

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2020	2021	2022	2023	2024
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	(7,430,066)	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	-----	-----	-----	-----	-----
In-Kind Match (County)	-----	-----	-----	-----	-----
	(7,430,066)				
NET FISCAL IMPACT	=====	=====	=====	=====	=====
# ADDITIONAL FTE POSITIONS (Cumulative)	- 0-	0----	0----	0----	0-----
Is Item Included In Proposed Budget?	Yes _____		No. <u> X </u>		

Budget Account No.: Fund _____ Dept _____ Unit _____ Object _____
 Reporting Category _____ VARIOUS

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

- 2nd, 3rd, 5th, and 6th of the Local Option Bed Tax
- 1454-710-7420-3401 (\$6,000,000)
- 1455-710-7014-3401 (\$631,570)
- 1457-710-7331-3401 (\$333,496)
- 1451-710-7240-3401 (\$465,000)

C. Department Fiscal Review:

[Handwritten Signature]

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Administration Comments:

[Handwritten Signature] 7/19/2020
 _____ OFMB
[Handwritten Signature] 7/10/2020
 _____ Contract Dev. and Control

B. Approved as to form and Legal Sufficiency:

[Handwritten Signature]

 Assistant County Attorney

C. Approved as to Terms and Conditions:

[Handwritten Signature]

 Department Director

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

Background and Justification Continued:

Tourism business intelligence for the United States highlights that 46% of Americans plan to travel as soon as the COVID19 lockdown is over, 42% of Americans plan to visit family and friends as soon as travel is permitted, and 53% of Americans trust the travel and hospitality industry to follow safety protocols post lockdown. Data suggests the first leisure travel trip will likely be to destinations with beaches, resorts, and less dense areas.

Palm Beach County is well positioned to capture that first leisure traveler trip with our 47 miles of beaches, our world class resorts on those beaches and the lower density in our cities and towns along with our award winning parks and environmental areas throughout the County. This forecasted (33%) decline in “bed tax” collections (revenues) is the result of hotel occupancy for FY20 projected to be slightly less than 50%, in comparison pre-COVID 19 annual hotel occupancy levels averaging 73%. This loss of revenues to fund operations required the immediate deferral of marketing and advertising expenses, reductions in contracted agency staff and open staff positions and reductions in both Cultural Category B and CII Marketing Grants along with Sports Commission Event hosting grants, both of which are administered by these TDC agencies on behalf of the Board of County Commissioners.

Prior to the COVID-19 outbreak, Fiscal Year 2020 was on target to exceed the 4 % budgeted growth in bed tax revenues approved by the TDC for this year. The Tourist Development Tax (bed tax) loss impact to our contracted marketing agencies , beach renourishment programs and tourism asset debt service and renewal/replacement reserves is estimated to exceed (\$20) million for (33%) decrease in comparison the approved Budget. The County’s recovery in tourism will be years compared to months. The annual pre COVID 19 level of “bed tax” collections/revenues witnessed in FY2019 of \$54.2 million will not be seen until FY2023 and FY2024.

At the direction of the Tourist Development Council Board and Finance Committee, TDC staff coordinated the development of tactical marketing and promotional plans using defined stimulus funds and operating reserves with all contracted agencies to create demand in our key markets to supplement these lower contract funding levels. These FY2020 Contract amendments include budget exhibits reflective reductions for post-COVID 19 operating budgets as approved and recommended to the BCC by the TDC Board at the regular scheduled May 14th meeting. The FY2020 and FY2021 Marketing Stimulus Proposal will be presented through a separate agenda item, including a Tourism Marketing Recovery Plan, both of which were approved by the TDC Board at a Special TDC Marketing Workshop on May 28th.

THIRD AMENDMENT TO THE AGREEMENT
between
PALM BEACH COUNTY
and
DISCOVER PALM BEACH COUNTY, INC.

THIS THIRD AMENDMENT is executed this _____, 2020 to amend the Agreement dated October 17, 2017 (R2017-1633 as amended), hereafter the "AGREEMENT", by and between Palm Beach County, a political subdivision of the State of Florida (hereafter "COUNTY") and DISCOVER PALM BEACH COUNTY, INC., (hereafter "DISCOVER" or "AGENCY").

WHEREAS, COUNTY has previously entered into an AGREEMENT with DISCOVER an independent contractor, to provide services necessary to assist the COUNTY in carrying out projects of the Tourist Development Plan; and

WHEREAS, COVID-19 has caused the tourism industry to temporarily cease operations across the world beginning in March 2020; and

WHEREAS, tourism tax dollars have declined, negatively impacting funding availability; and

WHEREAS, Pursuant to Section 23 of the Agreement performance and obligation to pay under the Agreement are contingent upon the allocation of Tourist Development Tax funds for the purposes and uses provided in the AGREEMENT, and an annual allocation of available Tourist Development Tax funds is recommended by the Tourist Development Council and approved by the Board of County Commissioners; and

WHEREAS, since the annual allocation approval and as a result of the circumstances outlined above, the Tourist Development Council has identified the need to reduce monies allocated to DISCOVER to implement the fiscal year 2020 tourism plan for Palm Beach County; and

WHEREAS, The Tourist Development Council has identified the need to reallocate monies to implement a multi-prong marketing campaign to stimulate tourism to Palm Beach County; and

WHEREAS, The Tourist Development Council recommended during its May 14th regular scheduled meeting, a plan which would decrease DISCOVER funding from \$18,500,000.00 to \$12,500,000.00 for the remainder of fiscal year 2020 ending September 30th, 2020; and

WHEREAS, the Tourist Development Council recommended during its May 14th regular scheduled meeting a plan which would allow DISCOVER to use up to 50% of their Category A fund reserve, to no less than seven and one-half percent (7.5%) of the total operating expenses; and

WHEREAS, the Tourist Development Council recommended during its June 11th regular scheduled meeting a plan which would allow DISCOVER to be allocated stimulus marketing funds for Category A, based funding from tourist development funds allocated to all marketing agencies per the Tourist Development Ordinance of Palm Beach County Article III Tourist Development Tax.

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

1. The revised FY20 budget as reflected in Exhibit "A" is amended to **\$ \$14,504,289.00** and reflective of tourist development tax funding reductions and the addition of **\$966,400.00** in marketing stimulus funding, in addition to the allowed usage of Category A reserves of **\$884,753.00** for use as marketing stimulus funding.
2. The revised Exhibit "A" reflects a reduction of **\$4,403,084.00** from the original funding level.
3. The AGREEMENT shall remain in full force and effect except as specifically amended herein.

REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY

IN WITNESS WHEREOF, the parties hereto have executed this AGREEMENT as of _____, 2020.

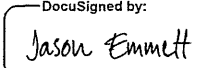
ATTEST:

Clerk & Comptroller
Palm Beach County

By: _____
Deputy Clerk

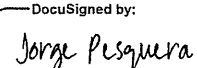
By: _____
Dave Kerner, Mayor

WITNESS:

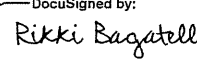
By: 
E4845FA426924E4...
Board Authorization

Print: Jason Emmett


DISCOVER PALM BEACH COUNTY, INC.

By: 
91D130B43BE343E...
Jorge Pesquera, President & CEO

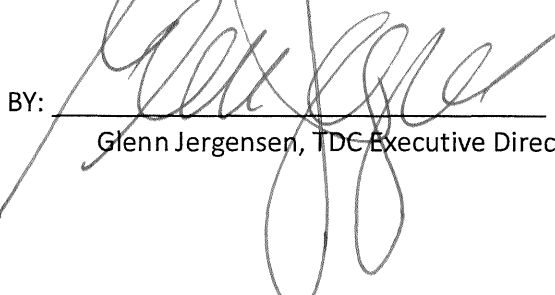
APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

By: 
DEBC4CDD78DB483...
Discover Attorney

APPROVED AS TO LEGAL
SUFFICIENCY:

By: 
County Attorney

APPROVED AS TO TERMS AND CONDITIONS:

By: 
Glenn Jergensen, TDC Executive Director

PALM BEACH COUNTY
Discover The Palm Beaches
Exhibit A

Discover FY20 Contract	FY18 Actual	FY19 Actual	FY20 Budget	FY20 Amended Budget
Personnel	\$ 4,661,329	\$ 5,037,895	\$ 5,829,618	\$ 4,957,981
Marketing & Promotion	\$ 10,018,414	\$ 11,685,282	\$ 11,917,893	\$ 7,114,003
General & Administrative	\$ 842,819	\$ 603,087	\$ 752,489	\$ 428,016
Total Discover Contract	\$ 15,522,561	\$ 17,326,263	\$ 18,500,000	\$ 12,500,000
Marketing Stimulus	\$ 20,200	\$ -	\$ -	\$ 1,851,153
County Direct	\$ 73,958	\$ 92,748	\$ 407,373	\$ 153,136
Total Discover Expenses	\$ 15,616,719	\$ 17,419,011	\$ 18,907,373	\$ 14,504,289
Reserves	\$ 5,822,961	\$ 5,258,875	\$ 3,010,798	\$ 2,654,374
Total Discover Expense Budget	\$ 21,439,680	\$ 22,677,886	\$ 21,918,171	\$ 17,158,663



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
10/7/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER License # 0E67768 Insurance Office of America, Inc. Abacoa Town Center 1200 University Blvd, Suite 200 Jupiter, FL 33458	CONTACT NAME: Annie Uribe PHONE (A/C, No, Ext): (561) 296-5966 26059 FAX (A/C, No): (561) 776-0670 E-MAIL ADDRESS: Annie.Uribe@ioausa.com													
	<table border="1"> <thead> <tr> <th>INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> </thead> <tbody> <tr> <td>INSURER A : Southern-Owners Insurance Company</td> <td>10190</td> </tr> <tr> <td>INSURER B : Auto-Owners Insurance Company</td> <td>18988</td> </tr> <tr> <td>INSURER C : Continental Casualty Company</td> <td>20443</td> </tr> <tr> <td>INSURER D : Travelers Casualty & Surety Company</td> <td>19038</td> </tr> <tr> <td>INSURER E : Scottsdale Insurance Company</td> <td>41297</td> </tr> <tr> <td>INSURER F :</td> <td></td> </tr> </tbody> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A : Southern-Owners Insurance Company	10190	INSURER B : Auto-Owners Insurance Company	18988	INSURER C : Continental Casualty Company	20443	INSURER D : Travelers Casualty & Surety Company	19038	INSURER E : Scottsdale Insurance Company	41297	INSURER F :
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INSURER F :														
INSURED Discover Palm Beach County, Inc. dba Discover The Palm Beaches 2195 Southern Blvd Suite 400 West Palm Beach, FL 33406														

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:	X		72700706-19	10/1/2019	10/1/2020	EACH OCCURRENCE \$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000
							MED EXP (Any one person) \$ 10,000
							PERSONAL & ADV INJURY \$ 1,000,000
							GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMP/OP AGG \$ 2,000,000
							HNO AUTO \$ 1,000,000
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> HIREN AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						BODILY INJURY (Per person) \$
							BODILY INJURY (Per accident) \$
							PROPERTY DAMAGE (Per accident) \$
							\$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			4740089100	10/1/2019	10/1/2020	EACH OCCURRENCE \$ 5,000,000
							AGGREGATE \$ 5,000,000
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	5094636760	10/1/2019	10/1/2020	PER STATUTE OTH-ER
							E.L. EACH ACCIDENT \$ 500,000
							E.L. DISEASE - EA EMPLOYEE \$ 500,000
							E.L. DISEASE - POLICY LIMIT \$ 500,000
D	Crime			105684996	10/1/2019	10/1/2020	Deductible \$10,000 5,000,000
E	Directors & Officers			EKI3308022	10/1/2019	10/1/2020	Retention \$10,000 5,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER Palm Beach County Board of County Commissioners Attn: TDC 2195 Southern Blvd, Suite 500 West Palm Beach, FL 33401	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <i>C. Ray Dorsey III</i>
---	--

THIRD AMENDMENT TO THE AGREEMENT
between
PALM BEACH COUNTY
and
CULTURAL COUNCIL OF PALM BEACH COUNTY, INC.

THIS THIRD AMENDMENT is executed this _____, 2020 to amend the Agreement dated October 17, 2017 (R2017-1632 as amended) hereafter the "AGREEMENT", by and between Palm Beach County, a political subdivision of the State of Florida (hereafter "COUNTY") and CULTURAL COUNCIL OF PALM BEACH COUNTY, INC., d.b.a. Cultural Council for Palm Beach County, (hereafter "CULTURAL COUNCIL" or "AGENCY").

