

## **CONSORTIUM OF CHUGIAK-EAGLE RIVER COMMUNITY COUNCILS BYLAWS**

### **Article I      NAME**

The name of this organization shall be the CONSORTIUM OF CHUGIAK-EAGLE RIVER COMMUNITY COUNCILS (the "Consortium").

### **Article II      BOUNDARIES**

The Consortium's boundaries shall be as depicted on the Anchorage Municipality Community Council Map No. 11, "Chugiak-Eagle River Community Council Districts". The map is displayed on the Municipality of Anchorage's website, [www.muni.org](http://www.muni.org), at AMC 2.40.090.

### **Article III      PURPOSE**

Chugiak-Eagle River community councils have been active participants in the on-going Anchorage Municipal Code (AMC) Title 21 Rewrite Project (Land Use Regulations). The community councils were concerned that the resulting draft land use regulations did not address Chugiak-Eagle River's outstanding land use development issues and raised new issues. The community councils concluded that the draft regulations were inadequate to protect Chugiak-Eagle River's unique character. In addition, the community councils wanted to ensure that there would be adequate regulatory oversight to guide and manage growth in Chugiak-Eagle River and preserve its small town culture.

Between September and November of 2005, Chugiak-Eagle River community councils passed individual resolutions and motions requesting the Municipality of Anchorage (MOA) to create a separate chapter of land use regulations in AMC Title 21 that would be specific to Chugiak-Eagle River. In March 2006, the Consortium of Chugiak-Eagle River Community Councils was created as a united front to formally request the creation of a separate chapter from the MOA. The Consortium represents all of the community councils within Chugiak-Eagle River: Birchwood, Chugiak, Eagle River, Eagle River Valley, Eklutna Valley, and South Fork.

On March 28, 2006, the Assembly unanimously passed a resolution supporting a separate chapter as a placeholder in the final draft of AMC Title 21 to include the community of Chugiak-Eagle River (*AR 2006-072*). The Administration also voiced their support of a separate chapter for Chugiak-Eagle River at this meeting. Additionally, the implementation schedule in the *Chugiak-Eagle River Comprehensive Plan Update – Public Hearing Draft (April 2006)* calls for revising AMC Title 21 to include a separate chapter for Chugiak-Eagle River.

The Consortium is a non-profit, voluntary, self-governing, association organized to oversee the development of a separate chapter of land use regulations in AMC Title 21 for Chugiak-Eagle River.

The Consortium is a non-partisan, advisory body and is intended to give:

- A. Local citizens an opportunity for maximum community involvement and self-determination in the development of land use regulations;
- B. The MOA a method for receiving opinions, needs, desires, and recommendations from Chugiak-Eagle River's residents and groups regarding land use regulation;
- C. Local community councils an improved basis for acting on issues of community development.

**Article IV      FUNCTION**

The Consortium has a continuing obligation to represent all citizens of Chugiak-Eagle River in the development of a separate chapter of land use regulations for Chugiak-Eagle River since the chapter shall have area-wide impact. The Consortium shall fulfill that obligation by performing the following functions:

- A. Assume a leadership role in the development a chapter of draft land use regulations specific to Chugiak-Eagle River;
- B. Ensure that there will be adequate funding to develop the draft chapter through the State of Alaska, MOA, or other entity;
- C. Create and maintain a schedule for the development of the draft chapter;
- D. Respond to community, municipal, or state government issues submitted to the Consortium;
- E. Ensure that there will be adequate public involvement in the development of the draft chapter by:
  - 1. Determining how Chugiak-Eagle River residents and business owners would like Chugiak-Eagle River to develop, by community survey or other means, and using this information to guide development of land use regulations;
  - 2. Seeking items of concern from the community regarding land use regulation;
  - 3. Encouraging the participation of persons from all segments of the community including, but not limited to: Alaska Railroad Corporation (ARRC); Chugiak Area Business Association, Inc. (CABA); Chugiak Benefit Association, Inc. (CBA); Chugiak-Birchwood-Eagle River Rural Road Service Area Board (CBERRRSA); Chugiak Dog Musers Association, Inc. (CDMA); Chugiak-Eagle River Chamber of Commerce; Eagle River-Chugiak Parks and Recreation Service Area Board (ERCPRSA); Eklutna, Inc.; and the Municipality of Anchorage (MOA);
  - 4. Maintaining an effective open communication system by:
    - a) Publicizing Consortium activities and the results of those activities;
    - b) Conducting public meetings with an open forum to allow citizens to voice opinions, ideas, concerns, and recommendations;

