

MUNICIPALITY OF ANCHORAGE
ASSEMBLY INFORMATION MEMORANDUM

No. AIM 110-2014

Meeting Date: August 5, 2014

Accepted 8/5/14

1 **From: CHAIR OF THE ASSEMBLY**
2 **Subject: Conforming Community Council Bylaws**
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4 With passage of AO 2014-3(S) on February 11, 2014, community council bylaws
5 are submitted to the Municipal Clerk's Office for review by the Assembly Rules
6 Committee and the Ombudsman for conformity with legal requirements under
7 AMC 2.40, as amended. The Assembly Rules Committee reports the following, as
8 of its July 18, 2014 Committee Meeting:
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- 10 • The *University Area and Spenard Community Councils* submitted their
11 revised bylaws to the Municipal Clerk. After review by the Municipal
12 Ombudsman and the Assembly Rules Committee, the bylaws have been
13 returned to the Municipal Clerk's Office as conforming. On advice of the
14 Municipal Ombudsman, the Assembly Rules Committee recommends these
15 conforming bylaws for acceptance by the Assembly, as attached.
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- 17 • The Community Councils of *Eklutna Valley, Mountain View, Turnagain, Mid*
18 *Hillside, and Campbell Park* requested and were granted extensions to
19 submit conforming bylaws. As recommended by the Municipal Ombudsman,
20 these community councils will have until no later than November 30, 2014 to
21 complete the process. Several of these community councils may meet less
22 often during summer months.
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- 24 • *Bear Valley Community Council* submitted their bylaws to the Municipal
25 Clerk's Office on July 8, 2014. The Municipal Ombudsman has determined
26 the bylaws to be non-conforming to current law and is available to work with
27 the council on amendment options. Likewise, *Bear Valley Community*
28 *Council* will have until no later than November 30, 2014 to complete the
29 process.
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33 Prepared by: Kristina N. Posini, Executive Administrative Assistant

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35 Approved by: Barbara A. Jones, Municipal Clerk

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37 Respectfully submitted: Patrick Flynn, Assembly Chair

UNIVERSITY AREA COMMUNITY COUNCIL BYLAWS
(Total Revision June 4, 2014 to comply with new MOA ordinance)

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ARTICLE I: NAME

The name of this organization shall be the University Area Community Council, hereinafter referred to as the "UACC."

ARTICLE II: BOUNDARIES

The geographical boundaries adopted by the Anchorage Assembly on July 8, 2003 (AO 2003-11), and appropriate associated map listed under municipal code §2.40.040 shall apply to UACC, subject to any comprehensive review of community council boundaries to occur every ten years following the decennial U.S. Census, as required by municipal code §2.40.040. The findings of the boundary review are communicated to the Planning and Zoning Commission and to the Assembly for final review and approval.

ARTICLE III: DESCRIPTION

UACC is an independent, not-for-profit, voluntary, self-governing association composed of residents 18 years of age or older, property owners, renters, business owners, and nonprofit organizations who meet the qualifications for membership as outlined in Article VI of these bylaws and municipal code chapter 2.40. Community councils are created by the Anchorage Municipal Charter to "afford citizens an opportunity for maximum community involvement and self-determination." There shall exist between the UACC and local government a cooperative relationship. UACC shall not endorse any candidate for local, state or federal elected office.

ARTICLE IV: PURPOSE

The purpose of the UACC is to provide a direct and continuing means of citizen participation in local affairs. The UACC is intended to give:

- A. Local people a method by which they can work together for expression and discussion of their opinions, needs and desires in a manner that will have an impact on their community's development and services;
- B. Governmental agencies a method for receiving opinions, needs, desires and recommendations of residents and groups; and
- C. Local governing bodies an improved basis for decision-making and assignment of

priorities for all programs affecting community development and individual well-being.