WHEREAS, COUNTY has previously entered into an AGREEMENT with CULTURAL COUNCIL an independent contractor, to provide services necessary to assist the COUNTY in carrying out projects of the Tourist Development Plan; and

WHEREAS, COVID-19 has caused the tourism industry to temporarily cease operations across the world beginning in March 2020; and

WHEREAS, tourism tax dollars have declined, negatively impacting funding availability; and

WHEREAS, Pursuant to Section 23 of the Agreement performance and obligation to pay under the Agreement are contingent upon the allocation of Tourist Development Tax funds for the purposes and uses provided in the AGREEMENT, and an annual allocation of available Tourist Development Tax funds is recommended by the Tourist Development Council and approved by the Board of County Commissioners; and

WHEREAS, since the annual allocation approval and as a result of the circumstances outlined above, the Tourist Development Council has identified the need to reduce monies allocated to CULTURAL COUNCIL to implement the fiscal year 2020 tourism plan for Palm Beach County; and

WHEREAS, The Tourist Development Council has identified the need to reallocate monies to implement a multi-prong marketing campaign to stimulate tourism to Palm Beach County; and

WHEREAS, The Tourist Development Council recommended during its May 14th regular scheduled meeting, a plan which would decrease CULTURAL COUNCIL funding from

\$2,845,505.00 to \$2,253,935.00 for the remainder of fiscal year 2020 ending September 30th, 2020; and

WHEREAS, the Tourist Development Council recommended during its May 14th regular scheduled meeting a plan which would allow CULTURAL COUNCIL to use up to 50% of their Category B, fund reserve, to no less than seven and one-half percent (7.5%) of the total operating expenses; and

WHEREAS, the Tourist Development Council recommended during its June 11th regular scheduled meeting a plan which would allow CULTURAL COUNCIL to be allocated stimulus marketing funds for Category B, based funding from tourist development funds allocated to all marketing agencies per the Tourist Development Ordinance of Palm Beach County Article III Tourist Development Tax.

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

1. The revised FY20 budget as reflected in Exhibit "A" is amended to **\$ \$2,253,935.00** and reflective of tourist development tax funding reductions and the addition of **\$414,400.00** in marketing stimulus funding, in addition to the allowed usage of Category A reserves of **\$141,865.00** for use as marketing stimulus funding.
2. The revised Exhibit "A" reflects a reduction of **\$1,517,762.00** from the original funding level.
3. The AGREEMENT shall remain in full force and effect except as specifically amended herein.

REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY

IN WITNESS WHEREOF, the parties hereto have executed this AGREEMENT as of _____, 2020.

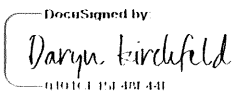
ATTEST:

Clerk & Comptroller
Palm Beach County

By: _____
Deputy Clerk

By: _____
Dave Kerner, Mayor

WITNESS:

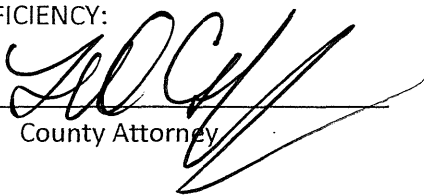
By:  _____
Board Authorization
Print: Daryn M Kirchfeld

CULTURAL COUNCIL FOR
PALM BEACH COUNTY, INC
By:  _____
Dave Lawrence, President & CEO

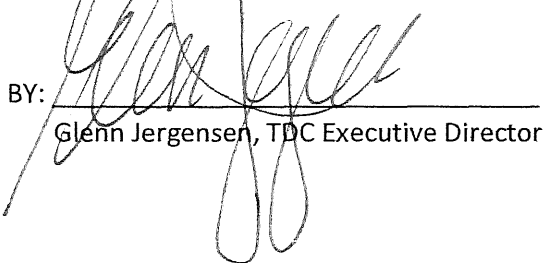
APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

By: _____
Cultural Council Attorney

APPROVED AS TO LEGAL
SUFFICIENCY:

By:  _____
County Attorney

APPROVED AS TO TERMS AND CONDITIONS:

BY:  _____
Glenn Jergensen, TDC Executive Director

PALM BEACH COUNTY
Cultural Council of Palm Beach County, Inc.
Exhibit A

Cultural Council FY21 Contract	Actual FY 2018	Actual 2,019	Proposed Budget FY 2020	Amended Budget FY 2020	Forecast FY 2020	Proposed Budget FY 2021
Personnel	\$ 982,913	\$ 1,020,696	\$ 1,141,025	\$ 1,141,025	\$ 1,075,000	\$ 1,048,075
Marketing & Promotional	\$ 1,307,003	\$ 1,472,473	\$ 1,462,455	\$ 1,462,455	\$ 926,910	\$ 1,019,490
General & Administrative	\$ 244,670	\$ 209,889	\$ 242,025	\$ 242,025	\$ 212,025	\$ 212,435
Total Cultural Council Contract Expenses	\$ 2,534,586	\$ 2,703,058	\$ 2,845,505	\$ 2,845,505	\$ 2,213,935	\$ 2,280,000
Marketing Stimulus	\$ -	\$ -	\$ -	\$ -	\$ 556,265	\$ 532,472
County Direct	\$ 4,649,965	\$ 4,912,595	\$ 5,180,644	\$ 5,180,644	\$ 3,738,187	\$ 3,547,539
Total Cultural Council Expenses	\$ 7,184,551	\$ 7,615,653	\$ 8,026,149	\$ 8,026,149	\$ 6,508,387	\$ 6,360,011
Reserves	\$ 1,920,761	\$ 1,753,509	\$ 1,142,981	\$ 1,161,427	\$ 565,514	\$ 471,997
Total Cultural Council Expense Budget	\$ 9,105,312	\$ 9,369,162	\$ 9,169,130	\$ 9,187,576	\$ 7,073,901	\$ 6,832,008



CULTCOU

OP ID: CR

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
09/20/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

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PRODUCER Bruce Gendelman Co., Inc. Suite 101 500 W Brown Deer Rd Milwaukee, WI 53217 Bruce Gendelman	262-478-1000	CONTACT NAME: Carolyn Rabbitt PHONE (A/C, No, Ext): 262-478-1000 FAX (A/C, No): 262-478-1001 E-MAIL ADDRESS: crabbitt@gendelman.com
INSURED		INSURER(S) AFFORDING COVERAGE
Cultural Council of Palm Beach County Inc. 601 Lake Ave Lake Worth, FL 33460		INSURER A: Philadelphia Indemnity Ins Co INSURER B: Transportation Ins. Co. INSURER C: Travelers Casualty & Surety INSURER D: INSURER E: INSURER F:
		NAIC # 18058 20494 25674

