

ORDINANCE NO. 768.2

AN ORDINANCE OF THE CITY OF NORTH MIAMI AMENDING ORDINANCE NO. 768 and 768.1 CODIFIED AS SECTIONS 2-126 AND FOLLOWING SECTIONS OF THE CODE OF THE CITY OF NORTH MIAMI CONCERNING THE BOARD OF TRUSTEES OF THE NORTH MIAMI MUSEUM AND ART CENTER; PROVIDING FOR ORGANIZATION AND TERM OF OFFICE; INCREASING THE NUMBER OF MEMBERS TO ELEVEN AND ALLOWING MEMBERS TO SUCCEED THEMSELVES; ALLOWING THE TRUSTEES TO SUBMIT ONE RATHER THAN THREE PROPOSED NAMES FOR EACH VACANCY; PROVIDING FOR DUTIES, MEETINGS AND ATTENDANCE; PROVIDING FOR FINANCING AND INSURANCE; PROVIDING FOR A DIRECTOR; PROVIDING THAT ITS RECORDS SHALL BE PUBLIC; PROVIDING FOR REPEAL AND SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

THE CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA HEREBY ORDAINS:

Section 2-126 shall be amended to read as follows:

Section 1.

Section 2-126. Board of Trustees of North Miami Museum and Art Center; Organization; Term of Office.

- (a) There is hereby created and established the board of trustees of the North Miami Museum and Art Center which shall consist of ~~seven (7)~~ eleven (11) members and one ex officio member from the staff of the City of North Miami.
- (b) Initially, the Society of the Arts will recommend to the city council fifteen (15) names for membership on the board of trustees. The city council may also nominate candidates for membership on the board, such candidates to be reviewed with appropriate recommendations by the Society of the Arts. The city council shall select ~~seven (7)~~ eleven (11) members to serve on the board, a majority of which shall be residents of the city. Thereafter, the board of trustees' nominating committee shall present ~~three (3)~~ one (1) name for each available seat on the board to the council for selection.
- (c) The term of office for the Board of Trustees shall be as follows:
 - (1) ~~Four~~ Six members shall be initially appointed for a term of four years.
 - (2) ~~Three~~ Five members shall be initially appointed for a term of two years.
 - (3) Thereafter, appointments shall be made for a term of four years.
 - (4) In the event of the removal or resignation of a member of the board of trustees, the nominating committee of the board shall recommend ~~three (3)~~ one (1) name for the position to the city council for selection.
 - ~~(5) A trustee who has initially served one term of two (2) years may be reappointed to serve a full four-year term. A member shall serve no more than one four-year term. A member who has served a full term may be reappointed after a two-year interim.~~

Section 2-126.1 shall be amended to read as follows:

Section 2-126.1. Duties.

The board of trustees of the North Miami Museum and Art Center shall sponsor and promote exhibits, special events, functions and activities for the benefit of the public and shall further the development of the North Miami Museum and Art Center. The board of trustees shall serve as liaison between the public and the city council. The chairman of the board of trustees shall make all records, reports, financial statements and other necessary information available to the city council.

There shall be no change to Section 2-126.2 which reads as follows:

Section 2-126.2. Meetings; attendance.

The board shall meet approximately once each month and there shall be a minimum of nine (9) meetings each year. If a board member is absent without good cause for more than two (2) successive meetings, he may be removed by the board of trustees with the approval of the city council.

Section 2-126.3 shall be amended to read as follows:

Section 2-126.3. Finances.

The board of trustees of the North Miami Museum and Art Center shall be incorporated and shall have a nonprofit tax-exempt status. The monies received by the Board of Trustees shall be used in the performance of their duties. ~~The city is contributing Five Thousand Dollars (\$5,000.00) during the first year. This contribution is discretionary. The city is not binding itself to make further contributions. It is anticipated and expected that the board of trustees shall conduct fund-raising projects to fund the balance and future operational costs.~~ The Board of Trustees shall conduct fund-raising projects to assist in the funding of the operational costs of the North Miami Museum and Art Center.

- ~~(a) Any monies allocated to the board by the City of North Miami shall be used toward the payment of general operating expenses.~~
- ~~(b) All additional costs and expenses shall be borne exclusively by the board of trustees of the North Miami Museum (and Art Center).~~
- ~~(c) All records and other documents of the board and its employees or agents shall be regarded as public record.~~

Section 2-126.4 shall be amended to read as follows:

Section 2-126.4. Insurance.

The board of trustees shall provide Appropriate and adequate insurance for the benefit of the North Miami Museum and Art Center, the board of trustees and the City of North Miami, at no cost to the city. All insurance shall be reviewed and approved by the city manager or his designee and shall specifically name the City of North Miami as an additional insured. ~~for their benefit and the city's benefit to be reviewed and approved by the city.~~

Section 2-126.5 shall be amended to read as follows:

Section 2-126.5. Board authorized to hire director of museum:
Director of North Miami Museum and Art Center.

~~The board of trustees may hire a director of the North Miami Museum (and Art Center) on a personal services agreement. The director shall be directly responsible to the board and shall assist the board in the performance of its duties as per the board's direction.~~ The museum director shall be an employee of the City of North Miami, and shall be a member of the classified service and shall be assigned as provided by the City Manager. The museum director shall assist the board in the performance of its duties.

- ~~(a) The director shall give monthly status reports to the board of trustees.~~

~~-(b)-The chairman of the board of trustees shall present the reports of the director, financial reports and any other necessary information to the city council.~~

Section 2-126.6 shall be amended to read as follows:

Section 2-126.6. All records to be Public Records.

All records of the North Miami Museum and Art Center shall be subject to the Public Records Law of the State of Florida as it now exists or as it may hereafter be amended.

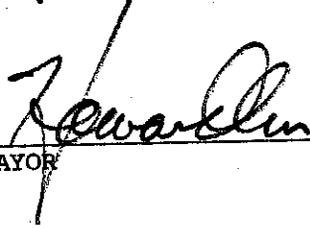
Section 2. Repeal. All ordinances or parts of ordinances in conflict herewith or inconsistent herewith are hereby repealed, but only insofar as such ordinances may be inconsistent or in conflict with the provisions of this Ordinance.

Section 3. Severability. If any word, clause, phrase, sentence, paragraph or section of this Ordinance is held to be invalid by a Court of competent jurisdiction, such declaration or invalidity shall not affect any other word, clause, phrase, sentence, paragraph or section of this Ordinance.

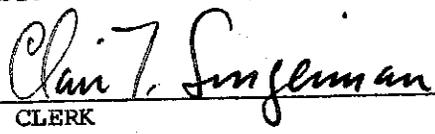
Section 4. Effective Date. This Ordinance shall become effective upon its passage by City Council on second reading.

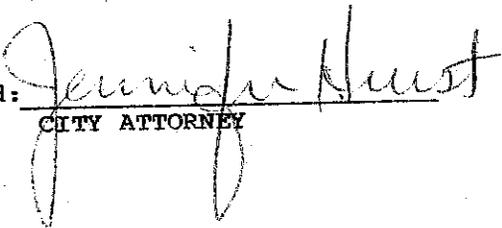
PASSED by 5-0 vote of the City Council on the first reading, in full, this 22nd day of MARCH, 1983.

PASSED AND ADOPTED by 4-0 vote of the City Council on second reading, by title only, this 12th day of April, 1983.


MAYOR

ATTEST:


CITY CLERK

Approved: 
CITY ATTORNEY