

# HUFFMAN-O'MALLEY COMMUNITY COUNCIL BYLAWS

## ARTICLE I: NAME

The name of this organization shall be the Huffman-O'Malley Community Council, hereinafter referred to as the "Council."

## 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 (Figure 1) shall apply to this Council, 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

The Council is an independent, not-for-profit, voluntary, self-governing association composed of residents 18 years of age or older, non-resident property owners, business owners, and nonprofit organizations who meet the qualifications for membership as outlined in Article VI of these bylaws and municipal code §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 Council and local government a cooperative relationship. The Council shall not endorse any candidate for local, state or federal elected office.

## ARTICLE IV: PURPOSE

The purpose of the Council is to provide a direct and continuing means of citizen participation in local affairs and to perform those functions and exercise those powers granted or permitted by the provisions of municipal code §2.40.050 and §2.40.060. The Council 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

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

A. In regard to the Anchorage Comprehensive Plan and its area-specific plans (e.g. Hillside District Plan);

1. Evaluate compliance with the plan(s), 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 the Council'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 the Council 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 Council goals, including goals that may have an area wide impact.

E. Receive and review notices to the Council from Municipal departments including those noticed under municipal code, including but not limited to:

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 uses proposals;
4. 24.35.020, National security road closures;
5. 5.30.025.E, Disposal of Municipal land requiring voter approval;
6. Other notices received from Municipal departments requiring input or action by the Council.

F. Advise the Assembly of the Council'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.

## **ARTICLE VI: MEMBERSHIP**

A. Any person 18 years of age or older whose primary place of abode is within the Council's geographical boundaries is eligible for membership. Residents, non-resident property owners, business owners, and nonprofit organizations as described in municipal code §2.40 with a physical premise located within the Councils 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; and,
- tax exempt status under federal law.

B. If more than one qualifying resident share the same habitual, physical dwelling address, each may be a Council 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.

C. Any person who qualifies under section A of this article is a voting member immediately after signing the member attendance roster at any Executive Board or General Membership meetings (as described in Article VIII) and having attended one (1) Council meeting in the preceding 12 months. The member attendance roster shall be used only for Council business.

D. The Council shall not charge dues or require any financial contribution as a condition of membership, voting, or other participation. The Council, may collect "voluntary annual dues" to help fund the Council's operating expenses.

## **ARTICLE VII: ORGANIZATION, OFFICERS AND FUNCTIONS**

A. Organization: The Council shall consist of eligible members, an Executive Board, Council Officers, and as needed, working committees. The Executive Board shall consist of eleven (11) Council members, four (4) of which shall include the Council officers of President, Vice President, Secretary and Treasurer.

B. Functions and Responsibilities of the Executive Board:

1. The Executive Board shall responsibly conduct in a timely manner all Council business between General Membership meetings. Actions so taken by the Executive Board shall be deemed the actions of the Council.
2. The Executive Board shall bear the responsibility of keeping the Council membership and other interested parties advised of important matters affecting the Council area and neighborhoods. The Executive Board shall make written recommendations concerning community issues as appropriate.

3. The Executive Board shall poll the Council membership and other interested parties as practicable, ideally on an annual basis, the results of which shall be used to guide the Executive Board in its decisions.

4. Consistent with municipal code §2.40.040.c., the Executive Board shall review the boundaries of the Council at least every two years and if applicable, forward recommendations to the Assembly for approval.

5. An Executive Board member shall resign prior to announcing a candidacy for any public office.

6. Executive Board members are expected to act on issues before the Council without conflict of interest. When such a conflict exists, Executive Board members shall disclose such conflicts and rescues themselves from voting on actions related to the issue.

7. The Executive Board shall establish working committees as needed.

8. Executive Board Members are required to attend regular Council meetings unless the President excuses them from attending for valid reasons (albeit undefined).

C. Council President Responsibilities: At a minimum, the President shall ...

1. set meeting agendas and manage all Council meetings;
2. communicate with the Executive Board and the Council membership on all matters and oversee all correspondence;
3. poll the Council membership as necessary to promote the welfare and increase the effectiveness of the Council; and,
4. perform such other duties as are necessary incidental to the office of the President or delegated to the President by the Executive Board.

