

Spenard Community Council

Bylaws

Updated June 2014

ARTICLE I. NAME

Section 1. The name of this organization shall be the Spenard Community Council, hereinafter referred to as “the Council,” as recognized by the Municipality of Anchorage at AMC 2.40.030.

ARTICLE II. BOUNDARIES

Section 1. 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 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; community council boundary amendments adopted by Anchorage Municipal Code are hereby incorporated by reference.

ARTICLE III. DEFINITION

Section 1. The Council is an independent, not-for-profit, voluntary, self-governing association composed of residents 18 years of age or older, property owners, business owners, and non-profit organizations who meet the qualifications for membership as outlined in Article VI of these bylaws and municipal code §2.40.040.

Section 2. 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.

Section 3. The Council is not a regulatory or a legislative body. The Council shall not endorse any candidate for local, state or federal elected office and shall not endorse or align itself with a political party.

ARTICLE IV. PURPOSE

Section 1. The purpose of the Council is to provide a direct and continuing means of citizen participation in local affairs. The Council exists to afford citizens an opportunity for maximum community involvement and self-determination. Notwithstanding any other provisions of these articles, this organization shall be empowered to pursue any lawful activities for the betterment of the Spenard community, according to the will of its members.

Section 2. The Council is intended to give:

1. 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 a positive impact on their community's development and services;
2. Governmental agencies a method for receiving opinions, needs, desires and recommendations of residents and groups;
3. Local governing bodies an improved basis for decision-making and assignment of priorities for all programs affecting community development and individual well-being;
4. All interested stakeholders a forum for engaging in productive dialogue among residents, local businesses and organizations, and government entities located within and outside of Spenard.

ARTICLE V. FUNCTION

Section 1. The Council has a policy and practice of open membership and meetings to encourage participation of persons from all segments of the community.

Section 2. The Council shall have the following functions:

5. In regard to the Anchorage Comprehensive Plan;
 - a. 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;
 - b. 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;
6. Assume leadership, develop priorities and propose action in regards to enforcement of existing laws, ordinances, codes, regulations or policy; pursuit of rights under existing rights, ordinances, codes, regulations or policy; desired or opposed changes in or additions to laws or ordinances, or any matter of policy regulation;
7. Respond to local government proposals or concerns submitted to the Council pursuant to municipal code §2.40.060;
8. 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;
9. Receive and review notices to the Council from Municipal departments including those noticed under municipal code:
 - a. 2.30.120.C, Alcohol Beverage Control Board license applications, both new and renewing;
 - b. 10.55.030, Permits for teen nightclubs and cultural performance venues;
 - c. 21.03.020.H, Land use proposals;
 - d. 24.35.020, National security road closures;
 - e. 25.30.025.E, Disposal of Municipal land requiring voter approval;
 - f. Other notices received from Municipal departments requiring input or action by the Council;

10. 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;
11. Participate in the community meeting process under municipal code §21.03.020.C when the notice from the developer is timely.
12. Maintain an open and effective communication system in order to acquaint local citizens with information concerning community activities and issues, as well as solicit items of concern to Council members and the general public to bring before the Council as community business.
13. Maintain credibility by protecting against misuse of the Council organization by, including but not limited to: supporting special interest groups, withholding information from the membership; attempting to use the Council for financial or political gain; intentionally misrepresenting or excluding a cross-section of opinion in Council business; failure to solicit and represent both majority and opinions.

ARTICLE VI. MEMBERSHIP

Section 1. Any person 18 years of age or older whose primary place of abode is within the Council's geographical boundaries is eligible for membership. 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:

14. a valid Alaska business license;
15. a valid Alaska professional license;
16. valid incorporated status under Alaska law
17. 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, 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.

Section 2. Any person who qualifies under section A of this article and who has met the requirement of Article VIII, section B 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.

Section 3. The Council shall not charge dues or require any financial contribution as a condition of membership, voting, or other participation. The Council has established annual voluntary dues not to exceed \$5.00 per year.

Section 4. A membership year shall run from March 1 through the last day of February of the following year.

ARTICLE VII. MEETINGS

Section 1. All meetings shall be open to the public.

Section 2. There shall be a minimum of four (4) general membership meetings per calendar year and at least one meeting quarterly. It is the practice of the Council to meet on the first Wednesday of each month, except the summer months of July and August, during which the Council does not hold a general membership meeting unless called as a special meeting.

