

BYLAWS
RABBIT CREEK COMMUNITY COUNCIL
Passed May 26, 1988

Revisions approved by Council vote on August 14 and October 9, 2014
Technical edits per MOA Ombudsman's directions October 22-28, 2014

ARTICLE I: NAME

The name of this Association shall be the Rabbit Creek Community Council (Council). This organization shall be a volunteer non-profit unincorporated organization as established by the Anchorage Charter and Municipal Ordinance.

ARTICLE II: BOUNDARY

The Council shall encompass that portion of the Municipality of Anchorage as defined by Ordinance in AMC 2.40 and AMC 2.40.090, and any future amendments or revisions to the Municipal Code. The Council boundaries as shown on the 2003 municipal map is that area encompassed by: middle of DeArmoun Road beginning at the Seward Highway east to Hillside/Rabbit Creek Road then south to Mountain Air Drive right-of-way, with a 300' radius insert of Storck Park and the Bear Valley Elementary School, to the north south section line, south to the Bear Valley watershed boundary line then southeast to Chugach State Park, following the Park boundary line to the west until it reaches the New Seward Highway by Potter Road House then New Seward Highway north to DeArmoun Road.

ARTICLE III: PURPOSE

The purpose of the Council shall be to establish a council of residents and other community members within the defined boundaries to afford an opportunity for maximum community involvement and self-determination on a continuing basis in government and local affairs. Pursuant to section 8.01 of the Anchorage Home Rule Charter, the Council will negotiate with the Municipality of Anchorage with respect to the Council's duties and responsibilities. This shall include at a minimum all functions set forth in AMC 2.40.050 and associated sections. These shall include advisory functions of: recommending compliance with and changes to the Comprehensive Plan; responding to local government proposals; reviewing notices concerning liquor licenses, performance venues, land use permits, disposal of municipal lands and other issues submitted to the Council; proposing action regarding enforcement of existing laws, ordinances and pursuit of rights under existing laws or ordinances and any matter of policy regulation; and, advising the Assembly of annual capital improvement project priorities. The Council shall not endorse a candidate for any federal, state or municipal elected office.

ARTICLE IV: MEMBERSHIP

Section 1. Eligibility.

A. Any person 18 years of age or older is eligible for membership, provided the person is a homeowner, tenant, resident, non-resident property owner, a business owner's designated representative within the boundaries described in Article II, or the designated representative of a corporate, non-profit association, or other entity which is physically located within the boundary described in Article II.

B. A member is registered and is eligible to vote at all general and special membership meetings immediately after proving eligibility under Article IV Section 1(A) by submitting an acceptably completed and signed Member Information Form to the Treasurer/Membership Coordinator.

C. The members shall be recorded on a membership roster maintained by the Treasurer/Membership Coordinator. The membership roster shall be available from the Treasurer/Membership Coordinator for inspection at any meeting by any voting member upon request. Rosters shall be used only for council business.

Section 2. Meetings.

A. Regular general membership meetings shall be scheduled at least four times a year, and at least once each calendar quarter, by the Executive Board (hereafter referred to as the Board), one of which shall be the annual meeting held in November.

B. Meetings shall be held at a public and easily accessible location within the boundaries of the Council. This location shall be chosen by the Board; and notice of this location shall be included in any general membership communication.

C. The Board shall be responsible for publication of advance notices and calling general and special membership meetings. There shall be notice of all general and special membership meetings. To the extent funds for this purpose are available, notices for such meetings shall be given seven days in advance electronically or by other means reasonably expected to reach the members. To the extent feasible, meetings shall be held at a consistent time and date each month.

D. Ten percent of the registered members may call for a special membership meeting by giving notice of the time, place and subject to be discussed to the Chair or Vice Chair at least 15 days prior to the membership meeting. The Board must then call a special membership meeting and notice it in accordance with Article IV, Section 2(C) above.