D. Council Vice President Responsibilities: At a minimum, the Vice President shall ...

1. in the absence of the President or the inability of the President for any cause to act, shall perform the duties of the President;
2. also serve as Parliamentarian to advise the President on matters relating to procedures and rules of order;
3. assist the President in duties under the direction of the President and shall perform duties as delegated by the Executive Board;
4. order an annual audit of the records of the Treasurer. The auditor will serve in a voluntary capacity, must be technically qualified, and will provide a report to the Executive Board on the income and expenses from the time since the last audit. The auditor does not have to be a Council member. The auditor is not an Executive Officer position, nor is necessarily an Executive Board member, but may be so if qualified to complete the audit; and,

5. perform such other duties as are necessary incidental to the office of the Vice President or delegated to the Vice President by the Executive Board.

E. Council Secretary Responsibilities: In the case of the absence or disability of the Secretary, the Executive Board may appoint an Acting Secretary. At a minimum, the Secretary shall ...

1. take all Council meeting minutes and make them available to the Executive Board at least seven (7) days prior to the next scheduled meeting;
2. conduct all correspondence of the Council, absent contrary instructions from the Executive Board;
3. maintain an Administrative Record consisting of the Council meeting agendas, minutes, resolutions, and correspondence of the Executive Board;
4. ensure hard copies of all resolutions, Council meeting minutes and newsletters are available at the Council's meetings or are available online at the FCC website at least two (2) weeks prior to General Membership meetings. The availability of these documents shall be announced in the Council Newsletter prior to the annual election of the Executive Board; and,
5. keep and maintain the mailing lists generated by the Council;
6. give notice of all scheduled Executive Board and General Membership meetings; and
7. perform such other duties as are necessary incidental to the office of the Secretary or delegated to the Secretary by the Executive Board.

F. Council Treasurer: In the case of the absence or disability of the Treasurer, the Executive Board may appoint an Acting Treasurer. At a minimum, the Treasures shall ...

1. keep an account of all moneys received and expended for the use of the Council;
2. provide a written Treasures Report at every Executive Board and General Membership meeting that accounts for all funds, vouchers, expenditures and other financial transactions of the Council;
3. seek specific prior authorization by the Executive Board for any expenditure of \$100.00 or greater; and,
4. perform such other duties as are necessary incidental to the office of the Treasurer or delegated to the Treasurer by the Executive Board.
5. The funds, books and vouchers shall at all times be under the supervision and shall be subject to the inspection and control of the Executive Board at all times.

G. Election of Executive Board Members:

1. Council members seeking to be elected to the Executive Board must have attended a minimum of two (2) Council meetings within the immediate past twelve (12) months. Exceptions to this requirement can be authorized by a 2/3 vote (7 affirmative votes) of the fully seated Executive Board.

2. Elections for members of the Executive Board shall be held at the Council's Annual General Membership meeting. Per municipal code §2.40.036.E12.a, eligible Council members must have attended at least two (2) Council meetings in the preceding 12 months as a prerequisite for voting. Nominations do not require a second. Voting shall be by secret ballot unless the seated Executive Board waives the use of a secret ballot.

3. Executive Board members shall serve a term between consecutive Annual General Membership Meetings and may be reelected for an indefinite number of terms.

H. Election of Council Officers:

1. Members of the Executive Board shall vote among themselves as to who will occupy Council Officer positions.

2. Any Executive Board member may make nominations and also nominate themselves. No second is required for nomination. Voting shall be by secret ballot unless the seated Executive Board waives the use of a secret ballot.

3. Council Officers shall serve a term between consecutive Annual General Membership Meetings and may not serve in the same position for more than two full consecutive terms.

I. Removal and Replacement of Council Officers and Executive Board Members:

1. A Council Officer or Executive Board member may be removed from office by a vote of at least 2/3 of the Executive Board (7 members).

2. A Council Officer or Executive Board member may resign by submitting a written resignation (email acceptable) to the Council President, or if the person resigning is the President, by submitting a written resignation to the Vice President.

