by each agency will be reflected in amended annual budgets. Because the budgets are a part of their Agreements with the County, contract amendments are required to replace the current budgets with the revised ones. The agencies' budgets will be increased as follows:

CVB	\$2,296,700.00
Culture	\$ 473,500.00
Sports	\$ 147,300.00
Film & TV	\$ 82,500.00

**Attachments:**

1. Amendments
2. Exhibit "A" Revised Budgets for each agency

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

*[Signature]*  
Department Director

Date 5/22/09

Approved By: \_\_\_\_\_

*[Signature]*  
Deputy County Administrator

Date 5/26/09

**II. FISCAL IMPACT ANALYSIS**

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

Fiscal Years	2009	2010	2011	2012	2013
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
	*See note below				
<b>NET FISCAL IMPACT</b>	<b>=====</b>	<b>=====</b>	<b>=====</b>	<b>=====</b>	<b>=====</b>
<b># ADDITIONAL FTE POSITIONS (Cumulative)</b>	<b>- 0-</b>	<b>0---</b>	<b>0---</b>	<b>0---</b>	<b>0-----</b>

Is Item Included In Current Budget?      Yes X      No. \_\_\_\_\_

Budget Account No.: Fund 1458 Dept 710 U nit 7345 Object 9902  
Reporting Category \_\_\_\_\_

**B. Recommended Sources of Funds/Summary of Fiscal Impact:**  
First Cent of bed tax operating reserves.

**C. Department Fiscal Review:**

**III. REVIEW COMMENTS**

**A. OFMB Fiscal and/or Contract Administration Comments:**

\*The net fiscal impact associated with this item is \$3,000,000. This was reflected on a separate agenda item approved by the BCC on 5-19-09.



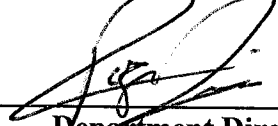
  
 \_\_\_\_\_ OFMB      \_\_\_\_\_ Contract/Dev. ad Control

**B. Approved as to form and Legal Sufficiency:**


  
 \_\_\_\_\_
   
 Assistant County Attorney

*These Amendments are to the Postpaid contracts approved by the BCC on 9/23/08.*

**C. Approved as to Terms and Conditions:**


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

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

AMENDMENT TO  
AMENDED AND RESTATED AGREEMENT

This Amendment is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2009, to the Amended and Restated Agreement dated September 25, 2008, (hereinafter referred to as "Agreement"), by and 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 Discover Palm Beach County, Inc. d.b.a the Palm Beach County Convention & Visitors Bureau (hereinafter referred to as "CVB").

WHEREAS, the County and the CVB entered into the Agreement whereby the CVB developed and implements an annual marketing plan for the promotion of Palm Beach County tourism; and

WHEREAS, the County has now determined, in light of the current economic conditions and the negative impact on County tourism, that there is a need to infuse additional monies into a multi-prong marketing campaign to promote Palm Beach County; and

WHEREAS, the County has identified a portion of that additional funding to be allocated to and expended by the CVB in its efforts to promote, market and advertise Palm Beach County tourism under the Agreement; and

WHEREAS, the Agreement requires an amendment to provide for a revised CVB budget to reflect the receipt of the additional funding from the County; and

WHEREAS, the parties have agreed that this Amendment is in the best interest of the CVB and the County's tourism promotion program.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

1. Exhibit A of the Agreement (the annual budget) is hereby deleted in its entirety and replaced with a new Exhibit A, '08 -'09 Budget, attached hereto and made a part hereof.
2. This Amendment shall become effective upon the enactment of the Tourist Development Ordinance providing for an amendment to the Tourist Development Plan reflecting expenditure from the operating reserve fund of the first (1<sup>st</sup>) percent of Tourist Development tax revenues for the promotion of Palm Beach County tourism.
3. All other terms and conditions of the Amended and Restated Agreement dated September 25, 2008, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment on the day and year first written above.