- c) Maintaining Consortium records for public inspection;
  - 5. Educating citizens about Consortium activities by maintaining a Consortium webpage on the Federation of Community Councils' website, **www.communitycouncils.org**, to include: contact information; bylaws; meeting schedule, agendas, and minutes; project documents; budget data; links to associated websites; etc.,
- F. Maintain credibility of the Consortium and its membership by:
- 1. Listening to, but not giving preferential treatment to, special interest groups;
  - 2. Providing to anyone information available to the Consortium;
  - 3. Disclosing any conflict of interest concerning an issue before the Consortium. Conflict of interest shall include any potential gain, personal, financial or political;
  - 4. Not intentionally misrepresenting or not representing a cross section of opinion;
  - 5. Representing the minority, as well as the majority, opinion on issues before the Consortium;
- G. Ensure that there will be community support for the draft chapter by:
- 1. Requiring Consortium delegates to maintain an on-going dialogue between the community councils and the Consortium;
  - 2. Encouraging the community councils to form individual Title 21 review committees to make recommendations to the Consortium on proposed land use regulations for their council areas as well as for the whole community;
  - 3. Encouraging the community councils to take action on Consortium issues at community councils meetings;
  - 4. Conducting community-wide meetings to review the draft land use regulations prepared by the Consortium and requesting written public comments;
  - 5. Identifying and implementing additional strategies to generate public interest and participation to gain community support;
- H. Ensure that there will be municipal support for the draft chapter by:
- 1. Encouraging MOA personnel to attend Consortium meetings to offer their expertise and recommendations;
  - 2. Encouraging MOA personnel to access the Consortium webpage to get up-to-date information on Consortium business;

3. Copying meeting minutes to the MOA Planning Director, Planning and Zoning Commission, and local Assemblymembers;
  4. Assigning representatives from the Consortium to sit in on public municipal meetings and work sessions pertaining to the AMC Title 21 Rewrite Project and to report back to the Consortium;
  5. Identifying and implementing additional strategies to generate municipal interest and participation to gain municipal support;
- I. Create the draft chapter by:
1. Defining the elements of AMC Title 21 and the AMC Title 21 Rewrite that need to be modified for Chugiak-Eagle River;
  2. Defining the elements that need to be added for Chugiak-Eagle River;
  3. Compiling these elements into an organized chapter of draft land use regulations;
  4. Ensuring that the draft land use regulations are in accordance with the Chugiak-Eagle River Comprehensive Plan;
  5. Ensuring that the draft land use regulations are legally compliant with existing Anchorage Municipal Code;
- J. Conduct a public review of the draft chapter including:
1. Requesting written public comments;
  2. Amending the draft chapter as needed;
  3. Finalizing the draft chapter for submittal to the MOA;
- K. Seek adoption of the draft chapter by the Anchorage Assembly by:
1. Submitting the draft chapter to the MOA requesting that it be added to AMC Title 21;
  2. Seeking administrative approval of the draft chapter;
  3. Participating in municipal processes to approve the draft chapter;
  4. Preparing and supplying supplementary information as requested by the MOA;
  5. Resolving differences of opinion between the MOA and the Consortium regarding the draft land use regulations;
  6. Testifying at public hearings.

**Article V      BOARD MEMBERS**

- A. The BOARD shall consist of:
  - 1. SIX COUNCIL BOARD MEMBERS consisting of one PRIMARY DELEGATE appointed from each of the six Chugiak-Eagle River community councils:
    - 1 Birchwood Community Council
    - 2 Chugiak Community Council
    - 3 Eagle River Community Council
    - 4 Eagle River Valley Community Council
    - 5 Eklutna Valley Community Council
    - 6 South Fork Community Council
  - 2. ONE AT-LARGE BOARD MEMBER
- B. The DUTIES of a board member shall include:
  - 1. In the case of a council board member,
    - a) Conducting the business of the Consortium while representing the board member's community council;
    - b) Maintaining an on-going dialogue between the board member's community council and the Consortium;
    - c) Bringing forth recommendations on land use regulation.
  - 2. In the case of the at-large board member,
    - a) Conducting the business of the Consortium while representing the community at-large;
    - b) Bringing forth recommendations on land use regulation.
- C. Board members are encouraged to express their opinions to public officials, but must be careful to identify their views as personal. In public or private testimony, no Consortium member shall speak on behalf of the Consortium unless specifically authorized to do so at an official meeting.
- D. One ALTERNATE DELEGATE shall be appointed from each of the six Chugiak-Eagle River community councils.
  - 1. The duty of an alternate board member shall be to serve as a board member during meetings when the primary delegate for that community council is absent.
  - 2. An alternate board member shall not serve as an officer.
- E. DELEGATE APPOINTMENTS shall be announced by the community councils at the October meeting; however, delegates may be announced at any time under the following conditions:

