## PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

### AGENDA ITEM SUMMARY

Meeting Date: Octo	ber 16, 2018	[X]	Consent Workshop	[]	Regular Public Hearing
Department:	Cooperative	Extens	sion Service		
Submitted By:	<b>Cooperative</b>	Extens	sion Service		

#### I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to: A) Approve the reversal of the donation of \$35,040 from the Friends of the Mounts Botanical Garden, Inc. (Friends) to fund the costs associated with the exhibit known as *Stickwork*, created by Patrick Dougherty to be displayed at the Mounts Botanical Garden of Palm Beach County (Garden); and (B) approve a Budget Amendment to reverse the donation of \$35,040 from Friends; and (C) authorize the Clerk's office to disburse \$35,040 from the Cooperative Extension Revenue Fund (Fund 1482) back to the Friends.

**Summary:** On July 25, 2018, the Friends made a donation of \$35,040 to the County for the design, fabrication, installation, required insurance coverage and for County Public Art Administrator's role in Brushwork, LLC contract management, which was approved at the Board of County Commissioners meeting on August 14, 2018. The Friends initially determined that the County should develop an Agreement for Art Services contract with Brushwork, LLC (Artist), Patrick Dougherty's company. Authorization to reverse this donation would enable the Friends, under a Standard License Agreement for use of County-Owned Property with the County, to directly enter into an Agreement with the Artist for all aspects of the creation, installation, management and removal of the Artwork. Friends will remit a payment of \$35,040 directly to the Artist. The Friends intention is to engage Patrick Dougherty, an international acclaimed Artist who creates monumental scale environmental works. In this case, the Artwork would be a one of a kind exhibit which involves a Community Build experience with volunteers. The Garden will be getting exactly the same product as originally envisioned, so the reversal of the donation in no way compromises the final product that has been envisioned. Countywide (AH)

**Background and Justification:** Given the unique quality of the *Stickwork* exhibit, the Friends would like to directly enter a contractual relationship under an Installation and Exhibition Contract with Brushwork, LLC (Artist), while bearing the responsibility as a licensee under a Standard License Agreement with the County to utilize the Garden as the location for a Patrick Dougherty *Stickwork* sculpture. (Continued on Page 3).

#### **Attachments:**

1. Budget Amendment

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Recommended By	Department Director	Dat	e
Approved By:	fill & Blue	10(17	118
	stant County Administrator	Date	• •

# II. FISCAL IMPACT ANALYSIS

# A. Five Year Summary of Fiscal Impact:

Fiscal Years	2018	2019	2020	2021	2022
Capital					
Expenditures					
<b>Operating Costs</b>	(\$35,040)				:
External					
Revenues	\$35,040				
Program					
Income(County)					
In-Kind					
Match(County					
* NET FISCAL	\$0				
IMPACT					
#ADDITIONAL					
FTE					
POSITIONS					
(CUMULATIVE					

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

# **Budget Account No:**

Exp: Fund	Agency	Organization	Object
<u>1482</u>	<u>310</u>	<u>1400</u>	<u>4901</u>
Rev: Fund	Agency	Organization	Object
<u>1482</u>	<u>310</u>	<u>1400</u>	<u>6600</u>

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

Donation of \$35,040 from the Friends of the Mounts Botanical Garden, Inc.

	III. REVIEV	V COMMENTS:
A.	OFMB Fiscal and/or Contract Dev. a	and Control Comments:
	OFMB (A) SO 10/4	Contract Dev. & Control
R	Legal Sufficiency	NO/18/18/10

**Legal Sufficiency** В.

Other Department Review C.

C. Departmental Fiscal Review:

**Department Director** 

(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.)

# **Background and Justification: (Continued):**

The Cooperative Extension Department would continue to work with Facilities Development & Operations' Art in Public Places Administrator and Risk Management on all aspects of this exhibit. Patrick Dougherty is an internationally acclaimed artist who creates monumental scale environmental works. The sculpture at the Garden would be site-specific. The Friends intention is to offer this one-of-a-kind exhibit, which involves a Community Build experience with volunteers, in the beautiful setting of the Garden. Entering into a Standard License Agreement with the County would enable the Friends to execute a contract directly with the Artist and assume the responsibilities of being involved with the design, installation, and required insurance coverage. The final product, highlighting nature's beauty, will be the same as originally envisioned, and would reinforce the Garden's Artist in the Garden Master Plan. The Friends have been involved with Artists in two previous temporary Art exhibits in collaboration with Art in Public Places (Legos and Washed Ashore), in addition to working with Art in Public Places on the construction of the award-winning, Artist-designed Windows on the Floating World: Blume Tropical Wetland Garden. The Art in Public Places Administrator would still be engaged by the Friends for curatorial and programming purposes during the process of installing the Stickwork sculpture.

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

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BGRV 310 100318\*08 BGEX 310 100318\*38

FUND 1482 - Cooperative Extension Fund

ACCT NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DEC	CREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED 10/02/18	REMAINING BALANCE
Receipts and Balance	<u>es</u>								
1482-310-1400-6600	Contrib/Dontns Frm Privt Srces	0	44,075		0	35,040	9,035	44,075	9,035
	Total Receipts and Balances	382,978	519,664		0	35,040	484,624		
Appropriations & Ex	<u>xpenditures</u>								
1482-310-1400-4901	Other Current Charges and Obligations	3,000	38,040		0	35,040	3,000		3,000
	Total Appropriations & Expenditures	382,978	519,664		0	35,040	484,624		
County Cooperative Extension Services INITIATING DEPARTMENT/DIVISION Administration/Budget Department Approval OFMB Department - Posted		Signatures  Wood h Are		Date 10/04/20	18			By Board of County At Meeting of 10/23/	
						· ·		Deputy Clerk to the Board of County Cou	nmissioners