Agenda Item #: 3CC-1

PALM BEACH COUNTY

BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date:

3 /1/ 11

[X] Consent

[] Regular
[] Public Hearing

Department

Submitted By:

TOURIST DEVELOPMENT COUNCIL

Submitted For:

PALM BEACH COUNTY CULTURAL COUNCIL, INC.

Ordinance

I. EXECUTIVE BRIEF

Motion and Title: STAFF RECOMMENDS MOTION TO APPROVE: A) Amendment to the Amended and Restated Agreement (R2010-1457) with the Palm Beach County Cultural Council, Inc. (the "Cultural Council") for the provision of services under the County's Tourist Development Plan from October 1, 2010 through September 30, 2011; and B) A budget transfer of \$75,000 from reserves in the TDC Cultural Arts Fund.

Summary: This amendment to the Amended and Restated Agreement provides for a revised FY 2011 Annual Budget (Exhibit A) with an increase of \$ 75,000 to be funded from its current reserve of \$ 426,938. The increased funds will provide for additional advertising in the Marketing Plan, a re-titled Web Site Manager's position as reflected in revised Exhibits "G"/Salary ranges and "H"/Organizational Chart and computer and AV equipment needs for promotional purposes for the new Cultural Information Center. Countywide (MC)

Background and Justification: The amendment to the Amended and Restated Agreement provides for a revised FY 2011 Annual Budget (Exhibit A) to include \$75,000 to replace a (currently vacant) position of Marketing Administrator with a Marketing Coordinator position, to change a current Marketing Coordinator position to a re-titled Web Site Manager position (with no change to salary range), to purchase computers and AV equipment for the new Cultural Information Center, (as reflected in revised Exhibits "G" and "H") to upgrade design capabilities and the ability to produce Cultural Information Center videos, to upgrade accounting software and to increase tourism advertising. Increased occupancy and increased bed tax collections were fueled in part by the increase in advertising and promotion undertaken by the TDC agencies, including the Council. This increase in tourism, plus the move the Montgomery Building, with its Cultural Information Center, justifies this request at this time.

Attachments: A. Amendment to the amended and restated contract w/exhibits

B. Budget Franske

Recommended by:

<u>~///</u> Date

Department Director

Approved By:

Deputy County Administrator

II. FISCAL IMPACT ANALYSIS

A. PIV	Teal Summary of I	iscai impac	[:				
Fiscal Y	Years	2011	2012	2013	2014	2015	
Capital	Expenditures					<u>-:</u>	
Operati	ing Costs	\$ 75,000 _			· .		
Externa	al Revenues						
Program	m Income (County)		With half had you	nucleus and starting		***************************************	
In-Kind	l Match (County)				Muna		
NET F	FISCAL IMPACT	\$ 75,000					
	OITIONAL FTE FIONS (Cumulative)	- 1-	0	0	0	0	
Is Item	Included In Propose	d Budget?	Yes		No. X		
Budget	Account No.: Fund_	_ D	ept	Unit		Object	
Reporti	ng Category						
B. I	Recommended Source The Cultural Council 1	ces of Funds/ receives 22.5	Summary 1% of the 2	of Fisca	l Impact: d 5 th cent o	of the local option bed tax.	
C. I	Department Fiscal R	eview: Lin	Mu	June			
		III. <u>RE</u>	VIEW CO	MMEN	<u>rs</u>		
A. (OFMB Fiscal and/or	Contract Ad	lministrati	ion Com	A _	2125/11	
METIN	Dal Syry OFME	2/2	Contra	ct Dev, a	d Control	accomban Anna	
_	Approved as to form Manuela Assistant County Att	Cull	afficiency:	w 15	th of Rad	he colling Agree he collinal or 107-1022. This rent is vetward	na(
		J		AV	ninda	15 returne	reve
C. A	approved as to Term	s and Condi	tions:				
D	Department Director						
T	his summary is not	to be used as	a basis for	r paymei	nt.		

AMENDMENT TO AMENDED AND RESTATED AGREEMENT BETWEEN PALM BEACH COUNTY AND THE PALM BEACH COUNTY CULTURAL COUNCIL, INC.

This Amendment is made and entered into this _____ day of ______, 2011, to that Amended and Restated Agreement (R2007-1622) dated September 25, 2007("Agreement"), as most recently amended on September 14, 2010, (hereinafter "2010 Amendment"), by and between the Board of County Commissioners of Palm Beach County, Florida, a political subdivision of the State of Florida (hereinafter "County"), and the Palm Beach County Cultural Council, Inc., a Florida not-for-profit corporation (hereinafter "Council") whose Federal Identification Number is 59-1862336.