ATTEST:  
SHARON R. BOCK  
CLERK & COMPTROLLER

PALM BEACH COUNTY FLORIDA BY ITS  
BOARD OF COUNTY COMMISSIONERS

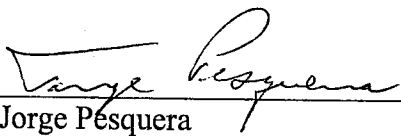
By: \_\_\_\_\_  
Deputy Clerk

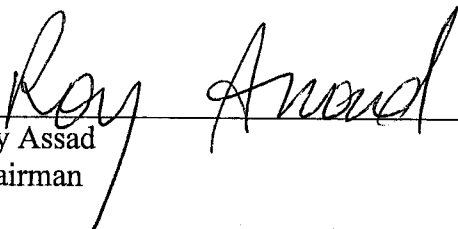
By: \_\_\_\_\_  
Commissioner John F. Koons, Chairman

(SEAL)

ATTEST:

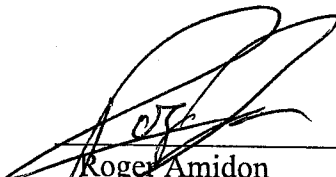
DISCOVER PALM BEACH COUNTY, INC.

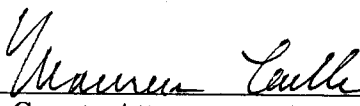
By:   
Jorge Pésquera  
President/CEO

By:   
Roy Assad  
Chairman

Approved as to terms  
and conditions

Approved as to form  
and legal sufficiency

  
Roger Amidon  
TDC Executive Director

  
Maureen Cullen  
County Attorney

## Exhibit "A"

Department	CVB Program Budaet	Stimulus Funding	Direct Pay By PB Countv	Total
<b><u>Personnel Expense</u></b>				
Wages & Salaries	2,853,072.10	-	-	2,853,072.10
Payroll Taxes	235,095.02	-	-	235,095.02
Benefits	721,115.45	-	-	721,115.45
<b><u>Total Personnel Expense</u></b>	<b>3,809,282.56</b>	<b>-</b>	<b>-</b>	<b>3,809,282.56</b>
<b><u>Marketing &amp; Promotion Expense</u></b>				
Travel & Entertainment	151,020.00	-	-	151,020.00
Trade Show Participation	280,355.00	-	-	280,355.00
FAM Tours/Site Visits	107,225.00	-	-	107,225.00
Event Hosting, Industry Sales	274,785.00	-	-	274,785.00
Event Hosting, Local Member/Community	42,685.00	-	-	42,685.00
Advertising, Media	2,631,266.68	975,000.00	100,000.00	3,706,266.68
Sales Outsourcing (Contracted Services)	514,000.00	-	-	514,000.00
Tourism Grant Program	118,000.00	175,000.00	-	293,000.00
Advertising, Website (CVB)	6,000.00	1,146,700.00	-	1,152,700.00
Advertising, Printed marketing Collateral	271,170.00	-	-	271,170.00
Promotional Items	89,500.00	-	-	89,500.00
Merchandise Sold	-	-	-	-
Ticket Sales	-	-	-	-
Research	178,500.00	-	-	178,500.00
Fulfillment	85,000.00	-	-	85,000.00
Donated Products & Services	-	-	-	-
Other Promotional Activites	5,000.00	-	-	5,000.00
<b><u>Total Marketing &amp; Promotion Expense</u></b>	<b>4,754,506.68</b>	<b>2,296,700.00</b>	<b>100,000.00</b>	<b>7,151,206.68</b>
<b><u>Administrative &amp; General Operations</u></b>				
Dues & Subscriptions	48,120.00	-	-	48,120.00
Bad Debt	-	-	-	-
Data Processing / Computer	157,035.00	-	-	157,035.00
Office Equipment & Fixtures, Computer Hardware	123,500.00	-	-	123,500.00
Amortization	-	-	-	-
Professional Seminars & Conferences	81,899.00	-	-	81,899.00
Other Equipment Rental & Lease Contracts	-	-	-	-
Insurance	60,330.24	-	-	60,330.24
Interest	-	-	-	-
Professional Services	103,500.00	-	-	103,500.00
Office Supplies	29,400.00	-	-	29,400.00
Photocopying	53,400.00	-	-	53,400.00
Rent	5,000.00	-	475,000.00	480,000.00
Telecommunications	57,780.00	-	50,000.00	107,780.00
Postage	113,824.00	-	-	113,824.00
Maintenance Contracts	-	-	-	-
Repair & Improvements	7,825.00	-	-	7,825.00
Bank Fees	14,000.00	-	-	14,000.00
Donated Products & Services - Non Marketing	-	-	-	-
Miscellaneous	6,125.38	-	-	6,125.38
<b><u>Total Administrative &amp; General Operations</u></b>	<b>861,738.62</b>	<b>-</b>	<b>525,000.00</b>	<b>1,386,738.62</b>
<b><u>Total Expense</u></b>	<b>9,425,527.86</b>	<b>2,296,700.00</b>	<b>625,000.00</b>	<b>12,347,227.86</b>