E. A quorum of the Council shall consist of 20 percent of the registered members, including at least four Board members for all general and special membership meetings. Business requiring a vote of the membership will not be conducted at general and special membership meetings without a quorum of the membership. Bylaws amendments require a two-thirds vote of the voting members present for approval.

Section 3. Voting.

A. In order to be eligible to vote at a Council meeting, a registered member must have attended at least one Council meeting in the preceding 12 months, Article IV Section 1 (A) notwithstanding.

B. Each registered member shall have one vote, except as specified in Article V, Section 2.

C. A registered member must be present at the meeting in order to cast a vote. There will be no proxy vote.

D. The eligibility to vote of any person may be challenged by a registered member of the Council. A committee of three members present at the meeting plus two members of the Board, all five to be selected by the Chair, shall immediately decide any challenge. The membership roster, member information form, and Article IV, Section 1(A) eligibility proof shall be considered as proof of voter eligibility excepting that designation as a representative shall be presumptively indefinite so long as the entity continues to be physically located with the Council's boundary.

E. All motions and amendments made during general and special membership meetings shall have the maker and second recorded in the minutes along with the wording of the motion itself. Unless otherwise required by these By Laws, votes shall be determined by a majority of those voting on the motion. All votes on motions shall have the following information recorded in the minutes: Total number of voting members (including Board members) at the meeting, Number of YES votes, Number of NO votes, Number of ABSTENTIONS.

F. Voting for members of the Board shall be by paper ballot unless two-thirds of those present at the meeting vote to accept a voice vote for Board members. The ballots shall be tabulated by a committee consisting of up to three voting members of Council and at least two Board members, all to be selected by the Chair. Candidate names and the individual vote total shall be confirmed by the committee and the tabulation shall be entered into the minutes as a permanent record of the vote. Voting for the Board at the annual membership meeting is by the highest number of votes cast for the two-year and one-year terms.

ARTICLE V: EXECUTIVE BOARD AND OFFICERS

Section 1. Number.

The Executive Board (called the Board, for brevity) shall consist of eleven members elected by the membership at the annual meeting. The new Board shall then call a special Board meeting prior to the next scheduled meeting and elect four officers to serve for one-year terms. Each of the four officers elected shall be a member of the Board of the Council. The officers shall be Chair and Vice-Chair, or co-chairs; Secretary and Treasurer/Membership Coordinator. The Board may, for any reason at any time during the year, remove any officer and re-elect someone to that office. The officer is not removed from the Board; the officer is removed only from the office previously occupied. Newly elected officers will take office as of January 1st after the annual meeting.

Section 2. Elections.

Seven Board members shall be elected at the annual meeting to take office January 1st. These Board members shall serve with the other four current Board members whose terms expire in one year. Of the seven Board members, four shall be elected for two-year terms and three shall be elected for a term of one year. Nominations shall be presented by the chairperson or co-chairperson of the nominating committee. Such person(s) shall also elicit nominations from the floor. Two elections will be held, for two- and one-year Board positions, in that order. Each registered member shall be entitled to the number of votes equal to the number of positions open (four votes for the four two-year positions and three votes for the three one-year positions). Members may not cast multiple votes for the same candidate on the same ballot. A run-off

election of tied candidates for the last place on the slate will only be between those candidates who were tied. Highest vote cast determines the winner(s). Runners-up shall serve as alternate(s) for the Board for the calendar year.

Section 3. Removal, Resignations and Vacancies.

A. Resignations shall be made in writing to the Board Chair. The Chair shall immediately notify members of the Board of that resignation. An officer of the Board may resign his/her position as an officer and still retain his/her membership on the Board.

B. Removals, resignations and vacancies on the Board or an officer on the Board maybe filled by Board appointment immediately if they occur at a Board meeting, or at the next scheduled meeting of the Board if they occur between meetings. The Board shall fill any vacancy by a majority vote.

