

Financial Statements and Supplementary Information

ATLANTIC CENTER FOR THE ARTS, INC.

December 31, 2008

ATLANTIC CENTER FOR THE ARTS, INC.
Financial Statements and Supplementary Information
December 31, 2008
(With Independent Auditors' Report Thereon)

ATLANTIC CENTER FOR THE ARTS, INC.

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SCHAFFER, TSCHOPP, WHITCOMB, MITCHELL & SHERIDAN, LLP

Certified Public Accountants

986 Douglas Avenue, Suite 100
Altamonte Springs, Florida 32714
Phone: (407) 875-2760
Fax: (407) 875-2762

Thomas R. Tschopp, CPA
Tom V. Whitcomb, CPA

541 S. Orlando Avenue, Suite 300
Maitland, Florida 32751
Phone: (407) 839-3330
Fax: (407) 839-3660

Michael R. Schafer, CPA
Joseph P. Mitchell, CPA
Stephen J. Sheridan, CPA
Daniel M. Hinson, CPA

Independent Auditors' Report

To the Board of Trustees
Atlantic Center For The Arts, Inc.:

We have audited the accompanying statement of financial position of the Atlantic Center For The Arts, Inc. (the Center) as of December 31, 2008, and the related statements of activities and cash flows for the year then ended. These financial statements are the responsibility of the Center's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America, and the standards applicable to financial audits contained in *Government Audit Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Atlantic Center For The Arts, Inc. as of December 31, 2008, and the changes in its net assets and its cash flows for the year then ended in conformity with accounting principles generally accepted in the United States of America.

In accordance with *Government Auditing Standards*, we have also issued our report dated September 3, 2009, on our consideration of Atlantic Center For The Arts, Inc.'s internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be considered in assessing the results of our audit.

Our audit was performed for the purpose of forming an opinion on the basic financial statements of the Center taken as a whole. The accompanying schedule of state financial assistance on page 15 is presented for purposes of additional analysis and is not a required part of the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and, in our opinion, is fairly stated, in all material respects, in relation to the basic financial statements taken as a whole.

Schaefer, Tschopp, Whitcomb, Mitchell & Sheridan, LLP

Altamonte Springs, Florida
September 3, 2009

ATLANTIC CENTER FOR THE ARTS, INC.

Statement of Financial Position

December 31, 2008

Assets

Cash and cash equivalents	\$ 776
Account receivable	15,190
Due from related party (note 8)	4,453
Inventory	27,272
Prepaid expenses and other assets	27,898
Investments (notes 2 and 5)	2,292,933
Interest in net assets of Images: A Festival of the Arts, Inc.	36,646
Property and equipment, net (note 3)	<u>6,358,226</u>
Total assets	<u>\$ 8,763,394</u>

Liabilities and Net Assets

Liabilities:

Bank overdraft	\$ 53,897
Accounts payable and accrued expenses	147,709
Line of credit (note 5)	<u>541,575</u>
	743,181

Net assets (note 4):

Unrestricted:

Undesignated	(852,915)
Designated	27,075
Investment in property and equipment, net	6,358,226
Temporarily restricted	36,646
Permanently restricted	<u>2,451,181</u>

Total net assets 8,020,213

Total liabilities and net assets \$ 8,763,394

See accompanying notes to financial statements.

ATLANTIC CENTER FOR THE ARTS, INC.

