

### SEMINOLE COUNTY GOVERNMENT AGENDA MEMORANDUM

**SUBJECT:** United Arts of Central Florida and Seminole Cultural Arts Council, Inc.  
Agreement – Amending funding Level and Structure

**DEPARTMENT:** Tourism Development **DIVISION:** \_\_\_\_\_

**AUTHORIZED BY:** Suzan Bunn **CONTACT:** Suzan Bunn **EXT.** 2901

<b>Agenda Date</b> <u>11/15/05</u>	<b>Regular X</b> <input checked="" type="checkbox"/>	<b>Consent</b> <input type="checkbox"/>	<b>Work Session</b> <input type="checkbox"/>	<b>Briefing</b> <input type="checkbox"/>
	<b>Public Hearing – 1:30</b> <input type="checkbox"/>		<b>Public Hearing – 7:00</b> <input type="checkbox"/>	

**MOTION/RECOMMENDATION:**

Approve and authorize the Chairman to execute the amended agreement with United Arts of Central Florida and Seminole Cultural Arts Council, Inc. and the Budget Amendment request for \$105,745.

**BACKGROUND:**

During the October 25, 2005 Board meeting, discussions were held regarding United Arts of Central Florida and Seminole Cultural Arts Council, Inc. Agreement. Staff was directed to increase the funding to \$.50 per capita and prepare a revised funding structure.

There is currently \$100,000 budgeted for the existing agreement. In order to fund the agreement at the rate of \$.50 per capita that would require an additional \$105,745. The increased amount was derived by using BEBR data that shows the County population in 2005 at 411,490. Therefore, the total funding for the agreement for FY 05/06 will be \$205,745.

The proposed funding structure is based upon splitting the total monies allocated to the arts evenly between the regional arts efforts and the county arts efforts. The Board may choose to direct that some or all of the additional funds be restricted to support the visual arts. The funding structure outlined on the next page is recommended for FY 05/06, which is the final year of a three (3) year renewable contract. Staff will bring forward recommendations for FY 06/07 during the BCC Budget Work Sessions.

Reviewed by: <u>11-4-05</u>
Co Atty: <u>[Signature]</u>
DFS: <u>[Signature]</u>
Other: _____
DCM: <u>[Signature]</u>
CM: <u>[Signature]</u>
File No <u>R1001</u>

The attached amended agreement modifies Exhibit A, providing for the revised funding structuring FY 2005/06. Also, included for approval and execution is a Budget Amendment request to increase the appropriation for the agreement.

**Seminole County Arts Agency Funding Proposal**

<b>Funding Recipients</b>	<b>Previous Funding Allocation FY05</b>	<b>Proposed Funding Allocation FY 06</b>	<b>Proposed Increase</b>
<b><u>Regional Arts</u></b>			
• United Arts	\$20,000	\$102,872.50	\$82,872.50
<b><u>County Arts</u></b>			
• Seminole Cultural Arts	\$30,000	\$52,872.50	\$22,872.50
• Helen Stairs Theater	\$50,000	\$50,000	\$0
Total	\$100,000	\$205,745	\$105,745
<b>County Population</b>	403,134	411,490	
<b>Per Capita Funding</b>	\$0.2481	\$0.50	

**AMENDMENT TO UNITED ARTS OF CENTRAL FLORIDA, INC. AGREEMENT**

**THIS AMENDMENT** is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ and is to that certain Agreement made and entered into on the 14<sup>th</sup> day of October, 2003, between **SEMINOLE COUNTY**, a political subdivision of the State of Florida, whose address is Seminole County Services Building, 1101 East First Street, Sanford, Florida 32771, hereinafter referred to as "COUNTY", **UNITED ARTS OF CENTRAL FLORIDA, INC.**, a Florida not-for-profit corporation, whose mailing address is Post Office Box 940068, Maitland, Florida 32794-0068, hereinafter referred to as "UNITED ARTS", and **SEMINOLE CULTURAL ARTS COUNCIL, INC.**, a Florida not-for-profit corporation, whose mailing address is Post Office Box 4100, Sanford, Florida 32772-4100, hereinafter referred to as "SEMINOLE".