Section 3. Special meetings of the membership may be called by the President, or at least three (3) members of 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.

Section 4. A quorum for member meetings and special meetings shall be five (5) members.

Section 5. The officers shall meet at least monthly in an executive committee meeting, and all meetings shall be open to the general membership. Special meetings of the officers may be called by the President, or a majority of the officers, upon notification of all officers. The necessary quorum shall be three (3) elected officers.

Section 6. After consulting with the officers and Executive Board the President shall establish the meeting agenda.

Section 7. Regarding notices:

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

19. Whenever possible the draft agenda shall be posted online and emailed to those who have signed up for the Council's 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 submitted to the Federation of Community Councils, or current municipal contractor, for electronic distribution.

20. The meeting date and time may be submitted to the media as a public service announcement.

21. 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 may also be submitted to the Federation of Community Councils, or current municipal contractor, for electronic distribution.

Section 8. Meetings shall be run in a manner intended to increase the public expression and discussion of opinions held by Council members on matters of community concern. Any limitations imposed by the Council on this rule must apply equally to all members.

Section 9. Meetings shall be as informal as the number of participants will allow, but Robert's Rules of Order, Revised, shall apply for regular and special meetings for all matters not covered by the bylaws.

Section 10. Minutes shall be taken or recordings shall be made at all regular and special Council meetings, and shall be made available on or before the next council meeting and online through the Federation of Community Councils, or current municipal contractor, website.

VIII. VOTING

Section 1. Any member of the Council as defined in Article VI and AMC 2.40.030 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, s/he shall still have just one vote. Non-profit associations and business owners shall have one vote each. Non-profit association, business owner, and 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.

Section 2. The member attendance roster, excluding any newly-registered members not eligible to vote during the initial meeting, shall serve as the official list of eligible voters for each meeting. Newly-registered members are not eligible to vote until the next meeting.

Section 3. A member must be present at the time of the vote in order to cast a vote. There will be no proxy voting. Any vote may be challenged.

Section 4. A registered member who is absent during the time of voting may send a written communication to the Council with a brief position statement on the question to be voted on, which shall be read by the Chair to the Council prior to the vote. This will not be counted as a vote on the question, but recorded as part of the discussion on the question.

ARTICLE IX. VOTE REPORTING AND OFFICIAL CONTACTS

Section 1. 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 and supported by oral testimony at agency meetings.

Section 2. In public testimony, no officer or member shall commit the Council to a position not previously voted on by the membership, however, as circumstances may warrant, the spokesperson may relate the Council's traditional views and actions previously taken.

Section 3. Copies of all such communications shall be read as part of the Minutes at the next general membership meeting following the sending of a letter, presentation of public testimony or other communication, and shall be attached and presented as part of the minutes. Written or oral responses to such communications, as well as any contact by a government official with a Council official concerning Council affairs, shall also be reported as old business at the next meeting following receipt of the same and shall be summarized in the minutes.

ARTICLE X. OFFICERS

Section 1. The Officers of the Council shall be: President, Vice President, Secretary, Treasurer and two (2) Auditors. The Executive Board shall consist of the President, Vice President,

Secretary and Treasurer; Auditors are welcome but not required to participate in the Council's monthly business meetings. Council officers and Executive Board members with financial or fiduciary responsibility must be 18 years old at the time of service. The Council may, in its discretion, designate non-fiduciary and non-signatory roles to younger members for leadership training.

Section 2. Elections shall take place annually. The elections shall be by secret ballot, annually, at the February general meeting. If a candidate is running unopposed, the vote may be by voice or show of hands. The officers shall be elected for one (1) year terms. The Chair may serve no more than two (2) consecutive terms. No member shall hold more than one elected office on the Council.

Section 3. Members of the Executive Board shall abstain from participating in any issue in which they have a financial interest. On matters in which a member of the Executive Board may be perceived as having a conflict of interest due to their personal or business relationships, the member shall make a brief disclosure statement during the meeting if they intend to cast a vote.

Section 4. The Officers shall in general perform all the duties of the offices they hold, and such other duties as may be occasionally assigned by the President. Duties of the Officers include the following:

The President shall:

1. Be the principal presiding officer during Council meetings, Executive Board meetings and in other situations involving Council business;
2. Oversee and remain engaged with the affairs of the Council, either through direct participation or delegation;
3. Ensure that the bylaws are followed and enforced;
4. Working with the Executive Board, establish the meeting agenda;
5. Appoint committee chairs;
6. Represent the council, directly or through delegation, in official testimony or oral reports to the Municipality, State and other units of government
7. Represent the council on the Federation of Community Council (FCC) Board of Directors.

