

ORDINANCE NO. 1639

AN ORDINANCE TO CREATE AN AUDITORIUM COMMISSION, HEREAFTER KNOWN AS THE FORUM COMMISSION, TO PROVIDE FOR COMMISSION MEMBERS, TERMS AND VACANCIES, AND PROVIDING FOR THE RESPONSIBILITIES AND DUTIES OF THE COMMISSION AND FOR OTHER PURPOSES.

BE IT ORDAINED by the City Council of the City of Jonesboro, Arkansas:

Section 1. There is hereby created an Auditorium Commission, hereafter known as the Forum Commission, to be composed of seven (7) members who shall be citizens of the City of Jonesboro and qualified electors of the municipality. The Commissioners shall be appointed by the Mayor and confirmed by a majority vote of the City Council, provided, however that those first appointed and confirmed after the passage of this ordinance shall serve for terms of one, two, three, four, five, six, and seven years each, to be designated by the Mayor and City Council, and thereafter upon the expiration of the respective terms, commissioners appointed by the Mayor and approved by a majority vote of the City Council shall each be appointed to a term of five (5) years.

Section 2. Commission members appointed under the provisions of this ordinance may be removed for cause upon a two-thirds vote of the duly elected and qualified members of the City Council.

Section 3. The Commissioners appointed under this ordinance shall have complete authority to manage, operate, maintain and keep in good state of repair the Municipal Auditorium and shall have complete charge of said building. The Commissioners shall have the right to employ or remove managers, janitors, and other employees of whatsoever nature, kind or character, and fix and regulate their salaries. The Commissioners shall have complete and full authority provided, said Commissioners shall not have authority or power to sell, mortgage, or encumber said auditorium unless otherwise authorized by the Statutes of Arkansas.

Section 4. The Commissioners shall have authority under this ordinance and shall have exclusive right and power to make purchases of supplies, apparatus, and other property and things requisite for the management and operation of the city auditorium. All expenditures in excess of (\$300.00) shall be let by bid and such work shall be awarded to the lowest responsible bidder.

Section 5. The Commissioners shall have authority to enter into contracts with persons, firms, corporations or organizations for the use of the auditorium buildings or parts thereof and shall have authority to adopt such rules and regulations as they may deem necessary and expedient for the proper operations and management of the municipal auditorium and shall have authority to alter, change, or amend such rules and regulations at their discretion.

Section 6. The Commissioners shall submit quarterly reports beginning three months after they take their oath of office and each three months thereafter, reporting in full on the operations, including an account of receipts and disbursements to the Mayor and City Council and furnish such other further reports, data, and informations as may be requested by the Mayor and City Council. The Commissioners shall further submit an annual audit of the operations of the auditorium to the Mayor and City Council.

Section 7. The Commissioners shall have authority to utilize all revenues derived from the auditorium in the operation of the auditorium. All funds derived from the use of the auditorium shall be segregated in an auditorium fund which shall be used exclusively in the operation of the auditorium. The Commissioners shall each furnish to the City a \$5,000.00 surety bond, said bond obtainable only from a reputable surety company doing business in the State of Arkansas. The premiums on said bond shall be paid from the monies in the auditorium fund. The Commissioners shall receive no salary from their services, but shall be reimbursed for actual expenses incurred in their duties. The commissioners shall have the authority to accept any donations from any person, firm,

association or corporation and said donations shall be placed in the auditorium fund and used exclusively for auditorium purposes.

Section 8. The Mayor and City Council may appropriate funds from the general revenues of the City and such funds shall be deposited in the auditorium fund if the City deems it necessary to appropriate general revenues for the use of the Commissioners and in managing and operating the city auditorium.

Section 9. The Mayor and City Council shall execute such instruments and enact such measures as it may be necessary to vest complete charge of said municipally owned auditorium in the Commissioners hereinafter appointed.

Section 10. All ordinances and/or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 11. The provisions of this ordinance are hereby declared to be seperable, and if any section, phrase or provision of this ordinance for any reason is declared to be invalid, such declaration shall not effect the validity of the remainder of the sections, phrases, or provisions.

Section 12. It is hereby declared by the City Council of the City of Jonesboro, Arkansas, that the City of Jonesboro is in great need of an auditorium in order to provide an entertainment, cultural, and civic center for the citizens of Jonesboro, Arkansas, which can be used by the citizens of the City of Jonesboro, Arkansas, irregardless of race, color, creed, or economic conditions and that therefore, this ordinance is necessary to preserve the public peace, health, and safety, an emergency is hereby declared to exist and this ordinance shall take effect from and after its passage and approval.

PASSED AND ADOPTED this 3rd day of April, 1978.