AMENDMENT TO  
AMENDED AND RESTATED AGREEMENT

This Amendment is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2009, to the Amended and Restated Agreement dated September 25, 2008, (hereinafter referred to as "Agreement"), by and 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 Cultural Council, Inc., a Florida not-for-profit corporation whose Federal I.D. number is 59-1862336, (hereinafter referred to as "Cultural Council").

WHEREAS, the County and Cultural Council entered into the Agreement which requires the Cultural Council to provide services to the County relating to the administration of cultural and fine arts programs, activities and events that directly promote Palm Beach County tourism; and

WHEREAS, the County has now determined, in light of the current economic conditions and the negative impact on County tourism, that there is a need to infuse additional monies into a multi-prong marketing campaign to promote Palm Beach County; and

WHEREAS, the County has identified a portion of that additional funding for cultural and fine arts programs, activities and events to be undertaken by the Cultural Council under the Agreement; and

WHEREAS, the Agreement requires an amendment to provide for a revised Cultural Council budget to reflect the receipt of the additional funding from the County; and

WHEREAS, the parties have agreed that this Amendment is in the best interest of the Cultural Council and the County's tourism promotion program.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

1. Exhibit A of the Agreement, '08 -'09 Budget, is hereby deleted in its entirety and replaced with a new Exhibit A, '08 -'09 Budget, attached hereto and made a part hereof.
2. This Amendment shall become effective upon the enactment of the Tourist Development Ordinance providing for an amendment to the Tourist Development Plan reflecting expenditure from the operating reserve fund of the first (1<sup>st</sup>) percent of Tourist Development tax revenues for the promotion of Palm Beach County tourism.
3. All other terms and conditions of the Amended and Restated Agreement dated September 25, 2008, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment on the day and year first written above.

ATTEST:  
SHARON R. BOCK,  
CLERK & COMPTROLLER

PALM BEACH COUNTY FLORIDA BY ITS  
BOARD OF COUNTY COMMISSIONERS

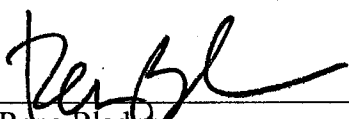
By: \_\_\_\_\_  
Deputy Clerk

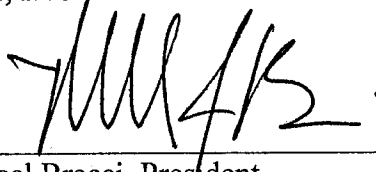
By: \_\_\_\_\_  
Commissioner John F. Koons, Chairman

(SEAL)

ATTEST:

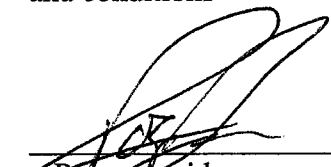
PALM BEACH COUNTY CULTURAL  
COUNCIL, INC.

