

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: December 3, 2019 Consent Regular
 Workshop Public Hearing

Department: **Cooperative Extension Service**

Submitted By: **Cooperative Extension Service**

I. EXECUTIVE BRIEF


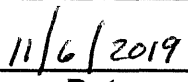

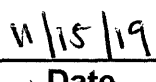
Motion and Title: Staff recommends motion to:

- A) accept** the donation of \$51,360 from the Friends of the Mounts Botanical Garden, Inc. (Friends) for the display of Ribbit the Exhibit, by J Cobb Group which includes \$1,360 in County staff charges for the County Public Art Administrator's role in contract management, siting and risk management compliance; and
- B) accept** the donation of \$1,190 which is a reduction of \$110,000 from the original amount. This will be used for County staff charges for the County Public Art Administrator's role in contract management, siting, and risk management compliance for services rendered in the Big Bugs Exhibition which was cancelled by the artist on the same day it was approved by the Board of County Commissioners on October 8, 2019; and
- C) approve** a budget amendment in the Cooperative Extension Revenue Fund (Fund 1482) in the amount of \$58,640 which resulted from the decrease of the Big Bugs Exhibit and an increase from the donation for the Ribbit Exhibit.

Summary: The Friends agreed to fund all the costs associated with a previous exhibition entitled "Big Bugs Exhibition" that was to take place at the Mounts Botanical Garden on January 10, 2020 through May 10, 2020. An agenda item for this exhibition was brought before the Board of County Commissioners on October 8, 2019 and was approved. On that same day, and after approval of the agenda at the BCC meeting, the Friends were advised that the artist, David Rogers Big Bugs, Inc., abruptly retracted from the Agreement and the Big Bugs Exhibition will no longer take place at Mounts Botanical Garden. The Friends have an opportunity to have another exhibit displayed at the Mounts Botanical Garden in its stead entitled "Ribbit the Exhibit" during the months of January 2020 through June 2020. Ribbit the Exhibit is substantially lower in costs than the previous Big Bugs Exhibition (\$111,190) and approval of this exhibit at this time will allow for this exhibition to be displayed in a timely manner for the months of January through June 2020. **(Cont'd on Page 3)**

Background and Justification: (Cont'd on Page 3)

- Attachments:**
- 1. Budget Amendment
 - 2. Letter to Donate

Recommended By:		
	Department Director	Date
Approved By:		
	Assistant County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2020	2021	2022	2023	2024
Capital Expenditures					
Operating Costs	\$52,550				
External Revenues	(\$52,550)				
Program Income(County)					
In-Kind Match(County)					
* NET FISCAL IMPACT	\$0				
#ADDITIONAL FTE					
POSITIONS (CUMULATIVE)					

Is Item Included in Current Budget? Yes No X
 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>1408</u>	<u>3401</u>	\$51,360
Rev: Fund	Agency	Organization	Source Code	
<u>1482</u>	<u>310</u>	<u>1408</u>	<u>6600</u>	\$51,360
Exp: Fund	Agency	Organization	Object	
<u>1482</u>	<u>310</u>	<u>1407</u>	<u>3401</u>	\$1,190
Rev: Fund	Agency	Organization	Source Code	
<u>1482</u>	<u>310</u>	<u>1407</u>	<u>6600</u>	\$1,190

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

Donation of \$52,550 from the Friends of the Mounts Botanical Garden, Inc.

C. Departmental Fiscal Review:

_____ *ECB*

III. REVIEW COMMENTS:

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

<i>[Signature]</i> OFMB 11/7	<i>[Signature]</i> Contract Dev. & Control 11/13/19	11/13/19
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B. Legal Sufficiency

Anne Delgant 11-15-19
Assistant County Attorney

C. Other Department Review

Department Director

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

SUMMARY (CONT'D):

The Friends agree to fund all costs associated with Ribbit the Exhibit which covers all expenses, equipment, installation and County staff charges. This work will be led by Facilities, Development & Operations (FDO)/Art in Public Places Section and is estimated to cost \$51,360 to bring the Ribbit the Exhibit Exhibition to The Mounts Botanical Garden of Palm Beach County from January through June 2020. The donation of \$1,190 will reimburse the County for staff charges for the County Public Art Administrator's role in contract management, siting and risk management services rendered in the Big Bugs Exhibition. District 7 (AH)

Background and Justification:

Art exhibits, both traveling and stationary are part of the conceptual Master Plan for The Mounts Botanical Garden of Palm Beach County. Ribbit the Exhibit will reinforce the Mounts Botanical Garden mission to inspire and educate, and enhance the sensory and spiritual experience of the Garden. Sculpture siting shall be at the discretion of Mounts Botanical Garden staff and the County's Facilities Development & Operations/Strategic Planning/Art in Public Places Administrator.