C. Three consecutive unexcused absences of a Board member from regular Board meetings or general meetings shall constitute grounds for immediate removal by a majority vote of the Board. A Board member may also be removed for any cause by eight or more Board members at a scheduled Board meeting or two-thirds vote of members present at a scheduled general membership meeting. If removed, that member of the Board immediately forfeits any office to which he or she has been elected and the Board shall at the same meeting fill the vacant office. Appointees shall serve in a vacated position until the next annual meeting regardless of the term of office they assumed. The remaining year of a two-year term is elected as a one-year term at the next January election.

Section 4. Meetings.

A. The Board shall meet at least monthly, which may be held concurrently with general membership meetings, and all meetings will be held at a public and easily accessible location and open to the general membership. Only duly elected Board members shall be entitled to vote at Board meetings. The Board may act on behalf of the membership when a quorum of the Council is not met at a general meeting or when action is required between general meetings. When feasible, actions of the Board shall be available in electronic format or by other means.

B. Special Board meetings may be called by the Chair, or a majority of the Board, upon notification of all Board members. Proof of waiver of notice shall be reflected in the regular and special Board meetings minutes. An attempt shall be made to inform the general membership of any special Board meeting electronically, or by other available means.

Section 5. Quorum.

Six of the eleven Board members shall constitute a quorum for all purposes and at Board meetings. Matters requiring decision of the Board will require at least six favorable votes for approval.

Section 6. Duties and Powers of the Board.

A. The Board shall bear the responsibility of keeping the general membership of the Council advised of important matters affecting the community. The Board shall make written recommendations concerning community issues, to be submitted to the Mayor, Municipal

Assembly, Planning and Zoning Commission, Platting Board, or any other pertinent person or group.

B. Members of the Board shall attend all regular and special meetings.

C. No member of the Board will serve in more than one Office of the Council at the same time. Treasurer/Membership Coordinator is interpreted to be one Office.

D. Actions of the Board are deemed ratified by the general membership unless reversed by the members at the next regular or special meeting of the Council.

E. The Board shall ensure that there is an annual report of the Council's activities consisting of resolutions and approved minutes from all Board, special, and general membership meetings. The minutes and other documents judged pertinent shall be posted electronically before the next meeting, and transmitted to Council's file at UAA, Archives.

F. The Board shall elect the Officers following the meeting at which the Council membership elects Board members and as required by Officer vacancies throughout the year.

G. A person who is representing the Council shall present only positions that have been authorized by the Council.

Section 7. Duties of Officers.

A. Chair/Co-chair. The Chair/Co-chair shall preside at all meetings of the Council and shall be an ex-officio member of all committees with the right to vote. The Chair/Co-chair shall also, at times deemed proper, communicate to the Board on such matters and make such suggestions as may in his or her opinion tend to promote the welfare and increase the usefulness of the Council. Chair/Co-chair shall perform other duties as are necessary and incident to the office. The Chair/Co-chair has the right to vote in all matters. The Chair/Co-chair shall be limited to service in that office for no more than two consecutive elected terms except by unanimous decision of the board.

B. Vice-Chair/Co-chair. In case of the absence of the Chair/Co-chair, or the Chair's/Co-chair's inability to act, for any cause, the Vice-Chair/Co-chair shall perform the duties of the office of Chair/Co-chair. The Vice-Chair/Co-chair shall be responsible for standing committees.

C. Secretary. The duties of Secretary are to attend all meetings of the Board and general membership, to provide public notice of all Board meetings, to keep a record of discussions, motions, actions and attendance at all meetings and maintain all correspondence as needed by the Board. Minutes, resolutions and correspondence resulting from all Council meetings and Board meetings in the previous six months shall be available at all Council meetings. In case of absence or disability of the Secretary, the Chair shall appoint a Secretary pro-tem.

D. Treasurer/Membership Coordinator. The duties of the Treasurer/Membership Coordinator are to maintain an official roster of registered members, to notify general membership of all regular or special membership meetings, to collect and record any voluntary contributions, and to keep

an account of all monies received and expended for the use of the council. The funds, books and vouchers shall at all times be under the supervision of the Board, and subject to any member's inspection.