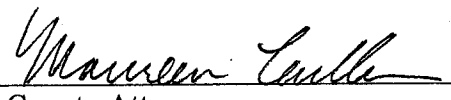
By:   
Rena Blades,  
Executive Director

By:   
Michael Bracci, President

Approved as to terms  
and conditions

Approved as to form  
and legal sufficiency

  
Roger Amidon  
TDC Executive Director

  
Maureen Cullen  
County Attorney

**PALM BEACH COUNTY CULTURAL COUNCIL  
TDC BUDGET LINE ITEMS - FY2009**

	FY 2007 Actual	FY 2008 Actual	FY 2009 Budget	2009 Stimulus	FY 2009 w/Stimulus
<b>Salaries &amp; Related</b>					
Salary and Wages	318,292	346,998	405,513		405,513
PR Taxes & Benefits	77,537	71,328	97,775		97,775
Contract Staff	-				-
<b>Total Staffing</b>	<b>395,829</b>	<b>418,326</b>	<b>503,288</b>		<b>503,288</b>
<b>Marketing and Related</b>					
Advertising	124,431	121,214	25,000	94,700	119,700
Agency Services/Web Design	54,828	42,175	21,000		21,000
Events, Meetings & Conferences	33,793	37,871	25,000		25,000
Freight & Delivery	58,931	71,580	18,410		18,410
Postage	7,915	8,698	15,000		15,000
Printing	53,807	62,795	70,000		70,000
Surveys & Studies	5,025	1,950	26,630		26,630
Travel	18,110	16,052	15,000		15,000
Video/Radio & Other	12,970	20,751	30,000		30,000
<b>Total Marketing &amp; Related</b>	<b>369,810</b>	<b>383,086</b>	<b>246,040</b>	<b>94,700</b>	<b>340,740</b>
<b>General &amp; Administrative</b>					
Equipment Rental	7,444	6,974	6,695		6,695
Membership & Subscriptions	28,225	29,802	28,943		28,943
Outside Professional Services	20,755	16,768	18,700		18,700
Repairs & Maintenance	939	1,898	2,575		2,575
Supplies	14,348	13,501	14,420		14,420
DP Equipment	15,820	2,387	4,635		4,635
Telephone/Internet	14,079	11,749	2,810		2,810
Other Office Expense	8,151	10,481	8,755		8,755
Office Rent	40,419	40,556	40,855		40,855
<b>Total General &amp; Administrative</b>	<b>150,180</b>	<b>134,117</b>	<b>128,388</b>		<b>128,388</b>
<b>Total TDC Contract Expense</b>	<b>915,819</b>	<b>935,530</b>	<b>877,716</b>	<b>94,700</b>	<b>972,416</b>
<b>County Direct</b>					
Category B Grants	3,196,783	2,803,218	2,400,000	328,878	2,728,878
Category C II Grants		400,000	320,000	49,922	369,922
Indirect Cost	206,647	233,809	231,740		231,740
Tax Collector Fees	56,085	54,977	55,873		55,873
<b>Total County Direct</b>	<b>3,459,515</b>	<b>3,492,004</b>	<b>3,007,613</b>	<b>378,800</b>	<b>3,386,413</b>
Cultural Reserves			339,517		339,517
<b>Total Cultural Council</b>	<b>4,375,334</b>	<b>4,427,534</b>	<b>4,224,846</b>	<b>473,500</b>	<b>4,698,346</b>



AMENDMENT TO  
AMENDED AND RESTATED AGREEMENT

This Amendment is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2009, to the Amended and Restated Agreement dated September 23, 2008, (hereinafter referred to as "Agreement"), by and 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 Sports Commission, Inc., a Florida not-for-profit corporation whose Federal I.D. number is 65-0263296, (hereinafter referred to as "PBCSC").