1. During the initial Consortium organizational period;
  2. When a vacancy is being filled.
- F. The AT-LARGE BOARD MEMBER shall be nominated from the community at-large and ELECTED in October by the newly constituted board of council board members according to the following procedure:
1. The at-large board member must be eighteen (18) years of age or older and be a homeowner, tenant, resident, property owner, business owner, or a representative of a corporate or non-profit association located within the boundary described in Article II.
  2. The board shall accept nominations from any Consortium member for any eligible person to be a candidate for the at-large board member position.
  3. Prior to the vote, each candidate may:
    - a) State a preference for the at-large board member position;
    - b) Disqualify themselves for the at-large board member position;
    - c) Agree to accept the at-large board member position.
  4. Each board member shall cast ONE BALLOT with a one candidate listed for the at-large board member position.
  5. Voting shall be by SECRET BALLOT if requested by a board member.
  6. The candidate receiving the most votes shall assume the at-large board member position.
- G. Board members shall serve a TERM of one (1) year until the conclusion of the October's meeting.

**Article VI     ASSOCIATE MEMBERS**

- A. ASSOCIATE MEMBERS must be eighteen (18) years of age or older and be a homeowner, tenant, resident, property owner, business owner, or a representative of a corporate or non-profit association located within the boundary described in Article II.
- B. A person shall become an associate member by signing the membership register available at every meeting or by informing a board member of the person's desire to join.
- C. An associate member may supply the Consortium with his or her email address to get on the EMAIL LIST. The email list shall be used to give notice of public meetings or events. Email accounts shall be used for Consortium business only.

- D. No fee shall be charged for membership.
- E. The role of an associate member shall be advisory.
- F. Associate members are encouraged to volunteer to serve on Consortium committees.
- G. Associate membership shall be valid for a period of one (1) year but may be renewed.

**Article VII     SPECIAL MEMBERS**

SPECIAL MEMBERS are associate members automatically and include: Federation of Community Councils, Inc.; Director of MOA Planning; Planning and Zoning Commission; Chugiak-Eagle River Assemblymembers; or their representatives.

**Article VIII    MEETINGS**

- A. REGULAR MEETINGS will be held the first (1<sup>st</sup>) Wednesday of every month from 6:30 p.m. until the finish of business or 9:30 p.m. The meetings will be held at the Municipality of Anchorage Conference Room (11901 Business Blvd., Eagle River) unless otherwise stated in the agenda.
- B. The necessary QUORUM to hold a meeting shall be at least three (3) board members.
- C. NOTICE of all meetings and their agendas must be emailed to members at least seven (7) days in advance and notice published in the Alaska Star newspaper if publishing dates allow.
- D. SPECIAL MEETINGS may be called by the Executive Committee as deemed necessary and must be called by that body within ten (10) days of receipt of a petition endorsed by three (3) board members requesting such a meeting.
- E. NO OFFICIAL BUSINESS of the Consortium may be conducted outside of regular or special meetings with the exceptions of:
  - 1. Routine business which shall be conducted by the Executive Committee or like Committee. Such business shall be reported at the next Consortium meeting at which time any board member may request that an action of such body be brought to a vote of the board;
  - 2. Emergency Questions, and they must be addressed as outlined in Article IX, Part F;
- F. MEETINGS SHALL BE CONDUCTED as informally as the number of participants will allow and in a manner designed to increase public expression and discussion. However, the latest edition of Robert's Rules of Order shall apply in all instances, matters, and proceedings not covered by these bylaws. Any limitation of discussion must be applied equally to all members.

- G. A member who will be absent from a meeting may send a letter to the Consortium detailing the member's position on an issue and have the letter read during the discussion.