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X		PHPK2038832	10/01/2019	10/01/2020	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 3,000,000
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			PHPK2038832	10/01/2019	10/01/2020	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10,000	X		PHUB693864	10/01/2019	10/01/2020	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	WC434648557	10/01/2019	10/01/2020	<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
C	D&O Liability			105680141	10/01/2019	10/01/2020	see below

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 Directors & Officers Liability Limit - \$1,000,000 / \$2,500 Deductible
 Employment Practices Liability Limit - \$1,000,000 / \$2,500 Deductible
 Fiduciary Liability Limit - \$1,000,000 / No Deductible
 Crime Limit \$1,000,000 / \$10,000 Deductible
 Palm Beach County is additional insured with respects to General Liability

CERTIFICATE HOLDER Palm Beach County c/o Tourist Development Council 1555 Palm Beach Lakes Blvd Suite 900 West Palm Beach, FL 33401	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
---	---

NOTEPAD

INSURED'S NAME Cultural Council of Palm Beach

CULTCO
OP ID: C.PAGE 2
Date 09/20/2019

Non-profit D&O Liability - \$1,000,000 Limit for all claims / \$2,500 retention - each claim cov B&C / P&P and Continuity date 1/1/05

EPLI - \$1,000,00 Limit for all claims / 3rd party claim cov / 2,500 retention - each claim cov A&B / P&P and Continuity date 1/1/05

Fiduciary - \$1,000,000 Limit for all claims / \$100,000 Settlement Program Limit of Liab (w/in lmt of liab) / \$100,000 HIPAA Limit (w/in lmt of liab) / \$0 retention / P&P and Continuity date 10/1/11

Defense Coverage outside limit (Full Settlement Clause)

Crime:

Employee Theft - \$1,000,000 / \$10,000 retention

ERISA - \$500,000 / \$0 retention

Employee Theft of client property - \$1,000,000 / \$25,000 retention

Forgery or Alteration - \$1,000,000 / \$10,000 retention

On Premises - \$1,000,000 / \$10,000 retention

Money Orders & Counterfeit Money - \$1,000,000 / \$10,000 retention

Computer Fraud - \$1,000,000 / \$10,000 retention

Computer Restoration Expense - \$250,000 / \$10,000 retention

Funds Transfer Fraud - \$1,000,000 / \$10,000 retention

Personal Accts Forgery or Alteration - \$100,000 / \$0 retention

Personal Accts Identity Fraud Expense Reimb - \$25,000 / \$0 retention

Claim Expense - \$5,000 / \$0 retention

THIRD AMENDMENT TO THE AGREEMENT
between
PALM BEACH COUNTY
and
PALM BEACH COUNTY SPORTS COMMISSION, INC.

THIS THIRD AMENDMENT is executed this _____, 2020 to amend the Agreement dated October 17, 2019 (R2017-1634 as amended), hereafter the "AGREEMENT", by and between Palm Beach County, a political subdivision of the State of Florida (hereafter "COUNTY") and PALM BEACH COUNTY SPORTS COMMISSION, INC., (hereafter "PBCSC" or "AGENCY").

WHEREAS, COUNTY has previously entered into an AGREEMENT with PBCSC an independent contractor, to provide services necessary to assist the COUNTY in carrying out projects of the Tourist Development Plan; and

WHEREAS, COVID-19 has caused the tourism industry to temporarily cease operations across the world beginning in March 2020; and

WHEREAS, tourism tax dollars have declined, negatively impacting funding availability; and

WHEREAS, Pursuant to Section 23 of the Agreement performance and obligation to pay under the Agreement are contingent upon the allocation of Tourist Development Tax funds for the purposes and uses provided in the AGREEMENT, and an annual allocation of available Tourist Development Tax funds is recommended by the Tourist Development Council and approved by the Board of County Commissioners; and

WHEREAS, since the annual allocation approval and as a result of the circumstances outlined above, the Tourist Development Council has identified the need to reduce monies allocated to PBCSC to implement the fiscal year 2020 tourism plan for Palm Beach County; and

WHEREAS, The Tourist Development Council has identified the need to reallocate monies to implement a multi-prong marketing campaign to stimulate tourism to Palm Beach County; and

WHEREAS, The Tourist Development Council recommended during its May 14th regular scheduled meeting, a plan which would decrease PBCSC funding from 2,123,836.00 to \$1,790,340.00 for the remainder of fiscal year 2020 ending September 30th, 2020; and

WHEREAS, the Tourist Development Council recommended during its May 14th regular scheduled meeting a plan which would allow PBCSC to use up to 50% of their Category A fund reserve, to no less than seven and one-half percent (7.5%) of the total operating expenses; and

WHEREAS, the Tourist Development Council recommended during its June 11th regular scheduled meeting a plan which would allow PBCSC to be allocated stimulus marketing funds for Category G, based funding from tourist development funds allocated to all marketing agencies per the Tourist Development Ordinance of Palm Beach County Article III Tourist Development Tax.

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

1. The revised FY20 budget as reflected in Exhibit "A" is amended to **\$ \$2,123,836.00** and reflective of tourist development tax funding reductions and the addition of **\$163,200.00** in marketing stimulus funding, in addition to the allowed usage of Category A reserves of **\$0.00** for use as marketing stimulus funding.
2. The revised Exhibit "A" reflects a reduction of **\$463,664.00** from the original funding level.
3. The AGREEMENT shall remain in full force and effect except as specifically amended herein.

REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY

IN WITNESS WHEREOF, the parties hereto have executed this AGREEMENT as of _____,
2020.

ATTEST:

Clerk & Comptroller
Palm Beach County

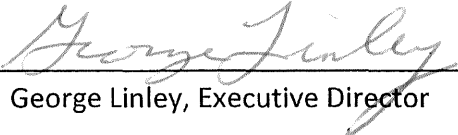
By: _____
Deputy Clerk

By: _____
Dave Kerner, Mayor

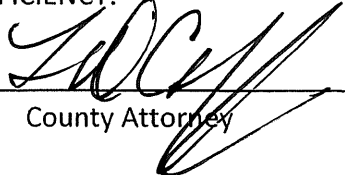
WITNESS:

By:  _____
Board Authorization
Print: John Smith

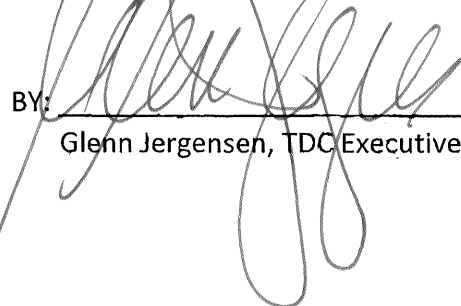
PALM BEACH COUNTY SPORTS COMMISSION, INC.

