

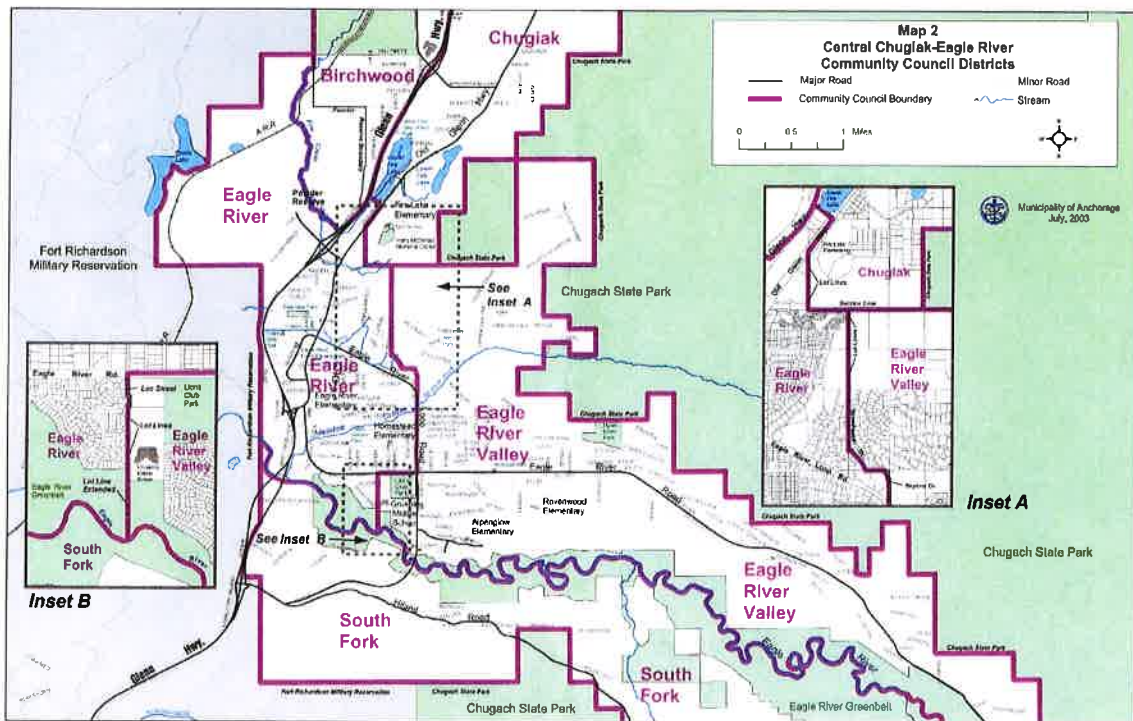
## EAGLE RIVER COMMUNITY COUNCIL BYLAWS

### ARTICLE I: NAME

The name of this organization shall be the Eagle River Community Council, hereinafter referred to as the “Council.”

### ARTICLE II: BOUNDARIES

The geographical boundaries adopted by the Anchorage Assembly and associated map shall apply to this Council. Subject to any comprehensive review of community, as required by municipal code 2.40.040.



### 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 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 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. 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;
- 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 membership and meetings to encourage participation of persons from all segments of the community. The Council shall have the following functions:

- A. In regard to the Chugiak-Eagle River Comprehensive plan and the Anchorage Comprehensive Plan;
  - 1. Evaluate compliance with the plans, alerting Municipal officials to, or proposing appropriate action regarding any inconsistencies with the plans and their adopted elements as described in municipal code 21.01.080 and 21.10 and listed in Tables 21.01-1, 21.10.1, 10-2, and 21.10-3;
  - 2. Conduct a continuing review and study of the plans to determine their workability within the Council's geographical boundaries and to advise Municipal officials on appropriate action regarding proposed modifications or additions to the plans;
- 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 which may have an area wide impact;

E. Receive and review notices to the Council 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. 10.80, Licensing and Regulation of Marijuana Establishments.
4. 21.03.020.H, Land use proposals;
5. 24.35.020, National security road closures;
6. 25.30.025.E, Disposal of Municipal land requiring voter approval;
7. 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;

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 chapter 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;
- valid incorporated status under Alaska law
- tax exempt status under federal law.

If more than one qualifying resident shares the same habitual, physical dwelling address, each may be a community council member. Alternate designations for resident memberships shall not be recognized. Non-resident 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. Designated representatives shall provide written documentation from business, property owner or organization they are representing.

B. Any person who qualifies under section A of this article is a voting member upon signing the member attendance roster at any regular or special Council meeting and having attended one prior meeting in the past twelve months. The member attendance roster shall be used only for council business.

C. The Council shall not charge dues or require any financial contribution as a condition of membership, voting, or other participation. The Council Executive Board may establish annual voluntary dues.

#### **ARTICLE VII: MEETINGS**

A. There shall be a minimum of six (6) 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 four (4) Executive Board members, or by written petition of ten (10) Council members delivered to any officer, to address Council business, including the accommodation of community council 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 Council meetings, and shall be made available at the next Council meeting.

E. After consulting with the Council Executive Board the President shall establish the meeting agenda.

F. Notices:

1. The agenda shall be prepared at least seven days in advance of the next regularly scheduled meeting and submitted to Federation of Community Councils or current municipal contractor, for electronic distribution and for posting on the FCC web page. Notices may also be placed in such public locations as schools, libraries, and shopping centers.

