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From the Executive Director of the Department of Parks, Recreation and Culture, requesting authorization to execute a new Friends Agreement between Milwaukee County Parks and the Friends of the Domes for this calendar year, which will renew annually and remain in effect until terminated upon one (1) year written notice by either party or by mutual consent, by recommending adoption of the following:

AN AMENDED RESOLUTION

WHEREAS, the Friends of the Domes, Inc. (FOD), is a private, nonprofit corporation organized under Section 181, Wisconsin State Statutes, with a tax-exempt status under Internal Revenue Code Section 501(c)(3); and

WHEREAS, FOD was formed and has functioned for the purpose of soliciting, holding, managing, investing, and expending funds and other gifts, grants, and bequests for the benefit and support of the Mitchell Park Horticultural Conservatory (the Domes), as well as providing educational, scientific, and cultural programming as the FOD Board of Directors deems to be suitable and appropriate; and

WHEREAS, FOD has had a positive impact on the Domes, and is active in fundraising, sponsorships, managing and operating the gift shop, managing and operating educational programming, and coordinating the volunteer efforts that support the Domes; and

WHEREAS, in December 2018, the Audit Services Division (ASD), Office of the Comptroller, completed an audit of the Domes, and recommended that the role of FOD and Milwaukee County (the County) should be clarified, and changes to the existing Friends Agreement (the Agreement) should be formally approved; and

WHEREAS, the Milwaukee County Board of Supervisors (County Board) adopted the recommendations of the audit report on February 7, 2019 (File No. 19-57); and

WHEREAS, the Director, ASD, Office of the Comptroller, issued an informational report on July 16, 2019, regarding the new Agreement between the County and FOD, indicating the final recommendations that need to still be addressed from the February 2019 audit report; and

WHEREAS, the February 2019 audit report included the recommendation that Department of Parks, Recreation, and Culture (DPRC) management strengthen its internal controls to provide for better monitoring of the Agreement by DPRC staff, including improved monitoring of the receipt and documentation of revenues that are supposed to be received from FOD; and

46 **WHEREAS, the July 2019 informational report also recommended that**
47 **DPRC consider adding an ability for shorter notice for termination, versus the one**
48 **year as noted in the Agreement; and**
49

50 WHEREAS, Chapter 13, Milwaukee County Code of General Ordinances
51 (the Code), provides guidelines for County departments that form partnerships with
52 support groups, and requires a written agreement be developed between the
53 department and the support group for approval by the County Executive and the
54 County Board; and
55

56 WHEREAS, the term of this Agreement is for the calendar year in which it is
57 signed, and remains in effect, unless and until terminated upon one year written notice
58 by either party, or by mutual consent; and
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60 WHEREAS, the Agreement also lays out the roles and responsibilities of the
61 County and FOD in the operation and management of the gift shop and educational
62 programming, and the requirements of Chapter 13 of the Code, including the handling
63 of solicitations and donations, future improvements, records and reporting, and
64 insurance provisions; and
65

66 WHEREAS, the Committee on Parks, Energy, and Environment, at its meeting of
67 September 10, 2019, recommended adoption of File No. 19-598 as amended (vote 5-0);
68 now, therefore,
69

70 BE IT RESOLVED, the Milwaukee County Board of Supervisors (County Board)
71 authorizes the Department of Parks, Recreation, and Culture (DPRC) to execute a new
72 Friends Agreement (the Agreement) between DPRC and the Friends of the Domes, Inc.
73 (FOD), for this calendar year, which will renew annually ~~and remain in effect until~~
74 ~~terminated upon one year written notice by either party, or by mutual consent;~~
75 and
76

77 **BE IT FURTHER RESOLVED, the County Board hereby directs and**
78 **authorizes DPRC to negotiate a shorter notice period for the termination of the**
79 **Agreement, which shall be less than one year; and**
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81 **BE IT FURTHER RESOLVED, the County Board hereby directs and**
82 **authorizes DPRC to negotiate, as part of the Agreement, provisions to strengthen**
83 **the internal controls of FOD, so that DPRC is better able to monitor the**
84 **Agreement, including better receipt and documentation from FOD to ensure**
85 **revenues are properly recorded; and**
86

87 **BE IT FUTHER RESOLVED, the DPRC is authorized to execute the**
88 **Agreement after its revision to include the provisions described herein; and**
89

90 BE IT FURTHER RESOLVED, FOD will continue to operate and manage the gift
91 shop, provide daily cleaning, and will use profits to support the Mitchell Park
92 Horticultural Conservatory, and offset the expenses of providing educational
93 programming; and
94

95 BE IT FURTHER RESOLVED, FOD will operate and manage an education
96 program, and will contribute four dollars of each admission fee to a FOD segregated
97 bank account designated for Milwaukee County (the County); and
98

99 BE IT FURTHER RESOLVED, FOD will deposit 25 percent of funds generated
100 by FOD's special events into a FOD segregated bank account designated for the
101 County; and
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103 BE IT FURTHER RESOLVED, the Agreement shall comply with all other
104 requirements of Chapter 13, Milwaukee County Code of General Ordinances.
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