By:  _____
George Linley, Executive Director

APPROVED AS TO LEGAL
SUFFICIENCY:

By:  _____
County Attorney

APPROVED AS TO TERMS AND CONDITIONS:

BY:  _____
Glenn Jergensen, TDC Executive Director

PALM BEACH COUNTY
Palm Beach County Sports Commission
Exhibit A

	FY18 Actual	FY19 Actual	FY 20 Budget	FY 20 Amended Budget
Sports Commission FY20 Contract				
Personnel	\$ 842,395	\$ 915,776	\$ 1,106,836	\$ 978,836
Marketing & Promotion	\$ 562,895	\$ 614,290	\$ 820,500	\$ 622,185
General & Administrative	\$ 103,465	\$ 148,097	\$ 196,500	\$ 189,319
Total Sports Commssion Contract	\$ 1,508,755	\$ 1,678,163	\$ 2,123,836	\$ 1,790,340
Marketing Stimulus	\$ -	\$ -	\$ -	\$ 163,200
County Direct	\$ 1,082,963	\$ 882,133	\$ 1,537,934	\$ 1,094,566
Total Sports Commission Expenses	\$ 2,591,718	\$ 2,560,296	\$ 3,661,770	\$ 3,048,106
Reserves	\$ 2,336,573	\$ 2,750,451	\$ 2,033,305	\$ 1,797,635
Total Sports Commission Expense Budget	\$ 4,928,291	\$ 5,310,747	\$ 5,695,075	\$ 4,845,741



CERTIFICATE OF LIABILITY INSURANCE

DATE: (MM/DD/YYYY)
9/24/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).


PRODUCER Plastridge Insurance Agency 10337 N. Military Trail Palm Beach Gardens, FL 33410	CONTACT NAME:		
	PHONE (A/C, No, Ext): (561) 630-4955	FAX (A/C, No): (561) 630-4966	
	E-MAIL ADDRESS: palmbeachdocs@plastridge.com		
INSURER(S) AFFORDING COVERAGE		NAIC #	
INSURER A : Philadelphia Indemnity Ins Co.		18058	
INSURER B : Technology Insurance Company		42376	
INSURER C : Federal Insurance Company		20281	
INSURER D :			
INSURER E :			
INSURER F :			

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR	X		QPHPK12815921	10/1/2019	10/1/2020	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 0 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 3,000,000
GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:							
A	<input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY	X		QPHPK12815921	10/1/2019	10/1/2020	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY						
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB			QPHUB12819744	10/1/2019	10/1/2020	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000
	<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10,000						
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	TWC3821630	10/1/2019	10/1/2020	PER STATUTE E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
A	Directors & Officers			QPHSD12809645	10/1/2019	10/1/2020	Limit 1,000,000
C	Crime			82111718	10/1/2019	10/1/2020	Limit 500,000
C	Third Party Crime			Q106597	10/1/2019	10/1/2020	Limit 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Palm Beach County Board of County Commissioners are included as Additional Insured with respects to General Liability as required by written contract

CERTIFICATE HOLDER Palm Beach County Board of County Commissioners c/o Glenn Jergensen 2195 Southern Blvd., Suite 500 West Palm Beach, FL 33406	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

THIRD AMENDMENT TO THE AGREEMENT
between
PALM BEACH COUNTY
and
CULTURAL COUNCIL FOR PALM BEACH COUNTY, INC.

THIS THIRD AMENDMENT is executed this _____, 2020 to amend the Agreement dated October 17, 2017 (R2017-1632 as amended) hereafter the "AGREEMENT", by and between Palm Beach County, a political subdivision of the State of Florida (hereafter "COUNTY") and CULTURAL COUNCIL FOR PALM BEACH COUNTY, INC., (hereafter "CULTURAL COUNCIL" or "AGENCY").

WHEREAS, COUNTY has previously entered into an AGREEMENT with CULTURAL COUNCIL an independent contractor, to provide services necessary to assist the COUNTY in carrying out projects of the Tourist Development Plan; and

WHEREAS, COVID-19 has caused the tourism industry to temporarily cease operations across the world beginning in March 2020; and

WHEREAS, tourism tax dollars have declined, negatively impacting funding availability; and

WHEREAS, Pursuant to Section 23 of the Agreement performance and obligation to pay under the Agreement are contingent upon the allocation of Tourist Development Tax funds for the purposes and uses provided in the AGREEMENT, and an annual allocation of available Tourist Development Tax funds is recommended by the Tourist Development Council and approved by the Board of County Commissioners; and

WHEREAS, since the annual allocation approval and as a result of the circumstances outlined above, the Tourist Development Council has identified the need to reduce monies allocated to CULTURAL COUNCIL to implement the fiscal year 2020 tourism plan for Palm Beach County; and

WHEREAS, The Tourist Development Council has identified the need to reallocate monies to implement a multi-prong marketing campaign to stimulate tourism to Palm Beach County; and

WHEREAS, The Tourist Development Council recommended during its May 14th regular scheduled meeting, a plan which would decrease CULTURAL COUNCIL funding from

\$2,845,505.00 to \$2,253,935.00 for the remainder of fiscal year 2020 ending September 30th, 2020; and

WHEREAS, the Tourist Development Council recommended during its May 14th regular scheduled meeting a plan which would allow CULTURAL COUNCIL to use up to 50% of their Category B, fund reserve, to no less than seven and one-half percent (7.5%) of the total operating expenses; and

WHEREAS, the Tourist Development Council recommended during its June 11th regular scheduled meeting a plan which would allow CULTURAL COUNCIL to be allocated stimulus marketing funds for Category B, based funding from tourist development funds allocated to all marketing agencies per the Tourist Development Ordinance of Palm Beach County Article III Tourist Development Tax.

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

1. The revised FY20 budget as reflected in Exhibit "A" is amended to **\$ \$2,253,935.00** and reflective of tourist development tax funding reductions and the addition of **\$414,400.00** in marketing stimulus funding, in addition to the allowed usage of Category A reserves of **\$141,865.00** for use as marketing stimulus funding.
2. The revised Exhibit "A" reflects a reduction of **\$1,517,762.00** from the original funding level.
3. The AGREEMENT shall remain in full force and effect except as specifically amended herein.

REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY

IN WITNESS WHEREOF, the parties hereto have executed this AGREEMENT as of _____, 2020.