ARTICLE V: FUNCTION

UACC has a policy and practice of open membership and meetings to encourage participation of persons from all segments of the community. UACC shall have the following functions:

A. In regard to the Anchorage Comprehensive Plan:

1. Evaluate compliance with the plan, alerting Municipal officials to, or proposing appropriate action regarding any inconsistencies with the plan and its adopted elements as described in municipal code §21.01.080 and listed in Table 21.01-1; and

2. Conduct a continuing review and study of the plan to determine its workability within UACC's geographical boundaries and to advise Municipal officials on appropriate action regarding proposed modifications or additions to the plan;

B. Assume leadership and propose action in regards to enforcement of existing laws or ordinances, pursuit of rights under existing rights or ordinances, desired or opposed changes in or additions to laws or ordinances, or any matter of policy regulation;

C. Respond to local government proposals or concerns submitted to UACC pursuant to municipal code §2.40.060;

D. Work with local government and other governmental entities, as well as with persons and groups outside the government, to accomplish UACC's goals, including goals which may have an area wide impact;

E. Receive and review notices to UACC from Municipal departments including those noticed under municipal code:

1. 2.30.120.C, Alcohol Beverage Control Board license applications;
2. 10.55.030, Permits for teen nightclubs and cultural performance venues;
3. 21.03.020.H, Land use proposals;
4. 24.35.020, National security road closures;
5. 25.30.025.E, Disposal of Municipal land requiring voter approval;

6. Other notices received from Municipal departments requiring input or action by UACC;
- F. Advise the Assembly of UACC's annual priority list of Capital Improvement Projects by filing a copy with the Municipal Clerk when the list is submitted to the Administration;
- G. Participate in the community meeting process under municipal code §21.03.020.C when the notice from the developer is timely.
- H. UACC's President, or designee, shall be responsible for notifying the Municipal Clerk and the Federation of Community Councils (FCC) of a change in the designated contact for direct notice to the UACC or of a change in the legal status of UACC (incorporation, loss of corporate status, dissolution).

ARTICLE VI: MEMBERSHIP

- A. Any person 18 years of age or older whose primary place of abode is within the UACC's geographical boundaries is eligible for membership. Residents, non-resident property owners, business owners, and nonprofit organizations as described in municipal code chapter 2.40 with a physical premise located within UACC geographical boundaries are eligible for membership. Business owners and nonprofit organizations must possess one or more of the following:
- a valid Alaska business license;
 - a valid Alaska professional license;
 - valid incorporated status under Alaska law
 - tax exempt status under federal law.

If more than one qualifying resident share the same habitual, physical dwelling address each may be a UACC member. Alternate designations for resident memberships shall not be recognized. Property owners shall be the owner of record. Per municipal code §2.40.030 non resident property owner, business owner, and nonprofit organization memberships are single memberships, and shall have a designated primary representative, and may have a designated alternate representative.

- B. A person is a voting member immediately after signing the member attendance roster at any UACC regular or special meeting and has attained the age of 18. The member attendance roster shall be used only for UACC business.
- C. UACC shall **NOT** charge dues or require any financial contribution as a condition of membership, voting, or other participation.

ARTICLE VII: MEETINGS

- A.** There shall be a minimum of four (4) general membership meetings per calendar year and at least one meeting quarterly.
- B.** Special meetings of the membership may be called by the President, or the Executive Board, or by written petition of 10 UACC members delivered to any officer, to address UACC business, including the accommodation of UACC's responsibilities under municipal code §21.03.020.C.
- C.** All meetings shall be open to the public.
- D.** Minutes shall be taken or recordings shall be made at all regular and special UACC meetings, and shall be made available electronically; at least three (3) days prior to the next meeting as-well-as a printed copy at the next UACC meeting.
- E.** After consulting with the officers and Executive Board the President shall establish the meeting agenda.
- F.** Notices:
1. Whenever possible the draft agenda and previous months draft minutes shall be posted online and emailed to those who have signed up for UACC's distribution list at least three (3) days in advance of the meeting. Notices may also be placed in such public locations as schools, libraries, and shopping centers. The draft agenda may be submitted to the Federation of Community Councils (FCC), or current municipal contractor, for electronic distribution.
 2. The meeting date and time may be submitted to the media as a public service announcement.
 3. For meetings where annual elections take place, public notice may be done through email notification to members, UACC newsletters, area wide mailings, newspapers, publications, school distribution and other means to inform as many UACC members as possible. Notice may also be submitted to the (FCC), or current municipal contractor, for electronic distribution.
- G.** The Executive Board or their designee(s) shall be responsible for any meeting notices.
- H.** A quorum for general and special meetings shall be considered a simple majority of 51 percent, those in attendance combined with notarized proxy votes.