**W I T N E S S E T H:**

**WHEREAS**, UNITED ARTS, SEMINOLE and COUNTY entered into the above-referenced Agreement on October 14, 2003, for the development and awareness of arts and cultural activities; and

**WHEREAS**, the parties desire to amend the Agreement so as to enable both parties to continue to enjoy the mutual benefits it provides; and

**WHEREAS**, Section 13 of the Agreement provides that any amendments shall be valid only when expressed in writing and duly signed by the parties,

**NOW, THEREFORE**, in consideration of the mutual understandings and agreements contained herein, the parties agree to amend the Agreement as follows:

1. Section 6 of the Agreement is amended to read:

**Section 6. Funding.** The COUNTY hereby agrees to provide financial assistance to UNITED ARTS in the amount of FIFTY-ONE THOUSAND FOUR HUNDRED THIRTY-SIX AND 25/100 DOLLARS (\$51,436.25) on a quarterly

basis up to the maximum amount of TWO HUNDRED FIVE THOUSAND SEVEN HUNDRED FORTY-FIVE AND NO/100 DOLLARS (\$205,745.00) annually. The parties hereby agree that the funds provided hereunder shall be granted to and used by UNITED ARTS and SEMINOLE as set forth in Exhibit "A," including the expenditure of funds for necessary administrative costs; provided, however, that such administrative costs shall not exceed ten percent (10%) of the funding provided by the COUNTY hereunder.

2. Section 7 of the Agreement is amended to read:

**Section 7. Payment.** Payment of the amounts set forth above shall be made upon receipt by the COUNTY of the following:

(a) A payment request from UNITED ARTS identifying the amount for which UNITED ARTS seeks COUNTY payment.

(b) A verification by the COUNTY that UNITED ARTS has complied with the requirements as contained in this Agreement.

Payment requests shall be sent to:

Original and one copy to: Director  
Tourism Development Department  
1230 Douglas Avenue, Suite 116  
Longwood, Florida 32779

3. Exhibit "A" of the Agreement is deleted and Revised Exhibit "A" attached hereto is substituted therefor.

4. Except as herein modified, all terms and conditions of the Agreement shall remain in full force and effect for the term of the Agreement, as originally set forth in said Agreement.

**IN WITNESS WHEREOF,** the parties hereto have executed this instrument for the purpose herein expressed.

ATTEST:

UNITED ARTS OF CENTRAL FLORIDA, INC.

\_\_\_\_\_  
RITA BORNSTEIN, Secretary

By: \_\_\_\_\_  
MARGOT H. KNIGHT, President and CEO

(CORPORATE SEAL)

Date: \_\_\_\_\_

STATE OF FLORIDA     ]  
                                  ]  
COUNTY OF \_\_\_\_\_ ]

I HEREBY CERTIFY that, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared MARGOT H. KNIGHT and RITA BORNSTEIN, as President/CEO and Secretary, respectively, of UNITED ARTS OF CENTRAL FLORIDA, INC., a Florida not-for-profit corporation organized under the laws of the State of Florida, who are personally known to me or who have produced \_\_\_\_\_ as identification and that they did take an oath. They acknowledged before me that they executed the foregoing instrument as such officers in the name and on behalf of the corporation, and that they also affixed thereto the official seal of the corporation.

(NOTARY SEAL)

\_\_\_\_\_  
Notary Public in and for the  
County and State aforementioned

ATTEST:

SEMINOLE CULTURAL ARTS COUNCIL, INC.

\_\_\_\_\_  
BRENT ADAMSON, Secretary

By: \_\_\_\_\_  
LINDA MOORE, President

(CORPORATE SEAL)

Date: \_\_\_\_\_

STATE OF FLORIDA     ]  
                                  ]  
COUNTY OF \_\_\_\_\_ ]

I HEREBY CERTIFY that, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared LINDA MOORE and BRENT ADAMSON, as President and Secretary, respectively, of SEMINOLE CULTURAL ARTS COUNCIL, INC., a Florida not-for-profit corporation organized under the laws of the State of Florida, who are personally known to me or who have produced \_\_\_\_\_ as identification and that they did take an oath. They acknowledged before me that they executed the foregoing instrument as such officers in the name and on behalf of the corporation, and that they also affixed thereto the official seal of the corporation.