ATTEST:

Clerk & Comptroller
Palm Beach County

By: _____
Deputy Clerk

By: _____
Dave Kerner, Mayor

WITNESS:

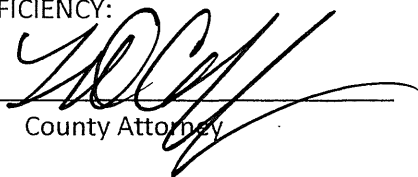
By:  _____
Board Authorization
Print: Daryn M Kirchfeld

CULTURAL COUNCIL FOR
PALM BEACH COUNTY, INC.
By:  _____
Dave Lawrence, President & CEO

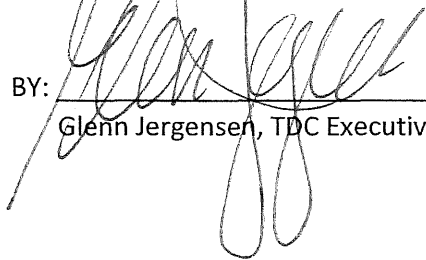
APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

By: _____
Cultural Council Attorney

APPROVED AS TO LEGAL
SUFFICIENCY:

By:  _____
County Attorney

APPROVED AS TO TERMS AND CONDITIONS:

BY:  _____
Glenn Jergensen, TDC Executive Director

PALM BEACH COUNTY
Cultural Council of Palm Beach County, Inc.
Exhibit A

	FY 2018 Actual	FY 2019 Actual	FY 2020 Budget	FY 20 Amended Budget
Cultural Council FY20 Contract				
Personnel	\$ 982,913	\$ 1,020,696	\$ 1,141,025	\$ 1,075,000
Marketing & Promotional	\$ 1,307,003	\$ 1,472,473	\$ 1,462,455	\$ 966,910
General & Administrative	\$ 244,670	\$ 209,889	\$ 242,025	\$ 212,025
Total Cultural Council Contract Expenses	\$ 2,534,586	\$ 2,703,058	\$ 2,845,505	\$ 2,253,935
Marketing Stimulus	\$ -	\$ -	\$ -	\$ 556,265
County Direct	\$ 4,649,965	\$ 4,912,595	\$ 5,180,644	\$ 3,698,187
Total Cultural Council Expenses	\$ 7,184,551	\$ 7,615,653	\$ 8,026,149	\$ 6,508,387
Reserves	\$ 1,920,761	\$ 1,753,509	\$ 1,161,427	\$ 565,514
Total Cultural Council Expense Budget	\$ 9,105,312	\$ 9,369,162	\$ 9,187,576	\$ 7,073,901



CULTCOU

OP ID: CR

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
09/20/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Bruce Gendelman Co., Inc. Suite 101 500 W Brown Deer Rd Milwaukee, WI 53217 Bruce Gendelman	262-478-1000		CONTACT NAME: Carolyn Rabbitt PHONE (A/C, No, Ext): 262-478-1000 E-MAIL ADDRESS: crabbitt@gendelman.com	FAX (A/C, No): 262-478-1001
	INSURER(S) AFFORDING COVERAGE			NAIC #
INSURER A: Philadelphia Indemnity Ins Co			18058	
INSURER B: Transportation Ins. Co.			20494	
INSURER C: Travelers Casualty & Surety			25674	
INSURER D:				
INSURER E:				
INSURER F:				

INSURED
Cultural Council of Palm Beach County Inc.
601 Lake Ave
Lake Worth, FL 33460

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> _____ GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X		PHPK2038832	10/01/2019	10/01/2020	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 3,000,000 \$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			PHPK2038832	10/01/2019	10/01/2020	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10,000	X		PHUB693864	10/01/2019	10/01/2020	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000 \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N <input type="checkbox"/> If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	WC434648557	10/01/2019	10/01/2020	<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
C	D&O Liability			105680141	10/01/2019	10/01/2020	see below

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 Directors & Officers Liability Limit - \$1,000,000 / \$2,500 Deductible
 Employment Practices Liability Limit - \$1,000,000 / \$2,500 Deductible
 Fiduciary Liability Limit - \$1,000,000 / No Deductible
 Crime Limit \$1,000,000 / \$10,000 Deductible
 Palm Beach County is additional insured with respects to General Liability

CERTIFICATE HOLDER Palm Beach County c/o Tourist Development Council 1555 Palm Beach Lakes Blvd Suite 900 West Palm Beach, FL 33401	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
---	---

NOTEPAD

INSURED'S NAME Cultural Council of Palm Beach

CULTCO
OP ID: C.PAGE 2
Date 09/20/2019

Non-profit D&O Liability - \$1,000,000 Limit for all claims / \$2,500 retention - each claim cov B&C / P&P and Continuity date 1/1/05

EPLI - \$1,000,00 Limit for all claims / 3rd party claim cov / 2,500 retention - each claim cov A&B / P&P and Continuity date 1/1/05

Fiduciary - \$1,000,000 Limit for all claims / \$100,000 Settlement Program Limit of Liab (w/in lmt of liab) / \$100,000 HIPAA Limit (w/in lmt of liab) / \$0 retention / P&P and Continuity date 10/1/11

Defense Coverage outside limit (Full Settlement Clause)

Crime:

Employee Theft - \$1,000,000 / \$10,000 retention

ERISA - \$500,000 / \$0 retention

Employee Theft of client property - \$1,000,000 / \$25,000 retention

Forgery or Alteration - \$1,000,000 / \$10,000 retention

On Premises - \$1,000,000 / \$10,000 retention

Money Orders & Counterfeit Money - \$1,000,000 / \$10,000 retention

Computer Fraud - \$1,000,000 / \$10,000 retention

Computer Restoration Expense - \$250,000 / \$10,000 retention

Funds Transfer Fraud - \$1,000,000 / \$10,000 retention

Personal Accts Forgery or Alteration - \$100,000 / \$0 retention

Personal Accts Identity Fraud Expense Reimb - \$25,000 / \$0 retention

Claim Expense - \$5,000 / \$0 retention

THIRD AMENDMENT TO THE AGREEMENT
between
PALM BEACH COUNTY
and
PALM BEACH COUNTY FILM AND TELEVISION COMMISSION, INC.

THIS THIRD AMENDMENT is executed this _____, 2020 to amend the Agreement dated October 17, 2019 (R2017-1635 as amended), hereafter the "AGREEMENT", by and between Palm Beach County, a political subdivision of the State of Florida (hereafter "COUNTY") and PALM BEACH COUNTY FILM AND TELEVISION COMMISSION, INC., (hereafter "PBCFTC" or "AGENCY").