Statement of Activities

For the year ended December 31, 2008

	<u>Unrestricted</u>	<u>Temporarily Restricted</u>	<u>Permanently Restricted</u>	<u>Total</u>
Operating support and revenues:				
Support:				
Grants:				
Governmental	\$ 181,719	-	-	181,719
Foundations	183,000	-	-	183,000
Contributions and bequests	1,210,669	-	-	1,210,669
Fund raising and special events, less direct expenses of \$60,346	83,130	-	-	83,130
Total support	<u>1,658,518</u>	<u>-</u>	<u>-</u>	<u>1,658,518</u>
Revenues:				
Contract services	181,616	-	-	181,616
Program fees	92,278	-	-	92,278
Investment income, net	(7,730)	-	-	(7,730)
Gift shop sales	1,078	-	-	1,078
Rental income	97,297	-	-	97,297
Other income	4,523	-	-	4,523
Total revenues	<u>369,062</u>	<u>-</u>	<u>-</u>	<u>369,062</u>
Net assets released from restriction:				
Satisfaction of program restrictions	24,000	(24,000)	-	-
Total operating support and revenues	<u>2,051,580</u>	<u>(24,000)</u>	<u>-</u>	<u>2,027,580</u>
Expenses:				
Program services:				
Master artist in residence	750,246	-	-	750,246
Cultural exchange and other	118,380	-	-	118,380
Total program services	<u>868,626</u>	<u>-</u>	<u>-</u>	<u>868,626</u>
Supporting services:				
General administration	758,457	-	-	758,457
Fund raising and special events	198,606	-	-	198,606
Total expenses	<u>1,825,689</u>	<u>-</u>	<u>-</u>	<u>1,825,689</u>
Change in net assets from operations	225,891	(24,000)	-	201,891
Other:				
Net unrealized losses on investments	(933,164)	-	-	(933,164)
Decrease in net assets of Images:				
A Festival of Arts, Inc.	-	(42,862)	-	(42,862)
Change in net assets	<u>(707,273)</u>	<u>(66,862)</u>	<u>-</u>	<u>(774,135)</u>
Net assets, beginning of year	6,189,659	103,508	2,501,181	8,794,348
Reclassification of net assets (note 4)	50,000	-	(50,000)	-
Net assets, end of year	<u>\$ 5,532,386</u>	<u>36,646</u>	<u>2,451,181</u>	<u>8,020,213</u>

See accompanying notes to financial statements.

ATLANTIC CENTER FOR THE ARTS, INC.

Statement of Cash Flows

For the year ended December 31, 2008

Cash flows from operating activities:	
Change in net assets	\$ (774,135)
Adjustments to reconcile change in net assets to net cash provided by operating activities:	
Contributions restricted for long-term investment	(800,145)
Loss on sale of investments	169,715
Unrealized loss on investments	933,164
Depreciation	255,031
Decrease in net assets of Images: A Festival of Arts, Inc.	42,862
Cash provided by (used for) changes in:	
Accounts receivable	810
Due from related party	5,337
Inventory	(5,493)
Prepaid expenses	64
Bank overdraft	53,897
Accounts payable and accrued expenses	6,531
Net cash used in operating activities	<u>(112,362)</u>
Cash flows from investing activities:	
Investments purchased, sold, or matured, net	<u>3,870</u>
Net cash used in investing activities	<u>3,870</u>
Cash flows from financing activities:	
Proceeds from line of credit	<u>92,538</u>
Net cash provided by financing activities	<u>92,538</u>
Net decrease in cash and cash equivalents	(15,954)
Cash and cash equivalents, beginning of year	<u>16,730</u>
Cash and cash equivalents, end of year	<u>\$ 776</u>
Supplemental disclosure of cash flow information:	
Cash paid during the year for interest	<u>\$ 23,540</u>

See accompanying notes to financial statements.

ATLANTIC CENTER FOR THE ARTS, INC.

Notes to Financial Statements

December 31, 2008

(1) Organization and Summary of Significant Accounting Policies

(a) *Organization and Operations* - Atlantic Center For The Arts, Inc. (The Center) is a not-for-profit, tax-exempt corporation organized under Section 501(c)(3) of the Internal Revenue Code and is not classified as a private foundation. The Center provides for and promotes the arts and humanities in all forms, including the visual and performing arts and cultural education through instruction by the master artist in residence and other programs. The Center operates in New Smyrna Beach, Florida.

(b) *Basis of Presentation* - The accompanying financial statements are presented on the accrual basis and represent the financial position and results of operations of The Center.

The Center has adopted the Financial Accounting Standards Board Statement No. 117, "Financial Statements of Not-for-Profit Organizations." This statement establishes standards for financial reporting by not-for-profit organizations. The statement requires financial statements to be prepared on an entity wide basis, to focus on The Center as a whole and to present balances and transactions according to the existence or absence of donor-imposed restrictions. This has been accomplished by aggregating all funds into one set of financial statements and classifying fund balances and transactions into three classes of net assets - permanently restricted, temporarily restricted or unrestricted as follows:

Permanently restricted net assets - Net assets subject to donor-imposed stipulations that they be maintained permanently by The Center.

Temporarily restricted net assets - Net assets subject to donor-imposed stipulations that may or will be met by actions of the Center and/or the passage of time. Donor-restricted contributions whose restrictions are met in the same year are reported as unrestricted support in the accompanying statement of activities.

Unrestricted net assets - Net assets not subject to donor-imposed stipulations. The Center reports donor-restricted contributions whose restrictions are met in the same reporting period as unrestricted support.

