

**COUNTY OF MILWAUKEE**  
Inter-Office Communication

Date: November 7, 2022

To: Marcelia Nicholson, Chairwoman, Milwaukee County Board of Supervisors

From: Guy Smith, Executive Director, Milwaukee County Parks

Subject: 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.

File Type: Action Report

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**REQUEST**

The Executive Director of Milwaukee County Parks requests authorization to execute a Friends Agreement between Milwaukee County Parks and the Friends of Boerner Botanical Gardens, Inc. ("FBBG"), for a three-year term with one three-year renewal.

**POLICY**

Friends Agreement is required per Chapter 13 of the Milwaukee County Code of General Ordinances.

Wisconsin State Statutes:	
Milwaukee County Code of General Ordinances:	Chapter 13
Specific Adopted Budget:	
Specific Adopted Budget Amendment:	
Specific Adopted Capital Project:	

**BACKGROUND**

FBBG is a private non-profit corporation organized under Wisconsin statutes chapter 181 with a tax-exempt status under the Internal Revenue Code section 501(c)(3), 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.

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 such of its educational, scientific and cultural programming as determined by its Board of Directors.

The County and FBBG have had a mutually beneficial partnership for nearly forty years and FBBG has a significant positive impact in the Gardens and the surrounding

community including teaching thousands of K12 students each year (over 16,000 students in 2019), providing 8,000+ volunteers since 2010 and over 18,500 volunteer hours in support of the Gardens, hosting garden walks and adult/family classes, and operating the gift store and library for the public's benefit.

Additionally, FBBG continuously works to improve the Gardens. In 2018 FBBG added nighttime lighting for the Gardens, in 2019 it identified the donor of the new children's' garden, Margie's Smile, and worked with the donor on the first phase of design, and in 2020 FBBG identified a donor that added a kaleidoscope to the Gardens.

The term of this agreement is three years with the option to extend for one consecutive three-year period. The agreement provides for a Maintenance Fund of \$17,000 a year for maintaining and enhancing the Gardens, which shall increase by two percent each year. FBBG shall remit a minimum of Five Thousand Dollars (\$5,000.00) per year into a Garden Account which shall be designated for the use by the Gardens Director to offset operating costs of the Gardens.

The agreement complies with the requirements in Chapter 13 of the Milwaukee County Code of General Ordinances governing relationships between departments and support groups. The agreement outlines the roles and responsibilities of the County and FBBG including the handling of solicitations and donations, future improvements, records and reporting, insurance provisions, the County audit provision, a requirement for internal controls, and requirements related to FBBG's newly-created endowment fund.

16-307 gave authority to execute a Memorandum of Understanding between Milwaukee County Parks and FBBG.

Related File No's:	<a href="#">16-307</a>
Associated File No's (Including Transfer Packets):	
Previous Action Date(s):	

### **ALIGNMENT TO STRATEGIC PLAN**

Describe how the item aligns to the objectives in the [strategic plan](#):

2A: Determine what, where, and how we deliver services to advance health equity

2C: Apply a racial equity lens to all decisions

3A: Invest "upstream" to address root causes of health disparities

3B: Enhance the County's fiscal health and sustainability

3C: Dismantle barriers to diverse and inclusive communities

Relationships with support groups improve the County's fiscal health and sustainability. FBBG provides nature programming for K12 school students, home schoolers, special needs groups, and families. Education is a social determinate of health and nature provides countless opportunities for discovery, creativity, problem-solving, and STEM education. FBBG's main K12 programming is free for students and FBBG provides transportation, which assists in dismantling barriers for children from diverse backgrounds across the county.

**FISCAL EFFECT**

Operating revenues increase \$2,000 annually.

**TERMS**

- Three-year term with one three-year renewal
- \$17,000 annually for maintaining and enhancing the gardens with a 2% increase each year
- \$5,000 per year for a Garden Fund for the operation and maintenance of the gardens

**VIRTUAL MEETING INVITES**

Erica Goblet, Contracts Manager, Milwaukee County Parks

Shirley Walczak, Botanical Gardens Director, Milwaukee County Parks


Ellen Hayward, Executive Director, Friends of Boerner Botanical Gardens [ehayward@fbbg.org](mailto:ehayward@fbbg.org)

Scott Tracy, Board Treasurer, [scott.tracy6@gmail.com](mailto:scott.tracy6@gmail.com)

**PREPARED BY:**

Erica Goblet, Contracts Manager, Milwaukee County Parks

**APPROVED BY:**

Guy Smith, Executive Director Milwaukee County Parks 

**ATTACHMENTS:**

Resolution

Fiscal Note

Friends Agreement

**CC:**

David Crowley, County Executive

Mary Jo Meyers, Chief of Staff, County Executive's Office

Sheldon Wasserman, Supervisor District 3, PEEC Chair

Steven Shea, Supervisor District 8, PEEC Vice Chair

Felicia Martin, Supervisor District 7, PEEC Member

Juan Miguel Martinez, Supervisor District 12, PEEC Member

Steve Taylor, Supervisor District 17, PEEC Member

Kelly Bablitch, Chief of Staff, Milwaukee County Board of Supervisors

Janelle M. Jensen, Legislative Services Division Mgr, Office of the County Clerk

Aaron Hertzberg, Director, Department of Administrative Services

Joseph Lamers, Fiscal & Budget Director, DAS

Vince Masterson, Fiscal & Strategic Asset Coordinator, DAS

Pamela Bryant, Capital Finance Manager, Comptroller's Office

Justin Rodriguez, Capital Finance Analyst, Comptroller's Office

Kelsey Evans, Committee Coordinator, Office of the County Clerk

Ciara Miller, Research & Policy Analyst, Office of the Comptroller

Anthony Rux, Budget & Management Analyst, DAS-PSB