WHEREAS, COUNTY has previously entered into an AGREEMENT with PBCFTC an independent contractor, to provide services necessary to assist the COUNTY in carrying out projects of the Tourist Development Plan; and

WHEREAS, COVID-19 has caused the tourism industry to temporarily cease operations across the world beginning in March 2020; and

WHEREAS, tourism tax dollars have declined, negatively impacting funding availability; and

WHEREAS, Pursuant to Section 23 of the Agreement performance and obligation to pay under the Agreement are contingent upon the allocation of Tourist Development Tax funds for the purposes and uses provided in the AGREEMENT, and an annual allocation of available Tourist Development Tax funds is recommended by the Tourist Development Council and approved by the Board of County Commissioners; and

WHEREAS, since the annual allocation approval and as a result of the circumstances outlined above, the Tourist Development Council has identified the need to reduce monies allocated to PBCFTC to implement the fiscal year 2020 tourism plan for Palm Beach County; and

WHEREAS, The Tourist Development Council has identified the need to reallocate monies to implement a multi-prong marketing campaign to stimulate tourism to Palm Beach County; and

WHEREAS, The Tourist Development Council recommended during its May 14th regular scheduled meeting, a plan which would decrease PBCFTC funding from \$1,800,000.00 to \$1,335,000.00 for the remainder of fiscal year 2020 ending September 30th, 2020; and

WHEREAS, the Tourist Development Council recommended during its May 14th regular scheduled meeting a plan which would allow PBCFTC to use up to 50% of their Category A fund reserve, to no less than seven and one-half percent (7.5%) of the total operating expenses; and

WHEREAS, the Tourist Development Council recommended during its June 11th regular scheduled meeting a plan which would allow PBCFTC to be allocated stimulus marketing funds for Category D, based funding from tourist development funds allocated to all marketing agencies per the Tourist Development Ordinance of Palm Beach County Article III Tourist Development Tax.

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

1. The revised FY20 budget as reflected in Exhibit "A" is amended to **\$ \$1,335,000.00** and reflective of tourist development tax funding reductions and the addition of **\$86,200.00** in marketing stimulus funding, in addition to the allowed usage of Category A reserves of **\$49,434.00** for use as marketing stimulus funding.
2. The revised Exhibit "A" reflects a reduction of **\$381,144.00** from the original funding level.
3. The AGREEMENT shall remain in full force and effect except as specifically amended herein.

REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY

IN WITNESS WHEREOF, the parties hereto have executed this AGREEMENT as of _____, 2020.

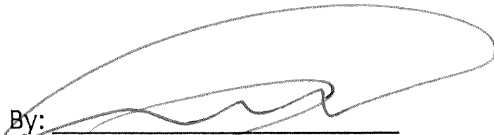
ATTEST:


Clerk & Comptroller
Palm Beach County

By: _____
Deputy Clerk

By: _____
Dave Kerner, Mayor

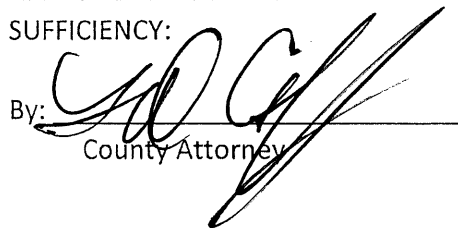
WITNESS:

By: 
Board Authorization

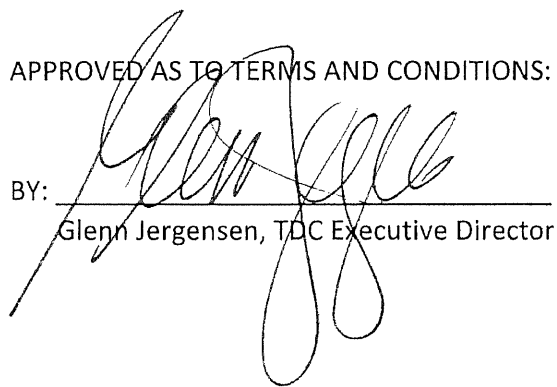
PALM BEACH COUNTY FILM AND
TELEVISION COMMISSION, INC.
By: 
Chuck Elder, FTC Film Commissioner

Print: Douglas Rill SEC

APPROVED AS TO LEGAL
SUFFICIENCY:

By: 
County Attorney

APPROVED AS TO TERMS AND CONDITIONS:

BY: 
Glenn Jergensen, TDC Executive Director

PALM BEACH COUNTY
Film and Television Commission
Exhibit A

Film & Television Commission FY20 Contract	FY18 Actual	FY19 Actual	FY20 Budget	FY20 Amended Budget
Personnel	\$ 826,567	\$ 889,314	\$ 930,000	\$ 851,618
Marketing & Promotion	\$ 710,912	\$ 893,818	\$ 784,000	\$ 442,582
General & Administrative	\$ 53,655	\$ 67,944	\$ 86,000	\$ 40,800
Total Film & Television Commission Contract	\$ 1,591,134	\$ 1,851,076	\$ 1,800,000	\$ 1,335,000
Marketing Stimulus	\$ -	\$ -	\$ -	\$ 135,634
County Direct	\$ 65,269	\$ 101,756	\$ 177,005	\$ 125,227
Total Film & Television Commission Expenses	\$ 1,656,403	\$ 1,952,832	\$ 1,977,005	\$ 1,595,861
Reserves	\$ 1,162,111	\$ 769,295	\$ 347,293	\$ 280,137
Total Film & Television Expense Budget	2,818,514	2,722,127	2,324,298	1,875,998



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
10/1/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).


PRODUCER Plastridge Insurance Agency 820 NE 6th Avenue Delray Beach, FL 33483	CONTACT NAME: Janett	
	PHONE (A/C, No, Ext): (561) 276-5221	FAX (A/C, No): (561) 276-5244
	E-MAIL ADDRESS: delraydocs@plastridge.com	
	INSURER(S) AFFORDING COVERAGE	
	INSURER A : Mt. Vernon Fire Insurance Co.	
	INSURER B : Employers Preferred Ins. Co.	
INSURED Palm Beach County Film & Television Commission, Inc. 2195 Southern Blvd., Suite 520 West Palm Beach, FL 33401	NAIC #	
	INSURER C : Travelers Casualty & Surety	
	INSURER D :	
	INSURER E :	
	INSURER F :	
	INSURER G :	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X		NBP2550143J	10/1/2019	10/1/2020	EACH OCCURRENCE \$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
							MED EXP (Any one person) \$ 5,000
							PERSONAL & ADV INJURY \$
							GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMP/OP AGG \$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			NBP2550143J	10/1/2019	10/1/2020	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
							BODILY INJURY (Per person) \$
							BODILY INJURY (Per accident) \$
							PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED -- RETENTION \$						EACH OCCURRENCE \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N <input type="checkbox"/> N/A If yes, describe under DESCRIPTION OF OPERATIONS below			WCV700269422	10/1/2019	10/1/2020	PER STATUTE OTH-ER
							E.L. EACH ACCIDENT \$ 100,000
							E.L. DISEASE - EA EMPLOYEE \$ 100,000
							E.L. DISEASE - POLICY LIMIT \$ 500,000
C	Crime			105513459	10/1/2019	10/1/2020	Crime \$ 500,000
C	Directors & Officers			105513459	10/1/2019	10/1/2020	Directors & Officers \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Certificate Holder is listed on policy as Additional Insured with respects to General Liability.