I. Robert's Rules of Order, Revised, shall apply for regular and special meetings for all matters not covered by the bylaws.

ARTICLE VIII: VOTING

A. Any member of UACC as defined in Article VI shall have one vote. If a single individual possesses several kinds of property or businesses within the definition for membership qualification, or meets the definition of member in more than one category, h/she shall still have just one vote. Non-profit associations and business owners shall have one vote each. Non-profit association, business owner, and non-property owner memberships shall designate a primary representative and may designate an alternate representative. Persons may be a member of more than one community council if they qualify for membership.

B. A member may vote in person or via a notarized proxy vote.

C. Any vote may be challenged.

D. The member attendance roster shall serve as the official list of eligible voters at that meeting. The membership sign-in log shall be maintained separately from the visitors sign-in log. Membership information to include sign-in sheets shall be used for official UACC business only.

ARTICLE IX: REPORTING OFFICIAL UACC POSITIONS

The President or designee shall be charged with communicating official positions of UACC in a timely manner to the appropriate agencies and individuals. UACC's official positions on community matters may be communicated through resolutions, motions, position letters or emails.

ARTICLE X: OFFICERS

Provisions for UACC officers and executive board, including qualifications and duties, election, removal and/or replacement, and terms of office shall be those provisions contained in UACC's bylaws in effect as of June 4, 2014, as amended along with the requirement that UACC officers and Executive Board members with financial or fiduciary responsibility must be 18 years old at the time of service. UACC may, in its discretion, designate non-fiduciary and non-signatory roles to younger members for leadership training.

ARTICLE XI: ORGANIZATION

Section 1. Structure:

The formal organization of UACC shall consist of three(3)/four(4) officers, an executive board, standing committees, and a FCC Delegate as follows:

A. Officers:

The officers shall consist of a President, Vice President, Secretary-Treasurer. If the Secretary-Treasurer positions are held by separate individuals, the officers board will consist of four (4) members, otherwise; it will consist of three (3) members.

B. Executive Board:

The Executive Board shall consist of the three(3)/four(4) officers, two members at large, the immediate past president, the FCC Delegate, and the chairperson of each standing committee. Should there be a tie vote the presiding officer's vote shall be counted as 1 ½ votes.

C. Standing Committees: Committees may be established by the Executive Board at any time for whatever purpose deemed necessary. The nature and duties of the committees shall be determined by the Executive Board. Standing committees shall be designated with the following areas of concern: Planning and Zoning, Parks and Recreation, Safety (Community Protection), and Traffic.

D. Ad Hoc Committees: Ad Hoc committees shall be formed as needed.

E. FCC Delegate: A FCC Delegate or alternate shall represent UACC at all FCC functions and advise UACC's membership of relevant matters.

Section 2. Selection:

Selection procedures shall be as follows:

A. Officers:

Officers shall be elected by the UACC general membership at the January meeting, for a one year term beginning immediately or until their successors are elected. In December the President will announce to the membership that elections will be held at the upcoming January meeting.

B. Standing Committee Chairpersons, FCC Delegate and two (2) FCC alternates:

A standing committee chairperson, FCC Delegate and two (2) alternates shall be elected at their first February meeting, and shall serve a one year term. A standing committee

facilitator may be appointed by the president to serve until a committee is formed.