WHEREAS, the County and the Council entered into a five year Agreement whereby the Council agreed 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, on September 14, 2010, the parties amended the Agreement to provide for revisions for the fourth year of the five year term; and

WHEREAS, the parties wish to further amend the Agreement to provide for a revised FY 2011 Budget, a revised Exhibit G/ Annual Salary Ranges, and a revised Exhibit H/ Organizational Chart; and

WHEREAS, the parties have agreed that this amendment is in the best interest of the Council and the County.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto agree that the 2010 Agreement to the Amended and Restated Agreement shall be amended as follows:

1. Exhibit A to the 2010 Amendment entitled "TDC Budget Line Items FY2011" is deleted in its entirety and replaced with a revised Exhibit A entitled "Palm Beach County Cultural Council/TDC Budget Line Items FY2011" (Revised February 2011)

- 2. Exhibit G to the 2010 Amendment entitled "Palm Beach County Cultural Council Tourist Development Council- Annual Salary Ranges FY20100" is deleted in its entirety and replaced with a new Exhibit G entitled "FY 2011 Palm Beach County Cultural Council Tourist Development Council Annual Salary Ranges (Revised February, 2011)."
- 3. Exhibit H to the 2010 Amendment entitled "Palm Beach County Cultural Table of Organization" is deleted in its entirety and replaced with a new Exhibit H entitled "Palm Beach County Cultural Council Organizational Chart (Revised February 2011)."
- 4. Any and all other provisions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed as of the date and year above written.

ATTEST:	
SHARON R. BOCK CLERK & COMPTROLLER	PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS
By: Deputy Clerk	By: Karen Marcus, Chair
(SEAL)	
ATTEST:	PALM BEACH COUNTY CULTURAL COUNCIL, INC.
By: Corporate Secretary	By: Michael J. Bracci, Chairman
(SEAL)	

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

APPROVED AS TO TERMS AND CONDITIONS

Bv:

