

From the Executive Director of Milwaukee of County Parks, requesting authorization to execute a Friends Agreement between Milwaukee County Parks and the Friends of Boerner Botanical Gardens, Inc., by recommending adoption of the following:

### **A RESOLUTION**

WHEREAS, the Friends of Boerner Botanical Gardens, Inc. (FBBG) is a private, non-profit corporation, organized under Section 181, Wisconsin State Statutes, with a tax-exempt status, under Section 501(c)(3), Internal Revenue Code, whose mission is to provide a garden setting for learning that nurtures understanding, enjoyment, and stewardship of our natural world, while nourishing and preserving Boerner Botanical Gardens (the Gardens) for future generations; and

WHEREAS, FBBG was formed and has functioned for the purpose of soliciting, holding, managing, investing, and expending funds, and other gifts, grants, and bequests, exclusively for the benefit and support of the Gardens, and much of its educational, scientific, and cultural programming, as determined by its Board of Directors; and

WHEREAS, Milwaukee County (the County) and FBBG have had a mutually-beneficial partnership for nearly 40 years, and FBBG has a significant positive impact in the Gardens, and the surrounding community, including teaching thousands of Kindergarten through 12<sup>th</sup> grade students each year (over 16,000 students in 2019), providing 8,000 plus volunteers since 2010, and over 18,500 volunteer hours in support of the Gardens, hosting garden walks, adult/family classes, and operating the gift store and library for the public's benefit; and

WHEREAS, additionally, FBBG continuously works to improve the Gardens, such as adding nighttime lighting for the Gardens in 2018; while in 2019, FBBG identified the donor of the new children's' garden, Margie's Smile, and worked with the donor on the first phase of design; and then in 2020, FBBG identified a donor that added a kaleidoscope to the Gardens; and

WHEREAS, Section 13, Milwaukee County Code of General Ordinances (the Code), provides guidelines for County departments that form partnerships with support groups, and requires written Agreements between the department and the support group, for approval by the County Executive and the Milwaukee County Board of Supervisors; and

WHEREAS, as required by Section 13 of the Code, the Agreement outlines the roles and responsibilities of the County and FBBG, including the handling of solicitations and donations, future improvements, records and reporting, and insurance provisions; and

47 WHEREAS, the initial term of this Agreement is three years, with the option to  
48 extend for one, consecutive, three-year period; and  
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50 WHEREAS, the Memorandum of Understanding provides for a maintenance fund  
51 of \$17,000 a year, for maintaining and enhancing the Gardens, which shall increase by  
52 two percent each year, and a minimum of \$5,000 per year for a Garden Fund, for the  
53 operation and maintenance of the Gardens; and  
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55 WHEREAS, the Committee on Parks and Culture, at its meeting of December 6,  
56 2022, recommended adoption of File No. 22-1108 (vote 4-0); now, therefore,  
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58 BE IT RESOLVED, the Milwaukee County Board of Supervisors hereby  
59 authorizes the Department of Parks, Recreation, and Culture (DPRC) to execute a  
60 Friends Agreement (the Agreement), between DPRC and the Friends of Boerner  
61 Botanical Gardens, Inc., for a term of three years, with one, three-year renewal; and  
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63 BE IT FURTHER RESOLVED, the Agreement shall comply with Section 13 of  
64 the Milwaukee County Code of General Ordinances.  
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