WHEREAS, the County and PBCSC entered into the Agreement which requires the PBCSC to provide services to the County relating to the administration of sports programs, activities and events that directly promote Palm Beach County tourism; and

WHEREAS, the County has now determined, in light of the current economic conditions and the negative impact of County tourism, that there is a need to infuse additional monies into a multi-prong marketing campaign to promote Palm Beach County; and

WHEREAS, the County has identified a portion of that additional funding for sports programs, activities and events to be undertaken by the PBCSC under the Agreement; and

WHEREAS, the Agreement requires an amendment to provide for a revised PBCSC budget to reflect the receipt of the additional funding from the County; and

WHEREAS, the parties have agreed that this Amendment is in the best interest of the PBCSC and the County's tourism promotion program.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

1. Exhibit A of the Agreement, '08 -'09 Budget, is deleted in its entirety and replaced with a new Exhibit A, '08 -'09 Budget, attached hereto and made a part hereof.
2. This Amendment shall become effective upon the enactment of the Tourist Development Ordinance providing for an amendment to the Tourist Development Plan reflecting expenditure from the operating reserve fund of the first (1<sup>st</sup>) percent of Tourist Development tax revenues for the promotion of Palm Beach County tourism.
3. All other terms and conditions of the Amended and Restated Agreement dated September 23, 2008, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment on the day and year first written above.

ATTEST:  
SHARON R. BOCK  
CLERK & COMPTROLLER

PALM BEACH COUNTY FLORIDA BY ITS  
BOARD OF COUNTY COMMISSIONERS

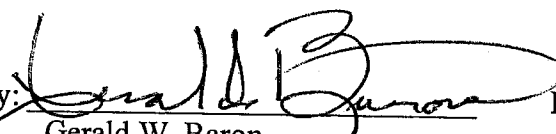
By: \_\_\_\_\_  
Deputy Clerk

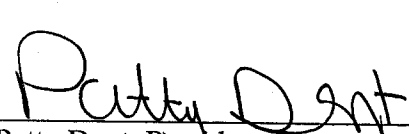
By: \_\_\_\_\_  
Commissioner John F. Koons, Chairman

(SEAL)

ATTEST:

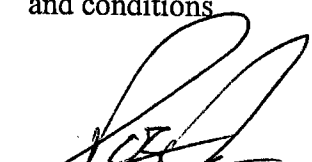
PALM BEACH COUNTY SPORTS  
COMMISSION, INC.