Section 8. Voting.

Members of the Board who make and second motions and amendments at a Board meeting shall be indicated in the minutes. The wording of the motions and amendments shall also be indicated in the minutes. All votes on motions and amendments shall have the following information recorded in the minutes: Total number in attendance (including members of the Board), Number of members of the Board present, number of YES votes, number of NO votes, number of ABSTENTIONS. A “straw poll” of any other members present shall also be taken and recorded in the minutes when the Board votes on a position to be taken on behalf of the general membership.

Section 9: Recall.

One or more Board members may be recalled by the Council membership. To recall a Board member, a recall petition must be submitted. The recall petition requires dated signatures of 20 percent of the number of voting members on the register prior to the date of first circulation of the recall petition. The petition must state the name(s) of the Board member(s) to be recalled, and the reason or reasons for the recall. The recall petition can only be presented to the Board at a regular or special Board meeting. No recall petition will be accepted by the Board after the regularly scheduled October Board meeting. Voting on the recall petition will be restricted to those voting members on the register at the time of first circulation of the recall petition. Recall will require an affirmative vote of a majority of all registered voters eligible to vote on the issue, not just a majority of those at the recall meeting. Upon certification of the required signatures of 20 percent of the voting members, the Board must schedule a special membership meeting within 30 days per Article IV, Section 2(C). Recall of a member of the Board shall be discussed and voted upon only at a regular or special general membership meeting after being placed on the agenda and properly noticed to all voting members. A successful recall removes a Board member from the Board and from any office occupied by that member of the Board. The Board shall, at the same meeting, fill the vacant Board position and the office on the Board, in that order. There is no appeal to a successful recall petition.

ARTICLE VI: COMMITTEES

A. *Ad hoc* committees may be appointed by the Board.

B. Any Council member is eligible for appointment to a committee.

C. Whenever possible each committee will be chaired, or co-chaired, by a member of the Board. If a member of the Board is not available to chair or co-chair a committee, then the Board shall appoint a chairperson, or co-chairpersons, who is (are) a voting member(s) of the Council.

D. The Board annually shall elect one of its members as a representative to the Federation of Community Councils.

E. The Chair may appoint an observer from the voting membership to participate in the meetings of other community organizations to foster an exchange of information on community issues.

ARTICLE VII. FINANCES.

- A. There are no mandatory dues. However, the Council shall encourage its members and others to donate funds for the operation of the Council.
- B. Funds collected within the council may be deposited into an established bank with the Treasurer/Membership Coordinator being responsible for all deposits and accounting. The Board shall designate four Board members (including the Treasurer/Membership Coordinator) with the authority to sign all checks, with any two being required to sign each check or withdrawal. An annual review of the accounts shall be made by a committee selected from the general membership at the annual meeting. This review is to be completed and presented to the Board for presentation at the next general membership meeting. Between annual reviews, the minutes shall reflect the Council's financial status.

ARTICLE VIII. PARLIAMENTARY AUTHORITY

The most current version of Robert's Rules of Order, shall govern the Council in all cases in which they are applicable and in which they are not in conflict with these Bylaws.

ARTICLE IX: AMENDMENTS

These Bylaws may be altered, amended or repealed by a two-thirds (2/3) vote of the members present at a general or special membership meeting if at least fourteen (14) days written or electronic notice is given of the intention to alter, amend or repeal Bylaws at such a meeting. The notice shall include a statement of the articles to be changed and the reason.

ARTICLE X: DISSOLUTION

In the event of the dissolution of the Council, no person shall be entitled to any distribution or division of its remaining property or its proceeds. The balance of all money or other property, after payment of all Council debts and obligations, shall be distributed to a charitable, educational, or other non-profit organization qualified under Section 501(c)(3) of the Internal Revenue code.