**Article IX     VOTING**

- A. A simple MAJORITY VOTE shall be required to perform an action by the Board.
- B. A TWO-THIRDS AFFIRMATIVE VOTE shall be required to overturn or change a previous action by the Board.
- C. Each board member may have one and only ONE VOTE.
- D. There shall be no voting by PROXY.
- E. In the case of a TIE VOTE:
  - 1. As time allows, the board members may debate the matter further with the aim of reaching consensus. Debate shall be followed by a new vote in an attempt to break the tie vote;
  - 2. As time allows, the board members may vote to table or postpone the matter;
  - 3. If time does not allow additional debate or if additional debate has not resulted in breaking the tie vote, then the three officers shall vote to decide the matter. In this instance, the three officers shall not represent their individual community councils but rather represent the entire Chugiak-Eagle River community.
- F. Any vote may be CHALLENGED and a recount requested by any board member.
- G. An issue may be designated as an EMERGENCY QUESTION only if time absolutely does not allow the issue to be handled at a regular or special meeting and then each step of the following procedure must be followed:
  - 1. A vote of at least three (3) board members must agree that the issue requires emergency treatment;
  - 2. An agreement must be reached by at least three (3) board members on a clearly written statement of the question to be voted on;
  - 3. An email or telephone vote of all board members must be recorded along with a written list including the date and time of each contact made or attempted, the names of the board members contacted, and names of the board members conducting the vote;
  - 4. If a board member cannot be reached after three (3) attempts, the board members conducting the vote must attempt to get a vote from the alternate delegate;



5. A written report shall be read into the minutes as the first order of business at the next Consortium meeting that shall include:
  - a) The names of the board members who voted to use the emergency procedures;
  - b) The question as read to board members;
  - c) The number voting yes, no, and abstaining;
  - d) The number of board members reached.

**Article X      ELECTION OF OFFICERS**

- A. Any board member shall be eligible to seek ELECTION as an officer.
- B. OFFICERS include: PRESIDENT; VICE PRESIDENT; and SECRETARY-TREASURER.
- C. Officers shall be elected in October from the newly constituted board and shall serve a TERM of one year until the conclusion of the October's meeting.
- D. Prior to the vote, each board member may:
  1. State a preference for a particular office;
  2. Disqualify themselves for a particular office;
  3. Agree to accept an office.
- E. Each board member shall cast ONE BALLOT with a different candidate listed for each of the three (3) offices.
- F. Voting shall be by SECRET BALLOT if requested by a board member.
- G. The candidate receiving the most votes for each office shall assume that office.

**Article XI      OFFICERS**

- A. The PRESIDENT shall:
  1. Be the principal presiding officer and set and distribute the agenda;
  2. Ensure that the bylaws are followed and enforced;
  3. Direct and supervise the responsibilities of the board members and oversee the operation of the Consortium;
  4. Provide the dual authorization required in the matter of dispersing funds;
  5. Be the official spokesperson for the Consortium;

6. Be an ex-officio member of all committees;
  7. Allow his or her home mailing address to be the official mailing address for the Consortium.
- B. The VICE PRESIDENT shall:
1. Be parliamentarian or assign a knowledgeable person to that position;
  2. Ensure that copies of the bylaws are available for review and distribution at every Consortium meeting;
  3. Assume the duties of the President when the President is absent.
  4. Assume the duties of the Secretary-Treasurer when the Secretary-Treasurer is absent.
- C. The SECRETARY-TREASURER shall:
1. Perform SECRETARY DUTIES including:
    - a) Keeping and reporting the minutes and distributing copies to members;
    - b) Keeping the membership register with the name, address, email account, and phone number of each person who attends a meeting. This register shall be turned over to the President as needed;
    - c) Preparing and sending correspondence;
    - d) Maintaining records and correspondence for inspection by the public;
    - e) Updating the Consortium webpage as needed.
  2. Perform TREASURER DUTIES including:
    - a) Overseeing all funds of the Consortium;
    - b) Making disbursements as authorized by the board;
    - c) Requesting disbursements from the FCC as authorized by the board;
    - d) Reporting at each monthly meeting all receipts and expenditures for the preceding month, including a statement of the current balance of funds.
- D. Officers shall perform all of the duties listed for their offices and such other duties as may be assigned by the President from time to time.
- E. The officers shall make up the EXECUTIVE COMMITTEE.