(Continued)

ATLANTIC CENTER FOR THE ARTS, INC.

Notes to Financial Statements

December 31, 2008

(1) Organization and Summary of Significant Accounting Policies (Continued)

(b) *Basis of Presentation (Continued)*

Revenues are reported as increases in unrestricted net assets unless use of the related assets is limited by donor-imposed restrictions. Expenses are reported as decreases in unrestricted net assets. Gains and losses on assets or liabilities are reported as increases or decreases in unrestricted net assets unless their use is restricted by explicit donor stipulation or by law. Expirations of temporary restrictions on net assets (i.e., the donor-stipulated purpose has been fulfilled and/or the stipulated time period has elapsed) are reported as net assets released from restrictions.

- (c) *Contributions*** - The Center reports contributions of cash and other assets as restricted support if they are received with donor stipulations that limit the use of the donated assets. When a donor restriction expires, that is, when a stipulated time restriction ends or purpose restriction is accomplished, temporarily restricted net assets are reclassified to unrestricted net assets and reported in the statement of activities as net assets released from restriction.

The Center reports gifts of property, buildings, and equipment as unrestricted support unless explicit donor stipulations specify how the donated assets must be used. Gifts of long-lived assets with explicit restrictions that specify how the assets are to be used and gifts of cash or other assets that must be used to acquire long-lived assets are reported as restricted support. Absent explicit donor stipulations about how long those long-lived assets must be maintained, the Center reports expirations of donor restrictions when the donated or acquired long-lived assets are placed in service and/or construction costs have been incurred.

- (d) *Contributed Services*** - During the year ended December 31, 2008, the value of contributed services meeting the requirements for recognition in the financial statements was not material and has not been recorded.
- (e) *Cash and Cash Equivalents*** - Except for permanently restricted net assets and assets restricted to investment in land, building, and other capital projects, the Center considers all highly liquid investments purchased with an original maturity of three months or less to be cash equivalents.

(Continued)

ATLANTIC CENTER FOR THE ARTS, INC.

Notes to Financial Statements

December 31, 2008

(1) Organization and Summary of Significant Accounting Policies (Continued)

- (f) *Inventory* - Inventory consists of gift shop merchandise and art books. Inventory is stated at lower of cost (determined by specific identification if purchased and by fair value at the date of donation if donated) or market.
- (g) *Investments* - Investments are stated at fair value. To calculate realized gain or loss on the disposition of investments, cost is determined by the first-in, first-out method for common stock funds and by specific identification for all other investments. All gains and losses arising from the sale or other disposition of investments and ordinary income from investments are accounted for as unrestricted revenue unless such income is restricted for a specific purpose by the donor of the related investment.
- (h) *Property and Equipment* - The Center capitalizes all expenditures over \$500 for property and equipment acquisitions. The fair value of donated assets is similarly capitalized and recognized as support.

Land, land improvements, and artwork are stated at cost for purchased assets and at fair value at date of donation for donated assets. Buildings and building improvements, furniture, fixtures and equipment, and vehicles are stated at cost for purchased assets and at fair value for donated assets less accumulated depreciation. Depreciation is calculated using the straight-line method over the following estimated useful lives:

Buildings and building improvements	3 – 30 years
Furniture, fixtures and equipment	3 – 10 years
Vehicles	5 years

- (i) *Commitment, Contingencies and Concentrations* - Financial instruments which potentially expose the Center to concentrations of credit risk, as defined by accounting principles generally accepted in the United States of America, consist of cash and cash equivalents (primarily demand deposits), investments in United States government securities, and investments in short-term cash funds. Substantially all of the cash and cash equivalent accounts and short-term cash funds are on deposit or held in trust at high quality financial institutions, which may not be federally insured, may exceed federally insured limits, or may be insured by an entity other than an agency of the federal government. The Center has not experienced any losses in such accounts, and believes it is not exposed to any significant credit risk with respect to its cash and cash equivalents.

(Continued)

ATLANTIC CENTER FOR THE ARTS, INC.

