



# Agenda Report

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Unfinished Business

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I.2.

9/17/2019

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### Subject:

Board Direction, Re: Brevard Cultural Alliance (BCA) Contract with the Tourism Development Office for Fiscal Year 201920.

### Fiscal Impact:

In Fiscal Year 201819, the BCA received:

- \$205,000 from the Tourism Development Office for administration
- \$100,000 from the Tourism Development Office for Community Cultural Grants
- \$ 30,000 from the General Fund for the Community Cultural Grants Program
- \$ 50,000 from the General Fund for the administration of the grant program and Art in Public Places

It is proposed that the BCA receive \$193,000 from the Tourist Development Tax is FY19/20.

### Dept/Office:

County Manager

### Requested Action:

It is requested that the Board of County Commissioners authorize the Chair to execute the Brevard Cultural Alliance (BCA) Professional Service Contract contingent upon the submittal of separation of employment documentation of the BCA Executive Director by September 30, 2019. Staff is also requesting approval of Amendment #6 to the Lease Agreement for BCA office space subject to County Attorney and Risk Management approval. It is also requested that the Board authorize the County Manager to execute necessary budget change requests.

It is further requested that the Board finds that Tourist Development Tax funds are authorized to be expended for the BCA's services because it has as one of its main purposes, the attraction of tourists as evidenced by the promotion of cultural events and activities to tourists, as authorized by Section 125.0104, Florida Statutes.

### Summary Explanation and Background:

It has been directed by the Board of County Commissioners at the August 20, 2019 Board meeting that the County Manager work with the Brevard Cultural Alliance (BCA) and the Tourism Development Council (TDC) to negotiate a contract with a maximum cap of \$275,000 and report back to the Board.

The County Manager, Assistant County Manager Jim Liesenfelt, the County Attorney's Office, Tourism Director, Jim Ridenour, Chair of the BCA, and Liz Lamb met on September 11, 2019. All parties agreed to

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support the contract included in this agenda for Board consideration. Highlights of the contract are:

- FY 19/20 funding for the BCA will be \$193,000, funded by the Tourist Development Tax (TDT)
- The BCA will provide a midyear and a final report on activities
- Restructuring of the BCA Board of Directors
- Include County Staff in a possible search committee for new BCA Leadership
- BCA will be responsible for the administration of the TDT funded Cultural Support Program

The term of the contract is one year beginning October 1, 2019 and is annually renewable by County Manager upon budget allocations approved by the Board.

The Amendment to the Lease Agreement authorizes the movement of BCA offices from the Viera Government Center at 2725 Judge Fran Jamieson Way, Viera to the Merritt Island Service Complex, 2575 North Courtenay Parkway, Merritt Island.

### **Clerk to the Board Instructions:**



Tammy Rowe, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001  
Fax: (321) 264-6972  
Tammy.Rowe@brevardclerk.us

September 18, 2019

**M E M O R A N D U M**

**TO:** Frank Abbate, County Manager

**RE:** Item I.2., Board Direction Regarding Brevard Cultural Alliance (BCA) Contract with Tourism Development Office for Fiscal Year 2019-2020

The Board of County Commissioners, in regular session on September 17, 2019, approved and authorized the Chair to execute the Brevard County Cultural Alliance (BCA) Professional Service Contract contingent upon the submittal of separation of employment documentation of the BCA Executive Director by September 30, 2019; approved and authorized the Chair to execute Amendment #6 to the Lease Agreement for BCA office space, subject to County Attorney and Risk Management approval; authorized the County Manager to execute necessary budget change requests; and found that Tourist Development Tax funds are authorized to be expended for the BCA's services because it has as one of its main purposes, the attraction of tourists as evidenced by the promotion of cultural events and activities to tourists, as authorized by Section 125.0104, Florida Statutes. Enclosed are executed Contract and Amendment #6.