(NOTARY SEAL)

\_\_\_\_\_  
Notary Public in and for the  
County and State aforementioned

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

\_\_\_\_\_  
MARYANNE MORSE  
Clerk to the Board of  
County Commissioners of  
Seminole County, Florida.

By: \_\_\_\_\_  
CARLTON HENLEY, Chairman

Date: \_\_\_\_\_

For the use and reliance  
of Seminole County only.

As authorized for execution  
by the Board of County Commissioners  
at their \_\_\_\_\_, 20\_\_\_\_  
regular meeting.

Approved as to form and  
legal sufficiency.

\_\_\_\_\_  
County Attorney  
SED/lpk  
11/3/05  
am united arts agt

Attachment:  
Revised Exhibit "A" - Scope of Services

**REVISED EXHIBIT A**

Fiscal Year: 2005/06

Scope of Services

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**AGENCY: United Arts of Central Florida**

Margot H. Knight, President & CEO

253 N. Orlando Avenue

P.O. Box 940068

Maitland, FL 32795-0068

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The above agency will provide the following services for the residents of Seminole County during fiscal year 05/06:

In agreement with the Seminole Cultural Arts Council, Inc., the utilization of the \$205,745\* in funds provided by Seminole County under this agreement shall be as follows:

\$82,872.50	Retained by United Arts	Projects Grants Funds
\$20,000	Retained by United Arts (10%)	Administrative Costs
\$102,872.50	Seminole Cultural Arts Council, Inc.	
\$50,000	Helen Stairs Theatre	
42,872.50	Seminole County Local Grants, Events, Promotions	
10,000	Arts Coordinator	

**Total \$205,745**

**Services shall be reimbursed quarterly at the following rate:**

October – December	\$51,436.25
January – March	\$51,436.25
April – June	\$51,436.25
July – September	\$51,436.25

**\$205,745.00**

\*4/1/2005 BEBR Report      Seminole County Population    411,490 x \$.50 = \$205,745

2005-R-

**BUDGET AMENDMENT REQUEST**

TO: Seminole County Board of County Commissioners  
FROM: Department of Fiscal Services  
SUBJECT: **Budget Amendment Resolution**  
Department: **Tourism Development**  
Fund(s): General Fund

DFS Recommendation	
Ryan Switzer <i>RS</i>	11/2/05
Analyst	Date
<i>RS</i>	11/4/05
Budget Mgr	Date
Director	Date

**PURPOSE:** To increase appropriations for the United Arts agreement to \$.50 per capita as authorized by the Board of County Commissioners on October 25, 2005. According to BEBR, the Seminole County population for 2005 is 411,490 making the total contribution to United Arts \$205,745. There is currently \$100,000 budgeted for United Arts, an additional \$105,745 is needed to bring the total appropriations for United Arts for FY 2005/06 to \$205,745.

**ACTION:** Approval and authorization for the Chairman to execute Budget Amendment Resolution.

In accordance with Section 129.06(2), Florida Statutes, it is recommended that the following accounts in the County budget be adjusted by the amounts set forth herein for the purpose described.

**Sources:**

Account Number	Project #	Account Title	Amount
00100.999901.599998		Reserves For Contingency	105,745
<b>Total Sources</b>			<b>\$105,745</b>

**Uses:**

Account Number	Project #	Account Title	Amount
00100.011021.580821		Aid to Private Organizations	105,745
<b>Total Uses</b>			<b>\$105,745</b>

**BUDGET AMENDMENT RESOLUTION**

This Resolution, 2005-R-\_\_\_\_\_ approving the above requested budget amendment, was adopted at the regular meeting of the Board of County Commissioners of Seminole County, Florida \_\_\_\_\_ as reflected in the minutes of said meeting.

Attest:

\_\_\_\_\_  
Maryanne Morse, Clerk to the Board of County Commissioners

By: \_\_\_\_\_  
Carlton Henley  
Chairman

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Entered by County Finance Department

Date: \_\_\_\_\_