# PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

#### **AGENDA ITEM SUMMARY**

Meeting Date: June 11, 2024		[X] [ ]	Consent Workshop	[] Regular [] Public Hearing
Department:	Cooperative Extension Service			
Submitted By:	Cooperative E	xtension	<u>Service</u>	

#### I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

- A) accept the donation of \$108,600 from the Friends of the Mounts Botanical Garden, Inc. (Friends) for the display of Ribbit the Exhibit at Mounts Botanical Garden of Palm Beach County (MBG), by J Cobb Group, which includes \$3,600 in County staff charges for the County Art in Public Places (AiPP) Administrator's role in contract management, placement of Ribbit the Exhibit and risk management compliance; and
- **B) approve** a budget amendment in the Cooperative Extension Revenue Fund (Fund 1482) in the amount of \$108,600.

**Summary:** 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)/AiPP Section and is estimated to cost \$108,600 to bring the Ribbit the Exhibit exhibition to the MBG from December 2024 through May 2025. Ribbit the Exhibit will reinforce MBG's mission to inspire and educate through nature, and enhance the sensory experience in the garden. <u>District 2</u> (AH)

**Background and Justification:** Art exhibits, both traveling and stationary, are part of the conceptual Master Plan for the MBG. Ribbit the Exhibit will reinforce the MBG mission to inspire and educate, and enhance the sensory and spiritual experience of the garden. Sculpture placement of Ribbit the Exhibit shall be at the discretion of MBG staff and the County's FDO/AiPP Administrator.

#### Attachments:

- 1. Budget Amendment
- 2. Letter to Donate

Recommended By: Department Director Date

Approved By: 5/23/21
Assistant County Administrator Date

#### II. FISCAL IMPACT ANALYSIS

## A. Five Year Summary of Fiscal Impact:

Fiscal Years	2024	2025	2026	2027	2028
Capital					
Expenditures					
<b>Operating Costs</b>	\$108,600				
External	(\$108,600)				
Revenues					
Program					
Income(County)					
In-Kind					
Match(County					
NET FISCAL	\$0				
IMPACT					
#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
Does this item include the use of state funds?	Yes	No X

## **Budget Account No:**

C. Departmental Fiscal Review:

**Department Director** 

Exp: Fund	Agency	Organization	Object	
<u>1482</u>	<u>310</u> _	<u>1408</u>	<u>3401</u>	108,600
Rev: Fund	Agency	Organization	Source Code	2
<u>1482</u>	<u>310</u>	<u>1408</u>	<u>6600</u>	\$108,600

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

	PCB	·
	III. REVIEW	COMMENTS:
A.	OFMB Fiscal and/or Contract Dev. an	d Control Comments:
В.	OFMB JA 5/13 MD 5/13 Legal Sufficiency	Menda Mach 5/21/24 Contract Dev. & Control  MA 5/20/24
	Assistant County Attorney	24
C.	Other Department Review	

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

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

#### 1482 Cooperative Extension Rev Fund

BGRV 050824\*466 BGEX 050824\*1361

ACCT.NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED AS OF 05/08/24	REMAINING BALANCI
DENZENHERO								
REVENUES						e e		
310-1408-6600	Contrib/Dontns Frm Privt Srces	0	0	108,600	0	108,600		
	Total	473,866	607,472	108,600	0	716,072		
EXPENDITURES								
310-1408-3401	Other Contractual Services *	0	0	108,600	0	108,600		108,600
	Total	473,866	607,472	108,600	0	716,072	0	716,072
		•						
	nty Cooperative Extension		Signatures	ا ار	Z0Z4 -	Ву В	oard of County Commis At Meeting of 06/11/2	
INITIATING DEPARTMENT/DIVISION Administration/Budget Department Approval OFMB Department - Posted		anald AG	W KIa	05/15/24	2029	Boa	Deputy Clerk to the ard of County Commission	





5/1/2024

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# <u>Friends of the Mounts Botanical Garden, Inc.</u> <u>Letter to Donate</u>

Dear Palm Beach County Board of County Commissioners,

This letter is to certify that the Friends of the Mounts Botanical Garden, Inc., a Florida 501(c)3 non-profit ("Friends"), will donate \$108,600.00 to Palm Beach County, a political subdivision of the State of Florida ("County"), conditioned upon the use of this donation for display of Ribbit II 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 \$108,600.00 to the County's Cooperative Extension Department upon 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 II the Exhibit until the donation is received by the County.

Friends agrees to fund all costs associated with this project. The Friend's donation of \$108,600.00 to the County includes: 1) a \$105,000.00 fee for Ribbit II the Exhibit which covers all expenses, equipment, and installation of Ribbit the Exhibit and 2) County staff charges of \$3,600.00 for the County Public Art Administrator's role in contract management, siting, and risk management compliance. While Ribbit II 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 II the Exhibit.

Ribbit II the Exhibit will reinforce the Mounts Botanical Garden mission to inspire and educate through nature, 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 December 2024 through May 2025. 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 II the Exhibit; and Friends agrees that it will be responsible for any and all costs in excess of the \$108,600.00 that are associated with Ribbit II 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.

Friends of the Mounts Botanical Garden | 559 N. Military Trail | West Palm Beach, FL | 561.233.1757 | www.mounts.org

Sincerely,						
The Friends of the Mounts Botanical Garden, Inc.  By:	Date: 5/1/24					
Rebecca Doane, Board President						
ACCEPTED: Palm Beach County						
By:	Date:					
Director, Facilities Development & Operation	ons					