

Agenda Item #:

3CC-1

PALM BEACH COUNTY

BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date:	6/13/2023	<input checked="" type="checkbox"/>	Consent	<input type="checkbox"/>	Regular
		<input type="checkbox"/>	Ordinance	<input type="checkbox"/>	Public Hearing

Department

Submitted By: TOURIST DEVELOPMENT COUNCIL

Submitted For: PALM BEACH COUNTY SPORTS COMMISSION, INC.

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: First Amendment to Tri-Party Agreement (R2021-1872) with the City of Boca Raton and ESPN Productions, Inc. (ESPN) to extend the Agreement for one three-year term from August 1, 2023, to February 28, 2026.

Summary: Palm Beach County entered into an Agreement with the City of Boca Raton and ESPN on December 7, 2021, to produce a college football bowl game featuring teams from NCAA Division I Football Bowl Games. The Agreement allows for one (1) renewal for a three-year term. The dollar amount for five years was approved on December 7, 2021, in the amount of \$177,000 to be paid in 2023, for the production of the Boca Raton Bowl and will increase by \$6,000 each year for the remaining years. The County is extending that Agreement for one additional three-year term. All other terms of the Agreement remain unchanged. This amendment has been reviewed and approved by the Tourist Development Council (TDC) Board. Countywide (YBH)

Background and Justification: In 2021, the County entered into a two-year Tri-Party Agreement with the City of Boca Raton and ESPN to produce a Division I Football Bowl Game and promote Palm Beach County tourism, the term of which ends in July 2023. The Agreement allows for one (1) three-year renewal with a term ending February 28, 2026. The Boca Raton Bowl has been a successful event and has provided national promotion of Palm Beach County and it is the desire of the TDC to extend the Agreement with the City of Boca Raton and ESPN for continued support of this event.

Attachments: First Amendment to the Agreement between Palm Beach County, City of Boca Raton, and ESPN Productions, Inc.

Recommended by: _____ **Date:** _____

Department Director

Approved by: _____

W. Baker

County Administrator

Date: 5/10/23

n. FISCAL IMPACT ANALYSIS

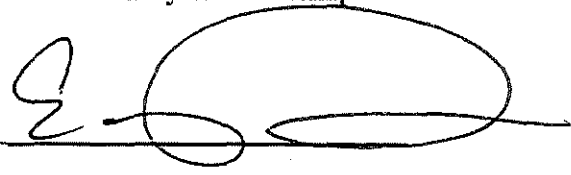
A. Five Year Summary of Fiscal Impact:

Fiscal Years	2023	2024	2025	2026	2027
Capital Expenditures					
Operating Costs	\$177,000	\$183,000	\$189,000	\$195,000	
External Revenues					
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT	\$177,000	\$183,000	\$189,000	\$195,000	
# ADDITIONAL FTE POSITIONS (Cumulative)					

Is Item Included in Current Budget? Yes X No
 Does this item include the use of federal funds? Yes No X

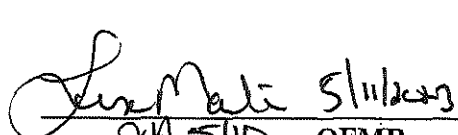
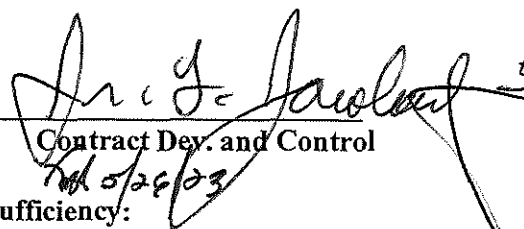
1454 710 7425 3401
 1457 710 7331 3401
 Budget Account No.: Fund 1457 Dept 710 Unit 7426 Object 3401
 Reporting Category

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

C. Department Fiscal Review: 

HI. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Administration Comments:

 9/4/23 OFMB MF 5/11  5/31/23
 Contract Dev. and Control
5/26/23

B. Approved as to form and Legal Sufficiency:


 Assistant County Attorney

C. Approved as to Terms and Conditions:

 Department Director

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

**FIRST AMENDMENT TO THE TRI-PARTY AGREEMENT
BETWEEN
PALM BEACH COUNTY, THE CITY OF BOCA RATON
AND ESPN PRODUCTIONS, INC. FOR ESPN-BOCA RATON BOWL GAME
AT FLORIDA ATLANTIC UNIVERSITY STADIUM**

This FIRST AMENDMENT to the Tri-Party Agreement dated December 7, 2021 (R2021-1872) ("**AGREEMENT**"), is made and enter into this 05 day of May, 2023, by and between the City of Boca Raton ("**CITY**"), and ESPN Productions, Inc. ("**ESPN**"), and Palm Beach County, a political subdivision of the State of Florida by and through its Board of County Commissioners ("**COUNTY**"), (individually "**PARTY**", and collectively "**PARTIES**").