3. Members may also be removed from the Executive Board at the discretion of the Executive Board after three (3) unexcused absences within a term.

4. Vacancies occurring between Annual General Membership meetings shall be filled by nominations from Council members and/or Executive Board and subsequent election by the Executive Board.

J. George Arcand Rule: In recognition for many years of dedicated service the Executive Board may act to name an individual "Executive Board Member Emeritus." This is an honorary title and is not a voting member of the Executive Board, unless the person is duly elected.

K. Working Committees: Members of the Council or members of the Executive Board may establish various working committees to work/act on specific issues or tasks. Such committees may decide on their procedures and shall report to the Executive Board, and when appropriate, to the Council membership. The Executive Board shall approve the members of these committees.

L. Miscellaneous:

1. No elected public office holder may serve on the Executive Board or hold a Council Officer position.

2. Council officers and Executive Board members with financial or fiduciary responsibility must be 18 years old at the time of service.
3. The Council may, in its discretion, designate non-fiduciary and non-signatory roles to younger members for leadership training.

## **ARTICLE VIII: MEETINGS**

A. General Membership Meetings: The purpose(s) of such meetings shall be to specifically address Council business, including the accommodation of community council responsibilities under municipal code §21.03.020.C.

1. A minimum of four (4) General Membership meetings shall be held each calendar, and at least one meeting quarterly, at a location within the Council boundary.
2. After consulting with the Council officers and Executive Board members, the Council President shall establish General Membership meeting agendas.
3. The meetings' time and place shall be announced at least seven days in advance of the meetings, and be open to the public.
4. One of the four required General Membership meetings shall be designated as the Council's Annual General Membership meeting, the primary purpose of which is to elect Executive Board members and Council Officers; to review and discuss the Council's accomplishments during the year; and to report on the Council's finances.

B. Special General Membership Meeting: The purpose of such a meeting shall be to address urgent Council business requiring the input from the General Membership before establishing a Council position on the urgent matter(s) and/or providing input to local government officials and/or commissions.

1. Such a meeting may be called by the Council President, or any member of the Executive Board, or by written petition of ten (10) Council members delivered to any Executive Board officer.
2. After consulting with the Council officers and Executive Board members, the Council President shall establish the meeting agenda.
3. Meetings shall be held at a location within the Council boundary.
4. The meeting's time and place shall be announced at least seven days in advance of the meeting, and be open to the public.

C. Executive Board Meetings: The purpose of such meetings shall be to conduct all things necessary to conduct the business of the Council between the four required General Membership meetings.

1. Such meetings shall, as far as is practicable, be held monthly, unless a meeting is canceled by vote of the Executive Board or by extenuating circumstances as determined by the Council President or presiding Council officer.
2. After consulting with the Council officers and Executive Board members, the Council President shall establish the meeting agenda.
3. Meeting decisions and actions of the Executive Board shall require a quorum, which shall consist of six attending Executive Board members.
4. Meetings shall be held at a location within the boundaries of the Council.
5. Upon majority vote of the Executive Board at a prior monthly meeting, an Executive Board meeting may be held at a location outside the Council boundaries and at a time and place announced at least seven days in advance of the meeting.
6. Executive Board meeting shall be open to the public.

D. Special Meetings of the Executive Board: The purpose of such meetings shall be to address urgent and pertinent Council issues, between monthly Executive Board meetings, that must be addressed in a timely manner.

1. After consulting with the Council officers and Executive Board members the Council President shall establish the special meeting agenda.
2. Such meetings may be held at any time if called for by at least three Executive Board members, and may include meetings held via teleconference or other interactive electronic conference.
3. When the technology is available for the Executive Board's use, members of the public may participate in the teleconferences by notifying the Council Secretary or President of their interest prior to the meeting.

E. Meeting minutes shall be taken or recordings shall be made at all Council meetings and be made available at the next Executive Board meeting for review and acceptance.