By:   
Gerald W. Baron  
Executive Director

By:   
Patty Dent, President

Approved as to terms  
and conditions

Approved as to form  
and legal sufficiency

  
\_\_\_\_\_  
TDC Executive Director

  
\_\_\_\_\_  
County Attorney

**Expense Summary as of 5/27/2009**

**Target Percentage 365.48 %**

**Fiscal Year 2009**

<u>Fund</u>	<u>Dept</u>	<u>Unit</u>	<u>Appropriation</u>	<u>Object</u>	<u>Adopted Budget</u>	<u>Current Modified Budget</u>	<u>Encumbered</u>	<u>Expended</u>	<u>Available</u>	<u>% Used</u>	
Fiscal Year 2009											
Department 710 Tourist Development											
Unit 7331 Sports Commission											
1457	710	7331	7107331OA	3080	Operating Expense-Indirect	72,065.00	72,065.00	0.00	25,625.12	46,439.88	35.56 %
1457	710	7331	7107331OA	3401	Other Contractual Services *	870,800.00	870,800.00	388,701.12	482,098.88	0.00	00.00 %
1457	710	7331	7107331OA	4101	Communication Services	15,656.00	15,656.00	0.00	971.34	14,684.66	6.20 %
1457	710	7331	7107331OA	4103	Comm/Suncom-Toll	1,868.00	1,868.00	0.00	0.00	1,868.00	0.00 %
1457	710	7331	7107331OA	4104	Comm/Commercial-Toll	1,776.00	1,776.00	0.00	0.00	1,776.00	0.00 %
1457	710	7331	7107331OA	4411	Rent-Office Space	120,500.00	120,500.00	29,615.91	88,847.82	2,036.27	98.31 %
1457	710	7331	7107331OA	4610	Repair/Maint-Buildings	750.00	750.00	0.00	0.00	750.00	0.00 %
1457	710	7331	7107331OA	4622	Rep/Maint-Telephone	2,500.00	2,500.00	0.00	112.50	2,387.50	4.50 %
1457	710	7331	7107331OA	4969	Tax Collector Commission	17,375.00	17,375.00	0.00	7,329.65	10,045.35	42.19 %
					<b>Operating</b>	<b>1,103,290.00</b>	<b>1,103,290.00</b>	<b>418,317.03</b>	<b>604,985.31</b>	<b>79,987.66</b>	<b>92.75 %</b>
1457	710	7331	7107331GA	8201	Contributions-Non-Govts Agr	250,000.00	250,000.00	0.00	142,650.00	107,350.00	57.06 %
					<b>Grants &amp; Aids</b>	<b>250,000.00</b>	<b>250,000.00</b>	<b>0.00</b>	<b>142,650.00</b>	<b>107,350.00</b>	<b>57.06 %</b>
<b>Total for Unit: 7331 Sports Commission</b>						<b>1,353,290.00</b>	<b>1,353,290.00</b>	<b>418,317.03</b>	<b>747,635.31</b>	<b>187,337.66</b>	<b>86.16 %</b>
Unit 7397 Sports Commission Reserves											
1457	710	7397	7107397NA	9902	Operating Reserves	285,430.00	453,484.00	0.00	0.00	453,484.00	0.00 %
					<b>Non Operating</b>	<b>285,430.00</b>	<b>453,484.00</b>	<b>0.00</b>	<b>0.00</b>	<b>453,484.00</b>	<b>0.00 %</b>
<b>Total for Unit: 7397 Sports Commission Reserves</b>						<b>285,430.00</b>	<b>453,484.00</b>	<b>0.00</b>	<b>0.00</b>	<b>453,484.00</b>	<b>0.00 %</b>
Department 820 Non-Oper Expenditures											
Unit 7290 Transfers											
1457	820	7290	8207290NE	9352	Tfr to 30M NAV 08A Ref DS	30,000.00	30,000.00	0.00	30,000.00	0.00	00.00 %
					<b>Non Operating</b>	<b>30,000.00</b>	<b>30,000.00</b>	<b>0.00</b>	<b>30,000.00</b>	<b>0.00</b>	<b>00.00 %</b>
<b>Total for Unit: 7290 Transfers</b>						<b>30,000.00</b>	<b>30,000.00</b>	<b>0.00</b>	<b>30,000.00</b>	<b>0.00</b>	<b>00.00 %</b>
<b>Fund 1457 TDC-Sports Commission</b>						<b>1,668,720.00</b>	<b>1,836,774.00</b>	<b>418,317.03</b>	<b>777,635.31</b>	<b>640,821.66</b>	
						<b>1,668,720.00</b>	<b>1,836,774.00</b>	<b>418,317.03</b>	<b>777,635.31</b>	<b>640,821.66</b>	

