

PALM BEACH COUNTY

BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: 7/7/2009 [X] Consent [] Regular [] Workshop [] Public Hearing

Department

Submitted By: TOURIST DEVELOPMENT COUNCIL

Submitted For: Cultural Council

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

A.) Approve Addendums to the standard form Category "B" Grant Agreement and Category "CII" Grant Agreement to provide "TDC stimulus" funding for out-of-county marketing of Cultural programs;

B) Authorize The County Administrator or his designee to execute the Addendum with grantees.

Summary: These Addendums to the Category "B" and "CII" grant agreements will provide the terms and conditions of grantees' receipt of additional 'stimulus' funding for marketing and advertising their Cultural programs to promote Palm Beach County tourism. Countywide (MC)

Background and Justification: The Palm Beach County Cultural Council administers the Category "B" and "CII" grant programs for the TDC. Each year, after approval by the Cultural Council and the TDC, recipients of the grants enter into standard agreements with the County to provide the terms and conditions of "bed tax" funding of their cultural programs with execution of the agreement by the Executive Director of the Tourist Development Council.

This year, as part of the TDC Stimulus Program, the County has made additional monies available to cultural grantees for the out-of-county marketing of their programs. The attached agreement will be an Addendum to the Grant Agreement to provide for the additional marketing dollars. Upon approval by the TDC, the Addendum for each recipient will be executed by the Executive Director of the TDC on behalf of the County.

D. Attachments:

- 1. Addendum for Category "B"
2. Addendum for Category "CII"

Recommended by:

[Signature]
Department Director

6/25/09
Date

Approved By:

[Signature]
Deputy County Administrator

6/25/09
Date

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				
NET FISCAL IMPACT	=====	=====	=====	=====	=====
 # ADDITIONAL FTE POSITIONS (Cumulative	_____	_____	_____	_____	_____

Is Item Included In Current Budget? Yes X No. _____

Budget Account No.: Fund 1455 Agency 710 Org. 7423 Object 8201
Reporting Category _____

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

First Cent of bed tax operating reserves.

C. Department Fiscal Review: W. T. Danfina

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Administration Comments:

* Approval of the addendum to Categories "B" & "CII" grants will have no fiscal impact. However, a total of \$378,800 in grants will be given out at a later date as stimulus grants.

W. T. Danfina 7/1/09
OFMB 6/26/09 CN 6/26/09

Don J. Jacobson 7/1/09
Contract Dev. and Control

B. Legal Sufficiency:

Maureen Cullen
Assistant County Attorney

C. Other Department Review:

Rena Blades Rena Blades
President and CEO, Cultural Council

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

Addendum
To
Tourist Development Tax Category B
Grant Agreement

This Addendum, entered into this ___ day of _____, 2009, to the Grant Agreement, dated ___ (date of grant agreement)_, by and between Palm Beach County, a political subdivision of the State of Florida, hereinafter "County", and ___ (grantee name)_, hereinafter "Grantee".

WHEREAS, the County has contracted with the Palm Beach County Cultural Council, hereinafter "Cultural Council", to carry out certain functions for the County's Tourist Development Plan which duties include the administration of Category B cultural grants for programs that promote Palm Beach County tourism; and

WHEREAS, Grantee was selected as a recipient of a Category B grant and entered into an agreement, hereinafter "Grant Agreement", whereby the County provided funding from Tourist Development Tax ("bed tax") revenues for Grantee's cultural program; and

WHEREAS, the County has made available additional monies ("stimulus program") to fund the out-of-county marketing and advertising of cultural programs to assist in the promotion of Palm Beach County tourism during the current downturn in the economy; and

WHEREAS, the Grantee has been identified as a recipient of "stimulus program" funding for the out-of-county marketing and advertising of its program; and

WHEREAS, the County and Grantee wish to enter into this Addendum to the Grant Agreement to provide for the terms and conditions under which the Grantee will receive the funding and carryout the additional promotional activities for the "stimulus program".

NOW, THEREFORE, the parties agree as follows:

- (1) The County will provide an amount not to exceed \$_____, on a reimbursement basis, to Grantee for its out-of-county marketing and advertising expenses relating to _____ (name of the program)_____.
- (2) For the purposes of this Addendum, "out-of-county" marketing and advertising shall mean marketing and advertising targeting areas outside the limits of Palm Beach County, Florida.
- (3) The Grantee will market and promote its programs as set forth in Exhibit A the proposed Advertising Plan.
- (4) The Grantee will comply with the provisions of the Grant Program Reimbursement Guidelines, attached hereto and incorporated herein as Exhibit B.

(5) All other terms and conditions of the Grant Agreement shall remain in full force and effect to the extent the terms and conditions are not in conflict with the provisions of this Addendum.

IN WITNESS WHEREOF, the Grantee and the Executive Director of the Tourist Development Council of Palm Beach County, Florida, on behalf of the County, have made and executed this Addendum:

COUNTY WITNESS:

PALM BEACH COUNTY, FLORIDA:

By: _____

By: _____

Roger Amidon, Executive Director
Tourist Development Council

Name (Type or Print)

GRANTEE WITNESS:

GRANTEE ORGANIZATION:

By: _____

By: _____

Name (Type or Print)

Name/Title (Type or Print)

**APPROVED AS TO FORM AND LEGAL
SUFFICIENCY: COUNTY**

(CORPORATE SEAL)

By: _____

County Attorney

**APPROVED AS TO TERMS AND CONDITIONS:
PALM BEACH COUNTY CULTURAL COUNCIL**

By: _____

Rena Blades, President and CEO

Addendum
To
Tourist Development Tax Category CII
Grant Agreement

This Addendum, entered into this ___ day of _____, 2009, to the Grant Agreement, dated ___ (date of grant agreement)__, by and between Palm Beach County, a political subdivision of the State of Florida, hereinafter "County", and ___ (grantee name)__, hereinafter "Grantee".

WHEREAS, the County has contracted with the Palm Beach County Cultural Council, hereinafter "Cultural Council", to carry out certain functions for the County's Tourist Development Plan which duties include the administration of Category CII cultural grants for programs that promote Palm Beach County tourism; and

WHEREAS, Grantee was selected as a recipient of a Category CII grant and entered into an agreement, hereinafter "Grant Agreement", whereby the County provided funding from Tourist Development Tax ("bed tax") revenues for Grantee's cultural program; and

WHEREAS, the County has made available additional monies ("stimulus program") to fund the out-of-county marketing and advertising of cultural programs to assist in the promotion of Palm Beach County tourism during the current downturn in the economy; and

WHEREAS, the Grantee has been identified as a recipient of "stimulus program" funding for the out-of-county marketing and advertising of its program; and

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PALM BEACH COUNTY, FLORIDA:

By: _____

By: _____

Roger Amidon, Executive Director
Tourist Development Council

Name (Type or Print)

GRANTEE WITNESS:

GRANTEE ORGANIZATION:

By: _____

By: _____

Name (Type or Print)

Name/Title (Type or Print)

**APPROVED AS TO FORM AND LEGAL
SUFFICIENCY: COUNTY**

(CORPORATE SEAL)

By: _____
County Attorney

**APPROVED AS TO TERMS AND CONDITIONS:
PALM BEACH COUNTY CULTURAL COUNCIL**

By: _____
Rena Blades, President and CEO