F. Meeting Notices:

1. Whenever possible the draft agenda shall be posted online and emailed to those who have signed up for the Council's mailing/distribution list at least seven 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 also be submitted to the Federation of Community Councils, 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 Council elections take place, public notice may be done through email notification to members, Council newsletters, area wide mailings, newspapers, publications, school distribution and other means to inform as many council



members as possible. Notice may also be submitted to the Federation of Community Councils, or current municipal contractor, for electronic distribution.

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

## ARTICLE IX: VOTING

A. Any member of the Council as defined in Article VI (C) 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, he/she shall still have just one vote. Nonprofit associations and business owners shall have one vote each. Nonprofit association, business owner, and non-resident 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 Council member must be physically present in order to cast a vote, as no proxy voting is permitted.

C. General Membership Meeting voting:

1. Each eligible Council member shall have one vote.
2. Any eligible member of the Council may challenge the voting eligibility of another Council member.
3. If the eligibility of any voter or any vote of the General membership is challenged, the challenge shall be mailed or hand-delivered to a member of the Executive Board within ten days of the vote. For determining timeliness, the date of the hand delivery or postmark stamp on any letter shall be the date of record.
4. The Council's member attendance roster shall serve as the official list of eligible voters.

D. Executive Board Meeting voting:

1. Members of the Executive Board shall be entitled to a single vote per Council business decision or business action.
2. A "straw poll" of those eligible Council members in attendance may be requested by the Executive Board prior to casting their votes. A "straw poll" is non-binding and is for information purposes only. The Council Secretary shall record the results of the "straw poll" and vote of the Executive Board.
3. In order to meet commenting deadlines, the Executive Board shall be able to vote via electronic media, including the use of email. Voting requests shall include the specific action being voted upon, and include a specific response deadline. Votes will be cast as either YES (support), NO (oppose), or ABSTAIN (not expressing a preference). Each

Executive Board member's e-vote shall be recorded and incorporated into the minutes of the following Executive Board Meeting.

#### **ARTICLE X: REPORTING OFFICIAL COUNCIL POSITIONS**

A. The Council President or designee shall be charged with communicating official positions of the Council, as determined by eligible Council membership straw votes and Executive Board votes, in a timely manner to the appropriate agencies and individuals. The Council's official positions on community matters may be communicated through resolutions, motions, position letters or emails.

B. No Council Officer, Executive Board member or eligible Council member shall purport to represent the view or interest of the Council without the express authorization from the Executive Board. With authorization a designated representative or representatives may give testimony on a matter of interest to the Council before the Anchorage Municipal Assembly or any other public body.

C. The designated representative or representatives, during such time representing the Council, shall only offer the views of the Council, and shall not offer any statement or opinion of any other group or body, or express membership in or participation in any other group or body.

D. Nothing in this Article prohibits any Council member from appearing before the Anchorage Municipal Assembly or any other public body, to give testimony on any matter expressing their personal views, except that said person shall make a clear statement that any views differed are wholly their own.

#### **ARTICLE XI: FINANCES**

A. Funds collected by the Council shall be deposited into an account or accounts at an established financial institution, with the Treasurer being responsible for all deposits and accountings.

B. The Treasurer shall sign each check or withdrawal. If the Treasurer is not available the President shall sign the check or withdrawal in place of the Treasurer.

C. 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 Council prior to the election of new officers.

#### **ARTICLE XII: AMENDMENTS**

A. Proposed bylaws changes must be noticed and discussed at a minimum of one (1) General Membership 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 Membership meeting.


B. Within 45 days of approval by the Council 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 Council President, or designee, to timely notify the Municipal Clerk regarding bylaws amendments.