C. Executive Board Members at Large:

Executive Board Members at Large shall be elected in February for a one year term.

D. Committees:

Committees shall be open to any member who wishes to serve.

E. Removal from Office:

An executive board member at large may be removed from office for any reason. The removal of a UACC officer requires a two thirds vote of UACC's general membership.

Section 3. Responsibilities:

A. President:

The president shall be responsible for running the general meetings, calling and presiding at Executive Board meetings, acting as a clearinghouse of information and representing the interests of UACC.

B. Vice-President

The Vice-President shall assume the duties of the presidency during the absence of the president, and shall assist the president in representing UACC.

C. Secretary

The Secretary shall keep written records of all UACC proceedings, keep minutes of the general meeting and forward copies to the UACC President for review and forwarding onward to the FCC for distribution. The minutes shall be provided to the FCC at least seven (7) days prior the the monthly meeting. The Secretary shall also handle correspondence as directed by the President. Each August the Secretary shall summarize all UACC resolutions and provide them to the UACC membership via email.

D. Treasurer

The Treasurer shall keep the financial records, including preparing a brief monthly financial statement and year-end report.

NOTE: In the event the Treasurer's position is not filled. The Secretary will function as the Secretary-Treasurer. The Treasurer's function shall become necessary if UACC receives monetary funds.

E. Executive Board:

The Executive Board shall be empowered to make emergency decisions on behalf of the

general membership when action is required before the next regular meeting. Any such decision must be agreed upon by a majority of executive board members. The executive board shall make appointments to fill any vacancy until the next regularly scheduled election.

F. Committee Chairpersons
Committee chairpersons shall call and preside at committee meetings and report committee activities to the general membership.

Section 4. Meetings:

A. General meetings shall be held monthly with the option of canceling meetings because of a lack of business items or weather. (Reference Article VII-A) Cancellation of a meeting must be made by at least two (2) members of the executive committee.

B. A quorum shall be a majority of the board, two (2) of whom must be on the executive committee. Decisions shall be made by simple majority.

C. Executive board meetings shall be held monthly as needed and shall be open to the general membership.

ARTICLE: XII FINANCES

A. Funds collected by the UACC shall be deposited into a special account or accounts at an established bank with the Treasurer being responsible for all deposits and accounting's.

B. Funds shall be disbursed only to further the legitimate purpose of the UACC.

C. The officers shall be authorized to sign checks, with at least two (2) signatures required..

D. A financial report signed by the Treasurer and the President and a person approved by the Membership showing all receipts and expenditures shall be made yearly to the UACC membership prior to the election of new officers. In the event of no income during the financial year the report must state so.

ARTICLE XIII: AMENDMENTS

Proposed bylaws changes must be noticed and discussed at a minimum of one UACC meeting prior to the meeting at which action will be taken. The notice shall include a statement of the articles to be changed and the reason. The bylaws may be amended or repealed by a two-thirds (2/3) vote of the members present at a general or special meeting. Within 45 days of approval by the membership, bylaws amendments shall be filed with the Municipal Clerk for acceptance by the Municipal Assembly as required by municipal code chapter 2.40. It shall be the responsibility of the UACC President, or designee, to timely notify the Municipal Clerk.

ARTICLE XIV: DISSOLUTION

Unless otherwise provided by law, dissolution may occur by vote of three-fourths (3/4) or one (1) year of inactivity of the members of the UACC at a regular UACC meeting, at a special meeting called for that purpose, or by mail ballot. If the UACC is dissolved by law or by this Article the UACC's property including, but not limited to, funds remaining in the UACC treasury after all obligations are met, will be donated. The UACC's donation shall be made to the University of Alaska Anchorage Archives and Special Collections (A&SC) IAW our existing Deposit Agreement. Should the A&SC dissolve, the records will be transferred to the FCC, or current municipal administrator and made available for public use.

Ratified by the UACC this 4th day of June, 2014

Signed:  President

Signed:  Secretary