Exhibit A  
FY 2009 Budget Including Stimulus Revision

Account #	Contractual Expense	FY 2007 Actual	FY 2008 Actual	FY 2009 Budget	Plus Stimulus	FY 2009 Budget Including Stimulus Revision
4001	Travel & Per Diem	7,215	3,897	11,600	6,800	18,400
4101	Communication Services	1,548	2,712	2,500		2,500
4205	Postage	5,338	3,419	6,500		6,500
4406	Rent - Office Equipment	17,576	13,873	17,900		17,900
4411	Rent/Facility/Board Meetings	2,084	2,973	2,500		2,500
4412	Rent - Storage	8,324	7,220	8,200		8,200
4620	Repair & Maintenance - Equipment	7,924	6,197	8,600		8,600
4701	Printing & Binding	9,926	13,784	10,750	40,000	50,750
4803	Sales Entertainment	521	513	2,500		2,500
4805	Advertising	7,130	3,267	25,500	31,000	56,500
4809	Consumer & Trade Shows	1,790	0	6,500		6,500
4811	Promotional Items	4,852	203	4,500		4,500
4812	Business Development	3,948	14,775	17,000	10,000	27,000
4815	Administrative Expenses	531,294	525,758	697,640		697,640
4816	Promotional Memberships	2,444	3,930	2,500	1,000	3,500
4941	Registration Fees	1,831	1,711	2,500		2,500
4950	DP Network	3,294	27,789	15,360		15,360
5101	Office Supplies	10,823	10,371	6,500		6,500
5111	Office Furniture & Equipment	4,267	327	1,000		1,000
5121	DP Software & Accessories	1,412	16,908	13,350		13,350
5401	Books, Publications & Subscriptions	470	1,545	1,900		1,900
6405	DP Equipment	7,716	7,440	5,500		5,500
	<b>Total Contractual Expense</b>	<b>641,728</b>	<b>668,614</b>	<b>870,800</b>	<b>88,800</b>	<b>959,600</b>
	<b>Institute Rent Reimbursement</b>	<b>(10,968)</b>	<b>(10,186)</b>	<b>0</b>	<b>0</b>	<b>0</b>
		<b>630,760</b>	<b>658,428</b>	<b>870,800</b>	<b>88,800</b>	<b>959,600</b>
Account #	Direct County Expense	FY 2007 Actual	FY 2008 Actual	FY 2009 Budget	Plus Stimulus	FY 2009 Budget + Stimulus
3080	Indirect Cost	44,923	50,828	72,065		72,065
4101	Communication Services	6,546	2,563	15,656		15,656
4103	Comm/Suncom - Toll	165	0	1,868		1,868
4104	Comm/Commercial - Toll	0	0	1,776		1,776
4411	Rent	109,520	113,894	120,500		120,500
4610	Maintenance Building	0	0	750		750
4622	Maintenance Telephone	315	75	2,500		2,500
4969	Tax Collector Commissions	17,441	17,096	17,375		17,375
8201	Grants	197,700	249,680	250,000	* 58,500	308,500
9121	Blum Stadium Payments	30,000	19,559	30,000		30,000
	<b>Sub-Total County Expenditures</b>	<b>406,610</b>	<b>453,696</b>	<b>512,490</b>	<b>58,500</b>	<b>570,990</b>
	<b>Reserves</b>			<b>285,430</b>		<b>285,430</b>
	<b>Grand Total</b>	<b>1,037,370</b>	<b>1,112,123</b>	<b>1,668,720</b>	<b>147,300</b>	<b>1,816,020</b>

\* FY 2009 and FY 2010 expenditure

AMENDMENT TO  
AMENDED AND RESTATED AGREEMENT

This Amendment is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2009, to the Amended and Restated Agreement dated September 25, 2008, (hereinafter referred to as "Agreement"), by and 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 & TV Commission, Inc., a Florida not-for-profit corporation whose Federal I.D. number is 65-0692923 (hereinafter referred to as "PBCFTC").

WHEREAS, the County and PBCFTC entered into the Agreement which requires the PBCFTC to provide services to the County relating to the promotion of film and television production in the County and the promotion of Palm Beach County as an ideal film and television destination, and

WHEREAS, the County has now determined, in light of the current economic conditions and the negative impact on County tourism, that there is a need to infuse additional monies into a multi-prong marketing campaign to promote Palm Beach County; and

WHEREAS, the County has identified a portion of that funding to be provided to PBCFTC to undertake additional services to support film and television production in the County and to promote Palm Beach County as a film and television destination under the Agreement; and

WHEREAS, the Agreement requires an amendment to provide for a revised PBCFTC budget to reflect the receipt of the additional funding from the County; and

WHEREAS, the parties have agreed that this Amendment is in the best interest of the PBCFTC and the County's tourism promotion program.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

1. Exhibit A of the Agreement (annual Budget) is hereby deleted in its entirety and replaced with a new Exhibit A, '08 -'09 Budget, attached hereto and made a part hereof.
2. This Amendment shall become effective upon the enactment of the Tourist Development Ordinance providing for an amendment to the Tourist Development Plan reflecting expenditure from the operating reserve fund of the first (1<sup>st</sup>) percent of Tourist Development tax revenues for the promotion of Palm Beach County tourism.