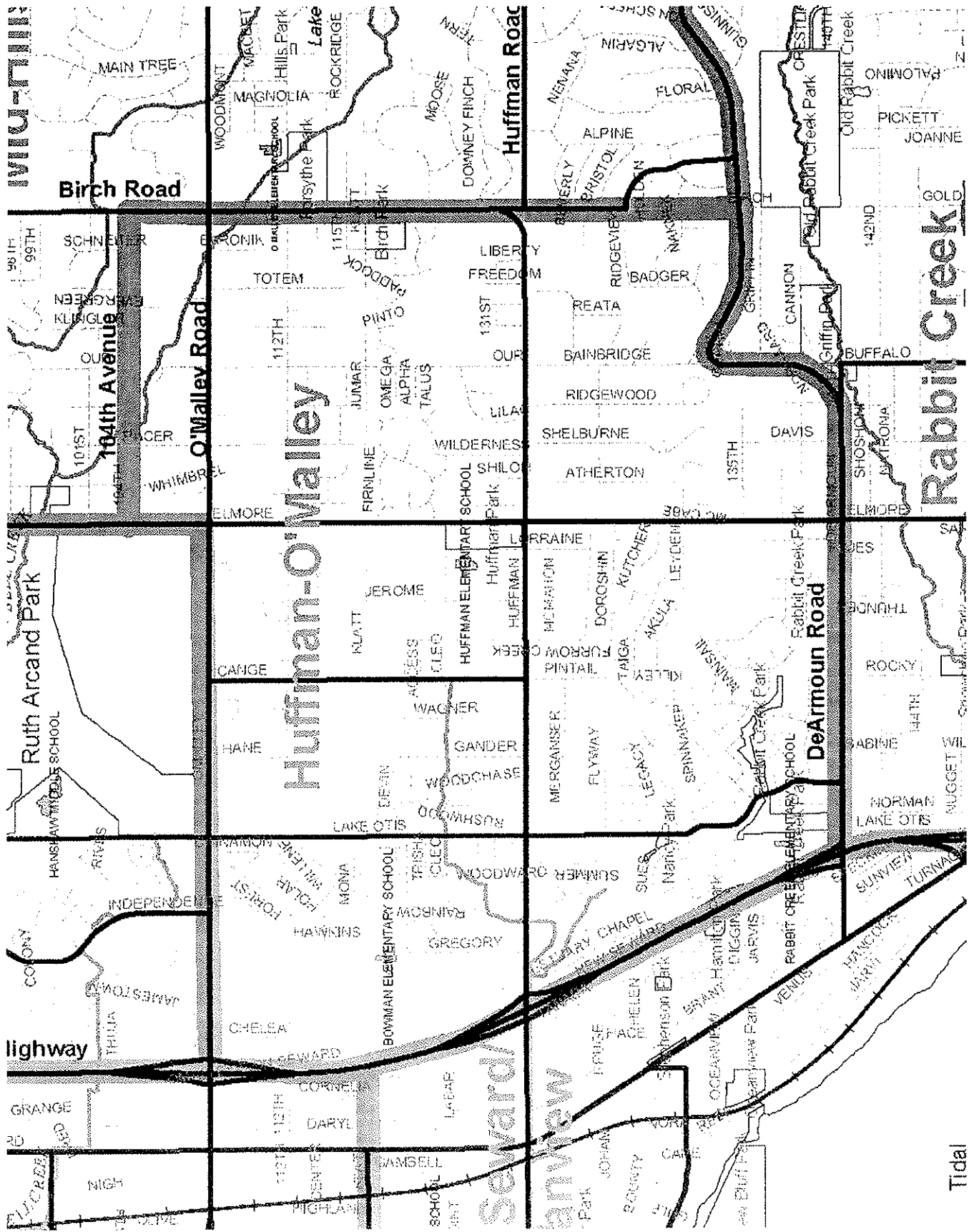
### ARTICLE XIII: DISSOLUTION

A. Unless otherwise provided by law, dissolution may occur by vote of three-fourths (3/4) of the Council members at a General Membership meeting called for that purpose, or by mail ballot.

B. If the Council is dissolved by law or by this Article the Council's property including, but not limited to, funds remaining in the Council treasury after all obligations are met, may be donated. The Council's donation shall be made to the Federation of Community Councils, or current municipal contractor, for community council use, or another nonprofit organization if designated in the dissolution action.

UPDATED AND ACCEPTED this 16 day of Oct 2014.

  
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Christine Monette  
President, Huffman-O'Malley Community Council



WINDY

Birch Road

104th Avenue

O'Malley Road

Huffman-O'Malley

Huffman Road

DeArmon Road

Rabbit Creek

Highway

Seward  
Janview

Tidal