WITNESSETH

WHEREAS, on December 7, 2021, the **PARTIES** entered into the Agreement for ESPN to produce an annual NCAA Division I Football Game; and

WHEREAS, while the **AGREEMENT** includes an expiration date of July 31, 2023, it also provides that it may be renewed for a period of three additional years ending on February 28, 2026; and

WHEREAS, this is the only allowable renewal of the **AGREEMENT** provided therein; and

WHEREAS, the renewal must be exercised by the **PARTIES** on or before July 1, 2023; and

WHEREAS, by this First Amendment, the **CITY**, **ESPN**, and the **COUNTY** mutually agree to amend the **AGREEMENT** to renew and extend its term through February 28, 2026, as provided herein.

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

1. The above recitations are true and correct and are incorporated herein.
2. The **AGREEMENT** is hereby amended to renew the **AGREEMENT** for a three (3) year term, commencing on August 1, 2023 and expiring on February 28, 2026.
3. It is the intent of the **PARTIES** hereto that this First Amendment shall not become binding until the date executed by all of the **PARTIES**.
4. Except as provided herein, all other terms, conditions, and provisions of the **AGREEMENT** shall remain in full force and effect.

(REMAINDER OF PAGE LEFT INTENTIONALLY BLANK)

IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida has made and executed this First Amendment of behalf of the COUNTY, and the CITY and ESPN have hereunto set their hands the day and year above written.

ATTEST:
JOSEPH ABRUZZO,
Clerk of the Circuit Court & Comptroller

PALM BEACH COUNTY, a political subdivision
of the State of Florida, by and through its
Board of County Commissioners

By: _____
Deputy Clerk of the Circuit

By: _____
Mayor Gregg Weiss

APPROVED AS TO
LEGAL SUFFICIENCY

APPROVED AS TO TERMS AND
CONDITIONS

By: *[Signature]*
County Attorney

By: *[Signature]*
County Administrator or Executive
Director, Tourist Development Council

ATTEST:

CITY OF BOCA RATON, FLORIDA

By: *[Signature]*
City Clerk

By: *[Signature]*
Scott Singer, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: *[Signature]*
City Attorney

ATTEST:

ESPN PRODUCTIONS, INC.

DocuSigned by:
[Signature]
20032078E7F34D7
Doug Moseley Executive Director
Name and Title

DocuSigned by:
[Signature]
8BA681ED5C1D48E
Clint Overby, Vice President

City of Boca Raton



Incorporated 1925

RESOLUTION

37-2023

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A RESOLUTION OF THE CITY OF BOCA RATON
AUTHORIZING THE MAYOR AND CITY CLERK TO
EXECUTE THE FIRST AMENDMENT TO THE TRI-PARTY
AGREEMENT BETWEEN PALM BEACH COUNTY, THE CITY
OF BOCA RATON, AND ESPN PRODUCTIONS, INC. FOR
THE ESPN-BOCA RATON BOWL GAME AT FLORIDA
ATLANTIC UNIVERSITY STADIUM; PROVIDING FOR
SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING
AN EFFECTIVE DATE

WHEREAS, the City of Boca Raton, pursuant to Resolution No. 164-2021, has entered
into a Tri-Party Agreement Between Palm Beach County, the City of Boca Raton and ESPN
Productions, Inc. for ESPN-Boca Raton Bowl Game at Florida Atlantic University Stadium
("Agreement") with Palm Beach County, ESPN Productions, Inc. and the City of Boca Raton for
the ESPN-Boca Raton Bowl Game at Florida Atlantic University Stadium in Boca Raton; and

WHEREAS, the parties desire to amend the Agreement to provide for the renewal of
the Agreement through February 28, 2026; and

1 WHEREAS, the Tri-Party Agreement between the County, the City and ESPN for the
2 Boca Raton Bowl at Florida Atlantic University ("Tri-Party Agreement") between the City, the
3 County and ESPN has been prepared and a copy is attached hereto; now therefore
4

5 BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BOCA RATON:
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7 Section 1. That the Mayor and City Clerk be authorized to execute the First
8 Amendment to the Tri-Party Agreement between Palm Beach County, the City of Boca Raton and
9 ESPN Productions, Inc. for ESPN-Boca Raton Bowl at Florida Atlantic University Stadium, a copy
10 of which is attached hereto, together with such nonmaterial changes as may be acceptable to the
11 City Manager.

12 Section 2. If any section, subsection, clause, or provision of this resolution is held
13 invalid, the remainder shall not be affected by such invalidity.

14 Section 3. All resolutions or parts of resolutions in conflict herewith shall be and hereby
15 are repealed.

16 Section 4. This resolution shall take effect 10 days after adoption.

17 PASSED AND ADOPTED by the City Council of the City of Boca Raton this 25th day
18 of April, 2023.
19

20 CITY OF BOCA RATON, FLORIDA

21 ATTEST:

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27 Mary Siddons
28 Mary Siddons, City Clerk
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Scott Singer
Scott Singer, Mayor

[Signature]

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COUNCIL MEMBER	YES	NO	ABSTAINED
MAYOR SCOTT SINGER	✓		
DEPUTY MAYOR MONICA MAYOTTE	✓		
COUNCIL MEMBER YVETTE DRUCKER	✓		
COUNCIL MEMBER FRAN NACHLAS	✓		
COUNCIL MEMBER MARC WIGDER	✓		

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