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, council newsletters, area wide mailings, newspapers, publications, school distribution and other means to inform as many council members as possible. Notice will be submitted to the Federation of Community Councils, or current municipal contractor, for electronic distribution.

G. The Council Executive Board or their designee(s) shall be responsible for any meeting notices.

H. A quorum for meetings and special meetings shall consist of at least three (3) of the seven (7) directors.

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 the Council as defined in Article VI shall have one vote provided that they have attended one prior meeting in the previous twelve (12) months. 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, s/he 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 in writing 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 must be present at the time of the vote in order to cast a vote. There will be no proxy voting.

C. Any vote may be challenged. The member attendance roster shall serve as the official list of eligible voters.

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

The President or designee shall be charged with communicating official positions of the Council 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.

#### **ARTICLE X: DIRECTORS, OFFICERS & REPRESENTATIVES**

1. The Executive Board shall consist of seven (7) directors.
2. Eligibility: all potential candidates for the Executive Board shall have attended a minimum of (2) two meetings during the twelve (12) month period prior to the annual election. To be eligible to be elected to, and serve on the ERCC Executive Board, individuals cannot be concurrently serving as an officer of another community council.
3. Each year at the January meeting, an election of the Executive Board shall be held. The number of positions to be filled will alternate four (4) two-year terms in the even-numbered years and three (3) two-year terms in the odd number years.
4. The Executive Board shall be responsible for carrying out the business of the Council between regular monthly meetings.
5. The Executive Board Officers shall consist of a President, Vice President, Secretary and Treasurer and three Directors.

A: The Executive Board shall elect the officers to serve a one-year term.

B: Duties:

a: President: The president shall be the principal executive officer and shall preside over all business and affairs of the Council. Prepare the meeting agenda. Ensure that the bylaws are followed and enforced. The person holding the office shall be permitted such other duties as necessary incident to the office.

b: Vice President: In case of the absence of the President the Vice President shall perform the duties of the office of President. Be parliamentarian or assign a knowledgeable person to that position. Shall determine eligibility of voting members.

c: Secretary: The Secretary shall give notice of meetings and keep a record of proceedings. Supervise and conduct correspondence as directed by the president. Keep a record of all membership lists.

d: Treasurer: The Treasurer shall keep a record of all monies, expenses and accounting of finances.

e: Directors: Will perform other such duties as may be assigned by the President.

6. Absences: Any director may be removed from office for missing three (3) consecutive regular meetings or more than four (4) meetings in any one term in office by a simple majority vote of the Executive Board.
7. Vacancies: Unexpired terms shall be filled by a presidential appointment subject to confirmation by the Executive Board.
8. Representatives:
  - A. Chugiak, Birchwood, Eagle River Road Service Area (CBERRSA) Board Representative and Alternate will be nominated by the Council in March for a three-year (3) term based on July 1986.
  - B. Eagle River-Chugiak Parks and Recreational Service Area (CBERRRSA) Board Representative and Alternate will be nominated by the Council in March for three-year term based on July 1985.
  - C. Chugiak Eagle River Advisory Board Representative and Alternate will be nominated by the Council in March for three-year term based on July 2014.

Representatives shall bring Councils concerns to their respective Boards and provide a verbal or written report of meetings to the Council at its next regularly scheduled meeting.

9. Student Representative: Each high school may appoint a Student Representative to the Executive Board. The Student Representative shall be advisory only and will have no voting authority. The Student Representative shall reside within the Eagle River Community Council area.

#### **ARTICLE XI: COMMITTEES**

Committees may be established by the Council Executive Board at any time for whatever purpose deemed necessary. The nature and duties of the committees shall be determined by the Council Executive Board.

1. Nominating Committee: A Nominating Committee for election to the Executive Board shall be appointed by the President at the November Council meeting. The Nominating Committee shall nominate candidates with the intent of providing areawide representation on the Council.

#### **ARTICLE: XII FINANCES**

- A. Funds collected by the Council may be deposited into an account 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 unavailable the President shall sign the check or withdrawal in place of the Treasurer. At all regularly scheduled council meetings the Treasurer shall give a status report.
- 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 Directors. At all regularly scheduled council meetings the Treasurer shall give a financial status report.

#### **ARTICLE XIII: INDEMNIFICATION**



The Council shall and hereby does indemnify all present and former officers and directors of the Council for expenses and cost (including attorney fees) actually and necessarily incurred by him/her in connection with any claim asserted against him/her, be it action in court or otherwise, by reason of his/her being or having been such director and officer except in relation to matters as which he/she shall have been found guilty of gross negligence or misconduct in respect to the matter in which indemnity is sought.

#### **ARTICLE XIV: AMENDMENTS**

Proposed bylaws changes must be noticed and discussed at a minimum of one Council 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 Council President, or designee, to timely notify the Municipal Clerk regarding bylaws amendments.

#### **ARTICLE XV: DISSOLUTION**

Unless otherwise provided by law, dissolution may occur by vote of three-fourths of the members of the Council at a regular Council meeting, at a special meeting called for that purpose, or by mail ballot. 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.

Signed: 

Date: 