

ORDINANCE NO. 2004-09

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DORAL, FLORIDA, CREATING A CULTURAL AFFAIRS BOARD; PROVIDING FOR MEMBERSHIP; PROVIDING FOR POWERS AND DUTIES; PROVIDING PURPOSE; PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

WHEREAS, the Mayor and City Council of Doral believe that a Cultural Affairs Board comprised of individuals with a strong interest in the arts would be an asset to the City by advising the Council regarding interest in and promotion of the arts and in developing cultural resources and encouraging community cultural involvement; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:

Section 1. That Section 2-9, entitled "Cultural Affairs Board," of the City of Doral Code of Ordinances is hereby created to read as follows:

Sec. 2-9. Cultural Affairs Board.

- (1) The Cultural Affairs Board is hereby created.
- (2) Composition; appointment, term of members:
 - (a) The Cultural Affairs Board shall be comprised of seven (7) persons, at least five (5) of whom shall be residents of the City of Doral. Members shall be appointed by the Mayor, subject to approval of the majority of the City Council, on an annual basis. Vacancies for the unexpired terms of members shall be filled by the Mayor. Members should have a strong interest in the arts and should represent a broad spectrum of society; including, but not limited to, practicing artists, recreation specialists, business persons, educators, art historians, tourism professionals and citizens interested in arts advocacy. Members shall serve without pay.
 - (b) No member appointed may be the owner or operator of, or consultant for, a for-profit enterprise engaged in the appraisal, sale, leasing or showing of art to the public on a retail or wholesale basis.

- (3) The duties of the Cultural Affairs Board shall be to advise the City Council in regard to interest in and promotion of the arts and tourism, to develop local cultural resources and to assist the City, as requested by the City Council, in the planning and implementation of community cultural involvement.
- (4) The Cultural Affairs Board shall advise the City Council on matters concerning the cultural activities or programs desired by the citizens of the area.
- (5) Selection of officers; meetings:
- (a) The Cultural Affairs Board and its committees shall select one of their members as Chairperson and such other officers as they may determine.
- (b) The Board and its committees shall meet at such time and place as provided in their rules or procedures which rules shall also provide for the transaction of the business. Such rules and procedures shall become effective after approval by the City Council.
- (6) Membership; removal. The City Council shall have the authority to remove any member of the Board for misconduct, or for more than three (3) unexcused absences in any one (1) calendar year.

Section 2. Repeal of Conflicting Provisions. To the extent any provisions of the Code, as made applicable to the City through Section 8.03 of the City Charter conflict with this Chapter, those provisions are repealed in its entirety.

Section 3. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 4. Inclusion in the Code. It is the intention of the City Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of the City of Doral, Florida; that the sections of this Ordinance may be

renumbered or relettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 5. Effective Date. This Ordinance shall be effective upon adoption on second reading.

The foregoing Ordinance was offered by Vice Mayor Cabrera, who moved its adoption. The motion was seconded by Councilman Van Name and upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	yes
Vice Mayor Peter Cabrera	yes
Councilman Michael DiPietro	yes
Councilwoman Sandra Ruiz	yes
Councilman Robert Van Name	yes

PASSED AND ADOPTED on First Reading this 9th day of June, 2004.

PASSED AND ADOPTED on Second Reading this 14th day of July, 2004.

ATTEST:

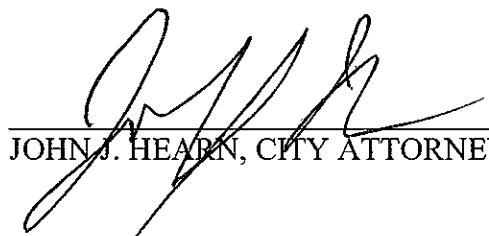


JUAN CARLOS BERMUDEZ, MAYOR



SHEILA PAUL, CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE
SOLE USE OF THE CITY OF DORAL:



JOHN J. HEARN, CITY ATTORNEY