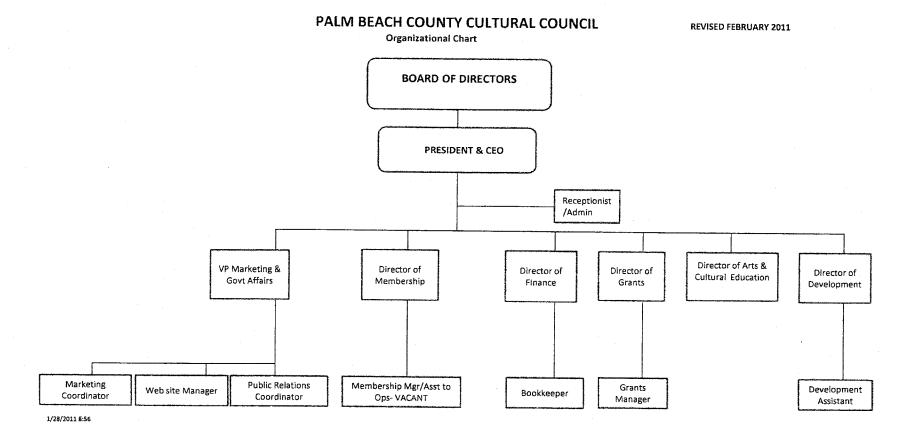
By: Maureum 7
County Attorney

Tourist Development Council

 $G: WPDATA \c LEN \c Cultural-County\ amendment\ Feb\ 2010. doc$

PALM BEACH COUNTY CULTURAL COUNCIL TDC BUDGET LINE ITEMS FY 2011 EXHIBIT A

EXHIBIT A							
** Contract Line Items			Amended				
	FY 2008	FY 2009	FY 2010	FY 2010	FYE 2011	Amended	Budget VS
	Actual	Actual	Budget	Forecast	Budget	FY 2011	Amended FY11
Salaries & Related							
Salary and Wages	346,998	432,993	409,427	400 427	417.000	444740	22.750
PR Taxes & Benefits	71,328	93,977	•	409,427	417,968	441718	
Contract Staff	71,326	33,377	80,831	80,831	103,388	107638	4,250
Total Staffing **	410 226	F2C 070	400 050				
Total Starring	418,326	526,970	490,258	490,258	521,357	549356	28,000
Marketing and Related							
Advertising	121,214	25,498	23,500	25,409	25,500	47500	22,000
Agency Services/Web Design	42,175	8,953	15,000	12,636	15,000		•
Events, Meetings & Conferences	37,871	2,448	2,000	2,107	2,000	2000	
Freight & Delivery	71,580	15,450	15,000	14,051	15,000		
Postage	8,698	5,273	5,000	5,414	5,500	5500	
Printing	62 ,7 95	69,317	31,500	43,938	31,500	31500	
Surveys & Studies	1,950	1,500	22,300	175	31,300	31300	_
Travel	16,052	4,280	4,500	3,721	4,500	4500	
Video/Radio & Other	20,751	16,900	5,000	5,000	10,000	18500	
Total Marketing & Related **	383,086	149,619	101,500	112,451	109,000	139500	•
	•	•	,	,		20000	30,300
General & Administrative							
Equipment Rental	6,974	7,656	6,695	6,410	6,700	6700	-
Membership & Subscriptions	29,802	27,448	4,605	2,331	2,500	2500	_
Outside Professional Services	16,768	16,704	18,700	18,000	18,500	18500	-
Repairs & Maintenance	1,898	3,359	2,575	2,600	3,200	3200	-
Supplies	13,501	10,615	12,500	5,000	8,000	8000	Ē
DP Equipment	2,387		4,635			16500	16,500
IT Service					12,000	12000	
Adminstrative fee					1,851	1851	
Telephone/Internet	11,749	5,621	2,810	6,930	7,000	7000	≟
Insurance				6,000	6,500	6500	-
Other Office Expense	10,481	5,770	8,500	2,748	2,667	2667	-
Office Rent	40,556	39,983	40,855	40,905	41,000	41000	
Total General & Administrative **	134,117	117,156	101,875	90,924	109,918	126418	
Subtotal	935,530	793,745	693,633	693,633	740,275	815,274	75,000
Stimulus-Contract		36,989	57,711	57,711		·	,
		,					
Total TDC Contract Expense	935,530	830,734	751,344	751,344	740,275	815,274	75,000
County Direct							
Category B Grants	2,803,218	1,862,795	1,564,000	1,564,000	1,657,840	1657840	
Category C II Grants	400,000	251,592	210,000	210,000	222,600	222600	
Stimulus B	•	109,316	217,531	217,531	222,000	222000	
Stimuls CII		11,409	40,544	40,544			
Inspector General Fee		,.05	10,5-1-1	40,344	4,701	4701	
Indirect Cost	233,809	231,740	233,795	227,532	193,670	193670	
Tax Collector Fees	54,977	43,901	43,018	42,542	43,421	43421	
Total County Direct	3,492,004	2,510,753	2,308,888	2,302,149	2,122,232	2,122,232	
Reserves	567,746	690,888	34,863	511,687	426,938	351,938	(75,000)
Tatal Cultural Carrell				• • • • • • • • • • • • • • • • • • •		•	
Total Cultural Council	4,995,280	4,032,375	3,095,095	3,565,180	3,289,445	3,289,444	



FY 2011 EXHIBIT "G"

PALM BEACH COUNTY CULTURAL COUNCIL TOURIST DEVELOPMENT COUNCIL ANNUAL SALARY RANGES

	Low	<u>High</u>
Vice President Marketing & Govt. Relations	\$75,000	\$128,125
Director of Finance	\$65,000	\$97,375
Director of Grants	\$65,000	\$97,375
Marketing Coordinator	\$30,000	\$48,688
Public Relations Coordinator	\$30,000	\$48,688
Web Site Manager	\$30,000	\$48,688
Bookkeeper	\$35,000	\$46,125
Operations Assistant	\$30,000	\$41,000
Secretary to CEO	\$30,000	\$46,125
Grants Manager	\$ 35,000	\$ 51,250

BGEX 013111*0853

BOARD OF COUNTY COMMISSIONERS PALM BEACH COUNTY, FLORIDA

BUDGET TRANSFER FUND 1455 TDC Cultural Arts

ACCO	UNT NAME AND NUMBER	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED AS OF 02/10/11	REMAINING BALANCE
EXPENDITURES	<u> </u>							
710-7014-3401	Other Contractual Services	740,274	740,274	75,000	0	815,274	740,274	75,000
710-7396-9902	Reserve- Operating	426,938	426,938	0	75,000	351,938	0	351,938
	TOTALS			75,000	75,000			

Tourist Development

INITIATING DEPARTMENT/DIVISION
Administration/Budget Department Approval
OFMB Department - Posted

Signatures & Dates

BY BOARD OF COUNTY COMMISSIONERS

AT MEETING OF

3/1/2011

Deputy Clerk to the Board of County Commissioners

(1/8/1/201 Sy