



## ORDINANCE

### UPDATING THE ORDINANCE REGARDING THE PERFORMING ARTS CENTER BOARD OF TRUSTEES

### *CITY OF NASHUA*

*In the Year Two Thousand and Twenty-Three*

*The City of Nashua ordains* that Part I “Administrative Legislation”, Chapter 5 “Administration of Government”, Article XIII “Generally”, § 5-59.1 “Performing Arts Center Board of Trustees” of the Nashua Revised Ordinances, as amended, be hereby further amended by deleting the struck-through language and adding the new underlined language as follows:

**“§ 5-59.1. ~~Performing Arts Center~~ Nashua Center for the Arts Board of Trustees.**

- A. A Board of Trustees for the ~~Performing Arts Center~~Nashua Center for the Arts is hereby established. The Board shall have full control of the City’s use of the ~~Performing Arts Center~~Nashua Center for the Arts at 201 Main Street, Nashua, subject to any operating or other agreement entered into by the City prior to the formation of the Board of Trustees, which is to be used as, but not limited to, a performing arts venue, a community building, and a space for any other appropriate use approved by the Board of Trustees.
- B. The ~~Performing Arts Center~~Nashua Center for the Arts Board of Trustees shall consist of nine members, the majority of whom are either residents of Nashua or employed in Nashua. The Mayor of Nashua or the Mayor's designated representative shall be a member of the Board of Trustees, and the Mayor of Nashua shall appoint the remaining members of the Board of Trustees, subject to confirmation by the Board of Aldermen. The initial Board of Trustees, except the Mayor or the Mayor's designated representative, shall hold office according to the following timetable: one to hold office for one year; one to hold office for two years; two to hold office for three years; two to hold office for four years; and two to hold office for five years. After the initial Board of Trustees terms have expired the term of office for each Trustee shall be five years. Vacancies will be filled by the Mayor and confirmed by the Board of Aldermen. The Board of Trustees shall meet at least annually on the ~~first Monday~~second Friday in February. Five members shall constitute a quorum for the exercise of power and performance of duties. The Trustees shall receive no compensation for their services.

- C. The ~~Performing Arts Center~~Nashua Center for the Arts Board of Trustees shall manage the property and all business affairs of the ~~Performing Arts Center~~Nashua Center for the Arts including but not limited to overseeing expenditures. The Board of Trustees may employ such personnel as it deems necessary to operate and maintain the ~~Performing Arts Center~~Nashua Center for the Arts. The Board of Trustees may also apply and accept for the benefit of the ~~Performing Arts Center~~Nashua Center for the Arts grants, gifts, devises and bequests, as may be made to it or to the City for the purpose of increasing or improving the ~~Performing Arts Center~~Nashua Center for the Arts. The Board of Trustees is also authorized to take and hold any grant, gift, bequest or devise of property upon trust, real properties excluded, to apply the principal or the income thereof in any manner it sees fit in accordance with its best judgment and which will promote the purpose for which the ~~Performing Arts Center~~Nashua Center for the Arts is established.
- D. The ~~Performing Arts Center~~Nashua Center for the Arts Board of Trustees shall make and execute all such rules and regulations for its government, the preservation of property under its charge and the use and management thereof, as it may from time to time deem necessary or expedient.
- E. The ~~Performing Arts Center~~Nashua Center for the Arts Board of Trustees shall present an annual report to the Mayor and Board of Aldermen including but not limited to a listing of all receipts and expenditures, a statement of any unexpended balance of money it may have, and of grants, gifts, bequests or devises it may have received and is holding on behalf of the City. Any disposal of real estate shall be governed by the Mayor and Board of Aldermen.”

All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

This ordinance shall become effective upon passage.

PASSED BY THE BOARD OF ALDERMEN – SEPTEMBER 13, 2023

APPROVED BY THE MAYOR – SEPTEMBER 15, 2023

ATTEST: DANIEL R.C. HEALEY, CITY CLERK