Notes to Financial Statements

December 31, 2008

(1) **Organization and Summary of Significant Accounting Policies (Continued)**

- (j) *Functional Allocation of Expenses* - The costs of providing the various programs and other activities of the Center have been summarized on a functional basis in the statement of activities. Accordingly, certain costs have been allocated among the programs and supporting services benefited.
- (k) *Estimates* - The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.
- (l) *Income Taxes* - Under Section 501(c)(3) of the Internal Revenue Code and Florida Statutes, the Center is exempt from taxes on income other than unrelated business income. Since the Center had no taxable unrelated business income during 2008, no provision for income taxes is provided in the financial statements.
- (m) *Interest in Net Assets of Images: A Festival of the Arts, Inc.* - The Center accounts for assets held by Images: A Festival of the Arts, Inc. ("Images") in accordance with Statement of Financial Accounting Standards No. 136, "*Transfer of Assets to a Not-for-Profit Organization or Charitable Trust that Raises or Holds Contributions for Others*" (the Statement). This Statement established standards for reporting a beneficiary's interest in the net assets of a recipient organization which receives and manages donor contributions for its benefit. The primary mission of Images is to promote community awareness of art and education. Images and the Center are considered by management to be financially inter-related, as defined in the Statement. The Center's interest in the net assets of Images at December 31, 2008 is \$36,646, all of which is temporarily restricted for the mission of Images.

ATLANTIC CENTER FOR THE ARTS, INC.

Notes to Financial Statements

December 31, 2008

(2) Investments

As of December 31, 2008, investments consist of the following:

	<u>Cost</u>	<u>Market Value</u>	<u>Gross Unrealized Gain (Loss)</u>
Unrestricted investments:			
Money market funds	\$ 31,931	31,931	-
U.S. common stocks	21,388	20,258	(1,130)
Closed-end funds	134,542	63,960	(70,582)
Preferred stocks	73,363	36,971	(36,392)
	<u>\$ 261,224</u>	<u>153,120</u>	<u>(108,104)</u>
Unrestricted investments designated for capital projects:			
Money market funds	\$ 2,185	2,185	-
U.S. common stocks	23,707	18,020	(5,687)
Closed-end funds	12,030	6,870	(5,160)
	<u>\$ 37,922</u>	<u>27,075</u>	<u>(10,847)</u>
Investments restricted to permanent endowments:			
Money market funds	\$ 440,630	440,630	-
U.S. common stocks	755,503	575,822	(179,681)
Closed-end funds	1,107,715	528,348	(579,367)
Preferred stocks	917,024	567,938	(349,086)
	<u>\$ 3,220,872</u>	<u>2,112,738</u>	<u>(1,108,134)</u>
Total	<u>\$ 3,520,018</u>	<u>2,292,933</u>	<u>(1,227,085)</u>

The cost amount approximates the fair value of temporary cash investments. For debt and equity securities, fair values are estimated based on quoted market prices.

ATLANTIC CENTER FOR THE ARTS, INC.

Notes to Financial Statements

December 31, 2008

(3) Property and Equipment

Property and equipment consist of the following at December 31, 2008:

Land and land improvements	\$ 990,678
Buildings and building improvements	7,872,324
Furniture, fixtures and equipment	546,228
Vehicles	<u>26,112</u>
	9,435,342
Less: accumulated depreciation	<u>(3,420,216)</u>
	6,015,126
Artwork	<u>343,100</u>
Property and equipment, net	<u>\$ 6,358,226</u>

Depreciation expense for the year ended December 31, 2008 was \$255,031.

(4) Temporarily and Permanently Restricted Net Assets

Temporarily restricted net assets are subject to time restrictions or are available for the following purposes at December 31, 2008:

Images: A Festival of Arts, Inc.	<u>\$ 36,646</u>
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Permanently restricted net assets are restricted as follows at December 31, 2008:

Investment in perpetuity, the income from which is expendable to support:	
Harris House activities	\$ 29,850
Program activities	1,854,647
Master artist - writers	450,000
Artwork	<u>116,684</u>
Total permanently restricted net assets	<u>\$ 2,451,181</u>

(Continued)

ATLANTIC CENTER FOR THE ARTS, INC.

Notes to Financial Statements

December 31, 2008

(4) **Temporarily and Permanently Restricted Net Assets (Continued)**

Permanently restricted net assets include various endowments established to support the Center's activities. Three of the endowment accounts were established through the State of Florida endowment program. The State of Florida has provided three grants totaling \$720,000. The Center matched these with contributions totaling \$1,080,000. The income from these endowments can only be used to support program activities. The value of the three state funded endowments shall be maintained at no less than \$1,800,000 at all times. Failure of the Center to adhere to these provisions could result in termination of the State's grant and reversion of the principal to the grantor agency.