**Article XII     BOARD VACANCIES**

- A. VACANCIES may occur by resignation or removal.
- B. RESIGNATIONS shall be made in writing and a vacancy will be declared upon receipt.
- C. ABSENSES by board members:
  - 1. An absence by a board member may be EXCUSED by notifying the President or Secretary-Treasurer prior to a meeting.
  - 2. Three (3) UNEXCUSED absences per year by a board member shall constitute a vacancy.
  - 3. Absences shall be reported in the meeting minutes.
- D. A vacancy can be created by REMOVING a board member for non-compliance with the bylaws. To create such a vacancy:
  - 1. A board member must provide information, in writing, concerning a possible breach of the bylaws to another board member.
  - 2. The informed board member shall request the President to call a work session of fellow board members and the complainant within one week of receiving the information. If the President is alleged to have committed the breach, the Vice President shall issue the session call.
  - 3. A qualified parliamentarian from outside the Consortium area shall be asked for an opinion concerning the ground for recall. That opinion shall be read and considered at the work session. After due consideration, the group shall choose a plan of action from the following:
    - a) The matter may be resolved during the work session and no further action required;
    - b) The accused board member may resign and the office declared vacant;
    - c) The accused board member or the complainant may request the matter to be brought before the board at the next meeting.
  - 4. If the issue comes before the board, the opinion of the parliamentarian, previously obtained, shall be read. The board may move to dismiss the complaint, or recall the board member by majority vote.
- E. VACANCIES SHALL BE FILLED temporarily by the alternate delegate until the community council can announce a replacement delegate.

**Article XIII COMMITTEES**

- A. COMMITTEES may be established by a vote of the board at any time for whatever purpose deemed necessary.
- B. All committees shall be ADVISORY only.
- C. The MEMBERSHIP and DUTIES of the committees shall be determined by the board.
- D. Both associate members and board members may VOLUNTEER to be put on a committee before or during the time the committee is functioning.
- E. The President may designate the COMMITTEE CHAIRPERSON and additional committee members.
- F. Committees shall include a variety of views on issues.

**Article XIV FINANCES**

- A. The Consortium may receive STATE GRANT FUNDS to meet the cost of operations.
  - 1. State grant funds shall be administered by the Federation of Community Councils, Inc. (FCC) as per a MEMORANDUM OF UNDERSTANDING signed by the Consortium President and the FCC Chair.
  - 2. A vote by a majority of the board shall be required to authorize payment of any and all REQUESTS FOR PAYMENT, INVOICES, PAYABLES, ETC. to be paid from state grant funds.
  - 3. All withdrawals or disbursements of state grant funds by the FCC shall require DUAL AUTHORIZATION from the Consortium, one being the Secretary-Treasurer and the other being the President.
- B. The Consortium may receive FINANCIAL CONTRIBUTIONS to meet the cost of operations.
  - 1. Financial contributions collected by the Consortium shall be deposited into an account at an established bank with the Secretary-Treasurer responsible for all deposits and accountings.
  - 2. A vote by a majority of the board shall be required to authorize payment of any and all REQUESTS FOR PAYMENT, INVOICES, PAYABLES, ETC. to be paid from financial contributions.
  - 3. All withdrawals or disbursements of financial contributions shall require DUAL SIGNATURES, as the bank allows, one being the Secretary-Treasurer and the other being the President.

- C. The Consortium may receive SPECIAL DONATIONS to pay for operational costs specified by the donor.
  - 1. No vote of the board shall be required to authorize the expenditure of special donations but shall be reported at the next meeting.
  - 2. Special donations shall be tracked by the Secretary-Treasurer if valued over \$25.
- D. A YEAR-END FINANCIAL REPORT showing all receipts and expenditures, and signed by the Secretary-Treasurer and the President, shall be made at the January meeting.

**Article XV    AMENDMENTS**

These bylaws may be repealed, amended, or new bylaws adopted at any Consortium meeting. Any proposed changes in the bylaws require two (2) week's notice to Consortium members.

**Article XVI    DISSOLUTION**

Upon dissolution of the Consortium, and after paying or adequately providing for its debts and obligations, any remaining:

- A. State grant funds shall be returned to the State of Alaska by the FCC;
- B. Financial contributions shall be distributed to: a nonprofit fund, foundation or corporation; or to the federal government; or to a state or local government for a public purpose.

**Signed:** \_\_\_\_\_  
Bobbi Wells  
President  
Consortium of Chugiak-Eagle River Community Councils  
Phone: 688-4321, Email: barb@mtaonline.net

**Dated:** November 1, 2006

This document was created with Win2PDF available at <http://www.daneprairie.com>.  
The unregistered version of Win2PDF is for evaluation or non-commercial use only.