**Upon execution by Brevard Cultural Alliance, please forward a fully-executed Contract and Amendment #6 to this office for inclusion in the official minutes.**

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

Encls. (2)

cc: Tourism Development Director  
Contracts Administration  
Finance  
Budget



## BOARD OF COUNTY COMMISSIONERS

**JAMES P. LIESENFELT, ASSISTANT COUNTY MANAGER**  
2725 Judge Fran Jamieson Way, Building C, Room 301  
Viera, FL 32940  
[jim.liesenfelt@brevardfl.gov](mailto:jim.liesenfelt@brevardfl.gov)

**OFFICE OF THE COUNTY MANAGER**  
Phone: 321.633.2003  
Fax: 321.633.2115  
[www.brevardfl.gov](http://www.brevardfl.gov)

October 4, 2019

**RECEIVED**

**OCT 14 2019**

**Board of County Commissioners**

Tammy Rowe, Deputy Clerk  
Clerk to the Board  
400 South Street  
P.O. Box 999  
Titusville, FL 32781-0999

Re: Item I.2 Board Direction Regarding Brevard Cultural Alliance (BCA) Contract with  
The Tourism Development Office for Fiscal Year 2019-2020

Dear Ms. Rowe:

Attached please find a fully-executed Brevard Cultural Alliance Professional Services Contract and Amendment No. 6 to Lease Agreement. Per your instructions, please attach to the official minutes of the BOCC Meeting held on September 17, 2019.

Should you have any questions, please do not hesitate to contact this office.

Sincerely,

James P. Liesenfelt, Assistant County Manager

/pm

Attachments – Executed BCA Professional Services Contract and  
Amendment No. 6 to Lease Agreement

AMENDMENT NO. 6 TO LEASE AGREEMENT

THIS AGREEMENT is made and entered into this 17th day of September, 2019, by and between the following Parties: the BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, a political subdivision of the State of Florida, hereinafter referred to as "County" and the BREVARD CULTURAL ALLIANCE, INC., a Florida nonprofit corporation with IRS 501c3 status, hereinafter referred to as "BCA".

WITNESSETH:

WHEREAS, on October 26, 2010, the parties hereto entered into a Lease Agreement, hereinafter referred to as the "Agreement" for property located at 2725 Judge Fran Jamieson Way, Building C – Room 307, Viera, Florida for one dollar (\$1) per year. The Term of the Agreement was for a one year period from October 1, 2010 to September 30, 2011, amended on October 4, 2011 to extend the Agreement to September 30, 2012, amended on October 9, 2012 to extend the Agreement to September 30, 2013, amended on October 8, 2013 to extend the Agreement to September 30, 2014, amended on October 21, 2014 to extend the Agreement to September 30, 2017, and amended on October 24, 2017 to extend the Agreement to September 30, 2020; and,

WHEREAS, the parties desire to recognize the relocation of the Brevard Cultural Alliance (BCA) Offices from the Viera Government Center to the Merritt Island Service Complex.

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

1. Paragraph 1 of the Lease Agreement, dated October 26, 2010 shall be amended to recognize the relocation of the Brevard Cultural Alliance from 2725 Judge Fran Jamieson Way, Building C, Room 307, Viera, Florida to the Merritt Island Service Complex, 2575 North Courtenay Parkway, Merritt Island, Florida.
2. All terms and conditions of said Agreement and its amendments, which are incorporated herein by reference, not inconsistent with the provisions of this Agreement, shall remain in full force and effect.
3. All terms and conditions of the Cultural Arts Agreement, between the County and BCA, dated October 26, 2010, and any subsequent amendments, not inconsistent with the provisions of this Amendment, are incorporated herein by reference.

IN WITNESS WHEREOF, the Parties have set their hands and seals on the date first above written.

ATTEST:

By: \_\_\_\_\_

Scott Ellis, Clerk

BREVARD COUNTY COMMISSIONERS  
BREVARD COUNTY, FLORIDA

By: \_\_\_\_\_

Kristine Isnardi, Chair

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

As authorized by the Board on 9/17/19

BREVARD CULTURAL ALLIANCE, INC.

Witness:

J.P. Linsell

By:

Jim Ridenour  
Jim Ridenour, Board Chair

Witness:

Patricia Puster

Date:

9.25.19

Reviewed for legal form and content:

Chweyak Oct 1, 2019

Assistant County Attorney