20-0166

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

1482 Cooperative Extension Rev Fund

BGRV 110519*87
BGEX 110519*305

ACCT.NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED AS OF 11/05/2019	REMAINING BALANCE
REVENUES								
310-1407-6600	Contrib/Dontns Frm Privt Srces	0	111,190	0	110,000	1,190		
310-1408-6600	Contrib/Dontns Frm Privt Srces	0	0	51,360		51,360		
	Total	445,946	445,946	51,360	110,000	387,306		
EXPENDITURES								
310-1407-3401	Other Contractual Services *	0	111,190	0	110,000	1,190		1,190
310-1408-3401	Other Contractual Services *	0	0	51,360	0	51,360		51,360
	Total	445,946	445,946	51,360	110,000	387,306	0	387,306

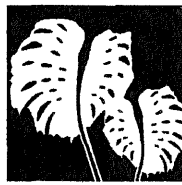
County Cooperative Extension
 INITIATING DEPARTMENT/DIVISION
 Administration/Budget Department Approval
 OFMB Department - Posted

Signatures & Dates

Dale P. Rice 11/6/2019
[Signature] 11/7/19

By Board of County Commissioners
 At Meeting of 12/03/2019

Deputy Clerk to the
 Board of County Commissioners



**MOUNTS
BOTANICAL
GARDEN**
OF PALM BEACH COUNTY

Friends of Mounts Botanical Garden, Inc. Letter to Donate

Dear Palm Beach County Board of County Commissioners,

This letter is to certify that The Friends of the Mounts Botanical Garden, Inc., a Florida Not For Profit Corporation (“Friends”), will donate \$51,360.00 to Palm Beach County, a political subdivision of the State of Florida (“County”), conditioned upon the use of this donation for display of Ribbit the Exhibit, by J Cobb Group. Friends shall deliver a check made payable to Palm Beach County Board of County Commissioners in the amount of \$51,360.00 to the County’s Cooperative Extension Department within 10 days of the County’s acceptance and execution of this donation letter. Friends acknowledges that the County will not execute any agreement with J Cobb Group for the installation and display of Ribbit the Exhibit until the donation is received by the County and all terms of such agreement are agreeable to the County.

Friends agrees to fund all costs associated with this project. The Friend’s donation of \$51,360.00 to the County includes: 1) a \$50,000 fee for Ribbit the Exhibit which covers all expenses, equipment, and installation of Ribbit the Exhibit and 2) County staff charges of \$1,360.00 for the County Public Art Administrator’s role in contract management, siting, and risk management compliance. While Ribbit the Exhibit is on display, Friends also agrees to pay for and keep in full force and effect general liability and property damage insurance as detailed in the Agreement to Host Ribbit the Exhibit.

Ribbit the Exhibit will reinforce the Mounts Botanical Garden mission to inspire and education and enhance the sensory experience of the Garden. The installation of the Exhibit will take approximately two days and the Exhibit is scheduled to be on display from January – June 2020. Sculpture siting shall be at the discretion of the Mounts Botanical Garden Staff and the County’s Facilities Development & Operations/Strategic Planning/Art in Public Places Administrator.

Friends selected J Cobb Group without consultation with or advice from the County. Friends acknowledge that it and the County will be entering into an Agreement with J Cobb Group to host Ribbit the Exhibit; and Friends agrees that it will be responsible for any and all costs in excess of the \$51,360.00 that are associated with Ribbit the Exhibit, including, but not limited to, costs of litigation and any costs or deductibles arising from County taking responsibility for the care, custody and control of the Sculptures while the Sculptures are installed at Mounts Botanical Garden.

Sincerely,

The Friends of the Mounts Botanical Garden, Inc.

By: Carol Smith
Carol Smith, President

Date: November 5, 2019

Must be signed by an officer of the Corporation

ACCEPTED:
Palm Beach County

By: _____
_____, Mayor
Palm Beach County, a political
subdivision of the State of Florida

Date: _____