Agenda Item #: **3?**-1

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date: July 13, 2021	[X] Consent	[] Regular
	[] Workshop	[] Public Hearing

Department: Cooperative Extension Service

Submitted by: <u>Cooperative Extension Service</u>

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to: A) accept the donation of \$115,000 from the Friends of the Mounts Botanical Garden, Inc. (Friends) to fund the costs associated with hosting the traveling art exhibit sculptures known as Nature POP!, by Imagine Exhibitions, Inc.; and

- **B)** approve the donation of \$2,210 for PBC Art in Public Places Administrator (AiPPA) fees for assistance with exhibit curation, contract management, and coordination with Risk Management; and
- **C) approve** a budget amendment in the Cooperative Extension Revenue Fund (Fund 1482) in the amount of \$117,210.

Summary: The Friends voted for Palm Beach County to host and display Artist Sean Kenney's Nature POP! art exhibition at the Mounts Botanical Garden of Palm Beach County (MBG). The \$117,210 donation is to pay the costs associated with hosting the Nature POP! exhibit at the MBG from January 16, 2022 through May 16, 2022 and fees associated with the AiPPA role. These costs include payment of the artist, shipping of the exhibit, installation costs, and an AiPPA fee. The AiPPA fee of \$2,210 includes exhibition curation, Risk Management coordination, and contract administration. <u>District 7 (AH)</u>

Background and Justification: Temporary art exhibits are part of MBG's conceptual Master Site Plan. Pursuant to PPM CW-F-072, the traveling exhibit entitled Nature POP! was approved by the Cooperative Extension Director and Palm Beach County's AiPPA's program, and the donation agreement with the artist will be executed by the Director of Facilities Development & Operations after review and approval of the County Attorney's Office.

This exhibit will feature 44 animal-shaped sculptures created from LEGO© bricks. The MBG, in conjunction with Imagine Exhibitions, the company that leases Nature POP! desires to bring art and nature education to a broad audience including schools, community partners, and the public at large.

Attachments:

1. Budget Amendment

2. Donation Memo From Paton White, Friends of MBG Board President

Recommendations By: Local V Liv 6/24/2021

Department Director Date

Approved By: Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2021	2022	2023	2024	2025
Capital					
Expenditures					
Operating Costs	\$117,210				
External Revenues	\$117,210				
Program					
Income(County)					
In-Kind					
Match(County					
* NET FISCAL	\$0				
IMPACT					
#ADDITIONAL FTE					
POSITIONS					
(CUMULATIVE					

Is Item Included in Proposed Budget?				Yes	No X	
Does this iten	າ include the ເ	use of federal funds	s? Yes	Yes	No X	
Budget Accou	ınt No:					
Exp: Fund	Agency	Organization	Reven	ue Sou	urce/Object Code	
1482 310 1410				6600/	0/3401	
B. Recomme	nded Sources	of Funds/Summar	y of Fisca	al Impa	act:	
A. OFM B. Legal	B Fiscal and/o OFMB A	III. RE or Contract Dev. an しなっしょうし しめかれ もん	nspu 1	I Comm	1	2

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

C.

Other Department Review

Department Director

BOARD OF COUNTY COMMISSIONERS PALM BEACH COUNTY, FLORIDA BUDGET AMENDMENT

FUND 1482 Cooperative Extension Rev Fund

BGRV 060221*507

							B EXPENDED/	GEX 060221*144
ACCT.NUMBER	R ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	ENCUMBERED AS OF 6/2/2021	REMAINING BALANCE
REVENUES								
Nature Pop 310-1410-6600	Contrib/Dontns Frm Privt Srces	0	0	117,210	0	117,210		
	Total Receipts and Balances	418,050	608,672	117,210	0	725,882	0	725,882
EXPENDITURE	${f \underline{s}}$							
<u>Nature Pop</u> 310-1410-3401	Other Contractual Services	0	0	117,210	0	117,210	0	117,210
	Total Appropriations & Expenditure	418,050	608,642	117,210	0	725,852	0	725,852
	PARTMENT/DIVISION			Date)	121		By Board of County At Meeting of วีงใจ ใ	
Administration/E OFMB Departme	Sudget Department Approval ent - Posted	ballegri	four	Q 25	1 (-)		Deputy Clerk to the Board of County Co	nmissioners



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 \$117,210.00 to Palm Beach County, a political subdivision of the State of Florida ("County"), conditioned upon the use of this donation for display of Nature POP!, by Imagine Exhibitions, Inc. Friends shall deliver two checks made payable to Palm Beach County Board of County Commissioners in the following amounts: 1) \$115,000.00 and 2) \$2,210.00 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 Imagine Exhibitions, Inc. for the installation and display of Nature POP! 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 Friends' donation of \$117,210.00 to the County includes: 1) an \$115,000 fee for Nature POP! which covers all expenses, equipment, and installation of Nature POP! and 2) County staff charges of \$2,210 for the County Public Art Administrator's role in contract management, siting, and risk management compliance. While Nature POP! 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 Nature POP!.

Nature POP! will reinforce the Mounts Botanical Garden mission to inspire, educate, and enhance the sensory experience of the Garden. The installation of the Exhibit will take approximately five days and the Exhibit is scheduled to be on display from January – May 2022. 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 Imagine Exhibitions, Inc. without consultation with or advice from the County. Friends acknowledges that it and the County will be entering into an Agreement with Imagine Exhibitions, Inc. to host Nature POP!; and Friends agrees that it will be responsible for any and all costs in excess of the \$117,210.00 that are associated with Nature POP!, 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.

The F	Paton White, President	Date: $6/23/2021$					
	Must be signed by an officer of the Corporation						
	PTED: Beach County						
Ву:	Dave Kerner, Mayor Palm Beach County, a political subdivision of the State of Florida	Date:					

Sincerely,