In 2007, a contribution of \$500,000 was made to the Center. The entire contribution was recorded as permanently restricted upon receipt; however, \$50,000 of the contribution should have been classified as an unrestricted contribution, as the donor had not placed any restrictions on that portion of the contribution.

(5) **Line of Credit**

The Center has a \$900,000 unsecured line of credit with a bank with interest payable monthly at the bank's prime rate less 1.0%. As of December 31, 2008, \$541,575 was outstanding under this line of credit, encumbered by the Center's investments held by the same financial institution.

(6) **Rental Activities**

The Center rents portions of its facilities to unaffiliated individuals and organizations on a short-term day-to-day basis. The rentals are accounted for as operating leases.

(7) **Retirement**

The Center has a retirement plan pursuant to Section 403(b) of the Internal Revenue Code, whereby participants may contribute a percentage of compensation, but not in excess of the maximum amount allowed under the Code. The plan provides for a discretionary matching contribution by the Center, which amounted to \$18,549 (or 5% of eligible employees' compensation) for the year ended December 31, 2008.

ATLANTIC CENTER FOR THE ARTS, INC.

Notes to Financial Statements

December 31, 2008

(8) Related Party Transactions

On January 1, 1999, a corporation owned by a member of the Board of Trustees and the Center's founder donated a building and various equipment with a fair market value at the date of donation of \$303,515 to the Center.

In addition, the corporation provided all the funds necessary to renovate the building to accommodate the Center. The Center agreed to allow the corporation to retain the right to share the building with the Center to operate a commercial art gallery for a period of two years beginning February 1, 1999, with the corporation retaining an option to continue using the space for each of the following three years.

The Center provides minimal bookkeeping services at no charge to the art gallery. Operating expenses of the art gallery are initially paid by the Center, and the art gallery reimburses the Center on a monthly basis. Expenses relating to the maintenance and operation of the building are divided between the art gallery and the Center based on occupancy percentages. Total reimbursable expenses were \$72,663 for the year ended December 31, 2008. During 2008, the Center received \$78,000 as a reimbursement of expenses. At December 31, 2008, the art gallery owed the Center \$4,453 in connection with this agreement, which is recorded as due from related party at December 31, 2008.

During the year ended December 31, 2004, the Board of Trustees of the Center entered into an agreement with Images: A Festival of the Arts, Inc., a not for profit corporation (Images). The Center's board agreed to carry out the mission of Images by serving as its Board of Directors. In addition, the Center agreed to manage the operations of the entity. As the entities share the same board of trustees, management considers the two entities financially inter-related.

SUPPLEMENTARY INFORMATION

ATLANTIC CENTER FOR THE ARTS, INC.

Schedule of State Financial Assistance

For the year ended December 31, 2008

<u>State of Florida Grantor Program Title</u>	<u>Grant Number</u>	<u>Funding Period</u>	<u>Total Grant Award</u>	<u>2008 Receipts</u>
State of Florida, Department of State- Division of Cultural Affairs:				
Cultural institutions program	09-4063	09/01/08- 06/30/09	\$ 14,731	7,366
Cultural institutions program	08-4063	07/01/07- 06/30/08	<u>38,678</u>	<u>19,339</u>
			<u>\$ 53,409</u>	<u>26,705</u>

See accompanying notes to financial statements.

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Independent Auditors' Report on Compliance and on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards*

To the Board of Trustees
Atlantic Center For The Arts, Inc.:

We have audited the financial statements of Atlantic Center For The Arts, Inc. (the Center) as of and for the year ended December 31, 2008, and have issued our report thereon dated September 3, 2009. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Center's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statements and not to provide assurance on the internal control over financial reporting. Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control over financial reporting that might be material weaknesses. A material weakness is a reportable condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements caused by error or fraud in amounts that would be material in relation to the financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. We noted no matters involving the internal control over financial reporting and its operation that we consider to be material weaknesses.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Center's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed an instance of noncompliance that is required to be reported under *Government Auditing Standards*. At December 31, 2008, the fair value of the investments in two endowment funds was below the level required by donor stipulations.

However, we noted certain additional matters that we have reported to management of the Center in a separate letter dated September 3, 2009.

This report is intended solely for the information and use of management, the Board of Trustees, the State of Florida, Department of State - Division of Cultural Affairs and other agencies providing state financial assistance and is not intended to be and should not be used by anyone other than these specified parties.

Schager, Tschopp, Whitcomb, Mitchell & Sheridan, LLP

Altamonte Springs, Florida
September 3, 2009