The Vice President shall:

1. Act as parliamentarian for Council meetings;
2. Assume the duties of the President in the absence of the President, such as presiding over Council meetings;
3. Act as alternate representative to the President on the Federation of Community Councils (FCC) Board of Directors.

The Secretary shall:

1. Ensure that the Council's bylaws are available to all members online through the Federation of Community Councils', or the current municipal contractor's, website, as well as during Council meetings;
2. Record the minutes of general membership meetings, through note-taking or electronic recording, and ensure that these minutes are available to all members;
3. Send copies of minutes or recordings to the Federation of Community Councils, or the current municipal contractor, to be posted online to the website and distributed electronically to all members;
4. Maintain the record of Council documents, correspondence and other relevant information pertaining to Council business;
5. Maintain an updated copy of the membership attendance roster and ensure it is available at all general membership meetings.

The Treasurer shall:

1. Have charge and custody of, and be responsible for, all funds and accounts of the Council.
2. Make deposits and disbursements as necessary upon the authorization of the Executive Board and the Council;
3. Report at each general membership meeting a current financial statement of the Council: the current account balance of funds and a summary of all receipts and expenditures for the preceding month(s).

The Auditor(s) shall:

1. Audit the Council's financial records at the end of the Council's fiscal year, which shall be from March 1 to the last day of February of the following year;
2. Make a report to the Council at the May general membership meeting;
3. Act as members-at-large on the Executive Board.

The Immediate Past President shall:

1. Sit as a non-voting member of the Executive Board for at least the three months following the election of new officers;
2. As the need arises, advise the Executive Board and/or the Council on issues which may have originated or were resolved during the previous administration.

Section 5. Resignations, Vacancies and Removals of an Officer:

1. Resignations shall be made in writing and addressed to the members of the Executive Board.
2. Three (3) unexcused consecutive absences from regular meetings by an officer shall constitute a vacancy of the office.
3. Removals, resignations and vacancies can be filled temporarily by appointment by the President until a special election can be held by the membership at the next general meeting.

4. Any officer or Council member can be removed from participating in Council business after violation of the Council's bylaws, if conducted according to the process outlined in subsection (5) below.
5. Process for removal of officers:
 - a. Adequate notice of at least one regular member meeting in advance must be given to the Executive Board and to the member or officer being considered for removal.
 - b. Prior to the members' vote on the removal of a member or officer, provision must be made on the agenda for a presentation of the charges or offenses against the member or officer in question, and for defense of that member or officer.
 - c. A vote is required to remove a member or officer from the Council. A two-thirds (2/3) majority vote of the Council members present at the general membership meeting is required for removal.

ARTICLE XI. COMMITTEES

Section 1. 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.

Section 2. Any member of the Council may participate on a committee. Committee chairs shall be appointed by the Executive Board and approved by the membership.

Section 3. A committee chair or his/her designee shall make monthly reports to the Council on the committee's activities.

ARTICLE XII. FINANCES

Section 1. The Council may raise and spend funds. The Council may receive gifts, grants, contributions, or in-kind donations from members or other entities to meet the costs of its operation.

Section 2. 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.

Section 3. The Treasurer and one other officer 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. If the President is not available, the Vice President shall sign the check or withdrawal in place of the President. If the Vice President is not available, the Secretary shall sign the check or withdrawal in place of the Vice President.

Section 4. An annual financial report signed by the Treasurer, the President and one or more Auditors approved by the membership showing all receipts and expenditures shall be made yearly to the Council prior to the regular election of new officers.

ARTICLE XIII. AMENDMENTS

Section 1. 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.

Section 2. 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 other designee to timely notify the Municipal Clerk regarding amendments to the bylaws.

ARTICLE XIV. DISSOLUTION

Section 1. Unless otherwise provided by law, dissolution may occur by vote of three-fourths (3/4) of the members of the Council at a regular Council meeting, at a special meeting called for that purpose, or by mail ballot.

Section 2. 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 councils' use, or another non-profit organization if designated in the dissolution action.

Revised by the Spenard Community Council in March 2014

Approved by the members of the Spenard Community Council on June 4, 2014

Submitted to the Municipality of Anchorage Municipal Clerk on June 12, 2014