

MUNICIPALITY OF ANCHORAGE
ASSEMBLY INFORMATION MEMORANDUM

No. AIM 67-2015

Adopted 6/9/15

Meeting Date: June 9, 2015

1 **From:** CHAIR OF THE ASSEMBLY
2 **Subject:** Conforming Community Council Bylaws
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4 In accordance with AO 2014-3(S) passed on February 11, 2014, the Municipal Clerk
5 reports the following:
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- 7 • *Northeast Community Council* submitted its revised bylaws to the
8 Municipal Clerk. After review by the Municipal Ombudsman, the bylaws
9 have been returned to the Municipal Clerk's Office as conforming. The
10 Municipal Ombudsman recommends these conforming bylaws be
11 accepted by the Assembly, as attached.
12
- 13 • *Eagle River Valley Community Council* submitted its revised bylaws to the
14 Municipal Clerk. After review by the Municipal Ombudsman, the bylaws
15 have been returned to the Municipal Clerk's Office as conforming. The
16 Municipal Ombudsman recommends these conforming bylaws be
17 accepted by the Assembly, as attached.
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20 Prepared by: Sierra R. Smith, Executive Administrative Assistant

21 Approved by: Barbara A. Jones, Municipal Clerk

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24 Respectfully submitted: Dick Traini, Assembly Chair

NORTHEAST COMMUNITY COUNCIL BYLAWS

ARTICLE I: NAME

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

ARTICLE II: BOUNDARIES

The geographical boundaries adopted by the Anchorage Assembly on July 8, 2003 (AO 2003-75), and appropriate associated map listed under municipal code §2.40.040 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 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; 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 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 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 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, 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. 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 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 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;
- 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 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.

B. Any person who qualifies under section A of this article is a voting member immediately after signing the member attendance roster at any regular or special Council meeting. 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 Executive Board may establish annual voluntary dues.

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 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 officers and Executive Board the President shall establish the meeting agenda.

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

G. Ten (10) members of the general membership including one executive board member shall constitute a quorum, and no business may be conducted at a general membership meeting unless a quorum is present and voting.

H. 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. 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 member must be present at the time of the vote in order to cast a vote. There will be no proxy voting.

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: OFFICERS

A. Executive Board

The Executive Board will be nine (9) persons elected by and from the membership at large. There will be elected three (3) persons per year to serve three (3) year terms. Seat A, B and C will expire in 2015; seats D, E, and F will expire in 2016; and seats G, H, and I will expire in 2017, and every three years thereafter.

B. Election

1. Elections shall take place annually in April. The election shall be by secret ballot. A nominating committee of at least two Council members shall be appointed by the President at the February meeting. The slate of candidates shall be published in the April meeting notices. Nominations will be accepted from the floor at the March and April meetings.

2. Council members must have attended three of the previous six general meetings in order to be eligible to be a board member. Proof of eligibility is required.

3.

C. Number of Officers

The officers of the Council shall be President, Vice-President, Secretary, Treasurer, and Parliamentarian. The Executive Board will elect their officers to take office in May except in case of a vacancy. The President and/or his/her designee shall serve as representative to the Federation of Community Councils.

D. Duties of Board Members

1. President:

- a. Be the principal presiding officer and shall in general supervise the affairs of the Council and shall also ensure that these bylaws are followed and enforced;
- b. Establish meeting agenda in coordination with the other Council officers.

2. Vice-President:

- a. Greets member and guests and provides orientation of newcomers at general meetings;
- b. Keep a sign-in log with the name, address and telephone number of each person who attends a meeting. This log is to be turned over to the Secretary at the end of each meeting; and
- c. Assume the duties of President when the President is absent.

3. Secretary:

- a. Ensure that copies of these bylaws are available for review and distribution at every Council meeting;
- b. Keep and report the minutes of all meetings;
- c. Ensure proper distribution of meeting notes and agenda;
- d. Be responsible for maintaining records and doing correspondence of the Council and
- e. Keep custody of membership voting register (sign in log) and ensure it is available at every Council meeting.

4. Treasurer

- a. Have charge and custody of and be responsible for all funds of the Council;
- b. Make disbursement as necessary upon the authorization of the Council and
- c. Report in writing at each membership meeting all receipts and expenditures for the preceding months, including statement of the current balance of funds.

5. Parliamentarian:

- a. Advise the President on matters pertaining to Robert's Rules of Order and parliamentary procedure.

6. Board Members:

- a. Board Members shall advise the President and serve on committees or in assignments as assigned by the President.

7. Officers

- a. Officers in general shall perform the duties incidental to the offices they hold and such other duties as from time to time that may be assigned by the President.

E. Removal, Resignation, Vacancies

1. Resignations shall be made in writing.

2. Three (3) absences from any five (5) consecutive meetings (Executive Board meetings and monthly general membership meetings), by a Board member may

constitute a vacancy. Removals, resignations and vacancies shall be filled appointment by the president with the approval of the executive board for the remainder of the term.

3. A Board member may be removed for due cause following the procedures below:
 - a. Notice of cause must be presented to the President either in writing or by announcement at the Executive Board meeting.
 - b. The Executive Board will decide by a majority vote whether to bring the removal before the general council.
 - c. A two-thirds (2/3) vote of the Council members present and voting at the general meeting is required for an officer or a Board Member to be removed.

4. Any officer or member of the Council may be removed for violation of the Council's rules following the procedures below:
 - a. Written notice must be given to the elected officers and the member or officer being considered for removal at least fifteen (15) days prior to the general membership meeting, at which time a vote of confidence will be taken.
 - b. Provisions must be made on the agenda for presentation of the charges and defense of the accused.
 - c. A two-thirds (2/3) vote of the Council members present and voting is required for an officer or a Board Member to be removed.

ARTICLE XI: COMMITTEES

Committees may be established 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.

ARTICLE: XII 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.

- D. The Council may receive in-kind contributions, gifts or grants with the approval of the Board

ARTICLE XIII: AMENDMENTS

Proposed bylaws changes must be noticed and discussed at a minimum of one Council meeting 30 days 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 XIV: DISSOLUTION

Unless otherwise provided by law, dissolution may occur by vote of two-thirds (2/3) of the members of the Council at a regular Council meeting, at a special meeting called for that purpose, or by mail ballot. Such action requires sixty (60) days written and distributed notice addressing the intentions and reasons for such dissolution. 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 a nonprofit organization designated in the dissolution action.