CERTIFICATE HOLDER Palm Beach County Board of County Commissioners C/O Insurance Tracking Services, Inc.(ITS) P. O. Box 20270 Long Beach, CA 90801	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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2020 - 0867

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

FUND 1454 - TDC- Tourism Promotion Fund

BGRV 070120-505
BGEX 070120-1582

ACCT.NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED 7/1/2020	REMAINING BALANCE
<u>REVENUES</u>								
1454-800-7200-1212	Tourist Development Tax	18,136,310	18,136,310		6,000,000	12,136,310	0	
Total Receipts and Balances		22,614,821	22,571,682		6,000,000	16,571,682		
<u>EXPENDITURES</u>								
1454-710-7420-3401	Other Contractual Services	18,500,000	18,500,000		6,000,000	12,500,000	12,500,000	
Total Appropriations & Expenditures		22,614,821	22,571,682		6,000,000	16,571,682		

Office of Financial Management & Budget
INITIATING DEPARTMENT/DIVISION
 Administration/Budget Department Approval
 OFMB Department - Posted

Signatures & Dates

[Signature] 7/29/20
[Signature] 7/19/2020

By Board of County Commissioners
At Meeting of
 7/14/20
 Deputy Clerk to the
 Board of County Commissioners

2020 - 0868

BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA
BUDGET AMENDMENT

FUND 1455 - TDC- Cultural Arts

BGRV 070120-504
BGEX 0701201581

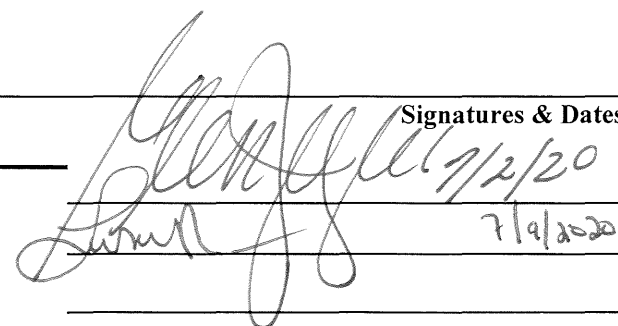
ACCT.NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED 7/1/2020	REMAINING BALANCE
REVENUES								
1455-800-7200-1212	Tourist Development Tax	7,776,994	7,776,994		631,570	7,145,424	0	
Total Receipts and Balances		9,169,131	9,187,574		631,570	8,556,006		
EXPENDITURES								
1455-710-7014-3401	Other Contractual Services	2,845,505	2,845,505		631,570	2,213,935	2,213,935	
Total Appropriations & Expenditures		9,169,131	9,187,574		631,570	8,556,006		

Office of Financial Management & Budget
INITIATING DEPARTMENT/DIVISION

Administration/Budget Department Approval

OFMB Department - Posted

Signatures & Dates

 7/12/20
7/9/2020

By Board of County Commissioners

At Meeting of

7/14/20

Deputy Clerk to the

Board of County Commissioners

2020 - 0869

BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA
BUDGET AMENDMENT

FUND 1457 - TDC- Sports Commission

BGRV 070120-502
BGEX 070120-1578

ACCT.NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED 7/1/2020	REMAINING BALANCE
REVENUES								
1457-800-7331-1212	Tourist Development Tax	3,062,754	3,062,754		333,496	2,729,258	0	
Total Receipts and Balances		5,051,947	5,695,075		333,496	5,361,579		
EXPENDITURES								
1457-710-7331-3401	Other Contractual Services	2,123,836	2,123,836		333,496	1,790,340	1,790,340	
Total Appropriations & Expenditures		5,051,947	5,695,075		333,496	5,361,579		

Signatures & Dates

Office of Financial Management & Budget

INITIATING DEPARTMENT/DIVISION

Administration/Budget Department Approval

OFMB Department - Posted

[Handwritten Signature] 7/12/20
[Handwritten Signature] 7/19/2020

By Board of County Commissioners

At Meeting of

7/14/20

Deputy Clerk to the

Board of County Commissioners

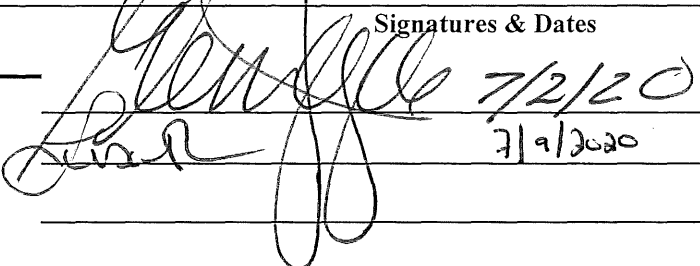

2020 - 0866

BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA
BUDGET AMENDMENT

FUND 1451 - TDC- Film Commission

BGRV 070120-503
BGEX 070120-1580

ACCT.NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED 7/1/2020	REMAINING BALANCE
<u>REVENUES</u>								
1451-800-7240-1212	Tourist Development Tax	1,617,705	1,617,705		465,000	1,152,705	0	
Total Receipts and Balances		2,340,587	2,324,298		465,000	1,859,298		
<u>EXPENDITURES</u>								
1451-710-7240-3401	Other Contractual Services	1,800,000	1,800,000		465,000	1,335,000	1,335,000	
Total Appropriations & Expenditures		2,340,587	2,324,298		465,000	1,859,298		

<p>Office of Financial Management & Budget INITIATING DEPARTMENT/DIVISION Administration/Budget Department Approval OFMB Department - Posted</p>	<p>Signatures & Dates</p> <p> 7/2/20</p> <p> 7/9/2020</p>	<p>By Board of County Commissioners At Meeting of 7/14/20 Deputy Clerk to the Board of County Commissioners</p>
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