3. All other terms and conditions of the Amended and Restated Agreement dated September 25, 2008, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment on the day and year first written above.

ATTEST:  
SHARON R. BOCK  
CLERK & COMPTROLLER

PALM BEACH COUNTY FLORIDA BY ITS  
BOARD OF COUNTY COMMISSIONERS

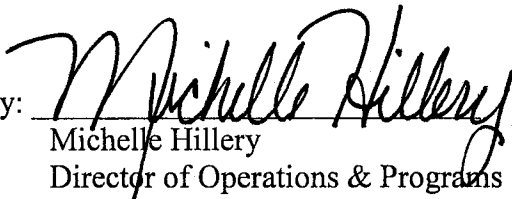
By: \_\_\_\_\_  
Deputy Clerk

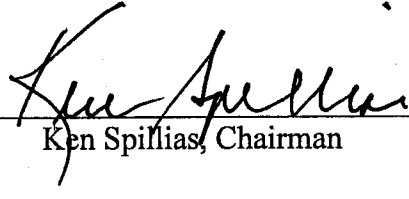
By: \_\_\_\_\_  
Commissioner John F. Koons, Chairman

(SEAL)

ATTEST:

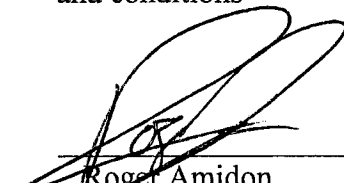
PALM BEACH COUNTY FILM & TV  
COMMISSION, INC.


By:   
Michelle Hillery  
Director of Operations & Programs

By:   
Ken Spillias, Chairman

Approved as to terms  
and conditions

Approved as to form  
and legal sufficiency

  
\_\_\_\_\_  
Roger Amidon  
TDC Executive Director

  
\_\_\_\_\_  
Maureen Cull  
County Attorney

**PALM BEACH COUNTY FILM & TELEVISION COMMISSION**

**REVISED FY 2009 LINE ITEM BUDGET - EXHIBIT "A"**

	CONTRACTUAL EXPENSES	PLUS STIMULUS	DIRECT COUNTY EXPENSES	RESERVES	TOTAL EXPENSES & RESERVES
100 ADMINISTRATION	\$486,278	\$12,900	\$0	\$0	\$499,178
200 OPERATIONS	\$17,500		\$0	\$0	\$17,500
300 PROGRAM	\$44,000	\$69,600	\$0	\$0	\$113,600
3080 INDIRECT OPERTING EXPENSES	\$0		\$40,356	\$0	\$40,356
4101 COMMUNICATION SERVICES	\$0		\$5,000	\$0	\$5,000
4103 COMM/SUNCOM-TOLL	\$0		\$400	\$0	\$400
4104 COMM/COMMERCIAL TOLL	\$0		\$2,000	\$0	\$2,000
4411 RENT	\$0		\$57,000	\$0	\$57,000
4418 RENT-PAGER SERVICES	\$0		\$0	\$0	\$0
4969 TAX COLLECTOR'S COMMISSION	\$0		\$9,730	\$0	\$9,730
9672 RESTRICTED RESERVE (GASB 31)	\$0		\$0	\$0	\$0
9938 TDC RESERVES	\$0		\$0	\$40,745	\$40,745
9939 FTV COMMISSION RESERVES	\$0		\$0		
<b>TOTALS:</b>	<b>\$547,778</b>	<b>\$82,500</b>	<b>\$114,486</b>	<b>\$40,745</b>	<b>\$785,509</b>