

EAGLE RIVER VALLEY COMMUNITY COUNCIL BY-LAWS

Adopted by the council (Date) – pending Muni approval.

ARTICLE I NAME

The name of the council shall be EAGLE RIVER VALLEY COMMUNITY COUNCIL (“Council”).

ARTICLE II AREA

The Council shall comprise that area within the boundaries of the Council as designated under AO 21.40.040, or such successor ordinance duly adopted by the Anchorage Assembly for that purpose.

ARTICLE III DEFINITION

The Council is a non-profit, voluntary, self-governing association of people residing in the area defined in Art. II. The Council is not a branch or layer of government. The Council is not a regulatory or legislative body. The Council is politically non-partisan.

ARTICLE IV PURPOSE

The purpose of this 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 involvement and self-determination, and to:

- A) Act as a liaison and advisory committee for the community.
- B) Promote a well informed neighborhood.
- C) Encourage involvement of the citizens of the community in affairs of local government.
- D) Coordinate as necessary with other community councils and organizations.

ARTICLE V MEMBERSHIP, MEETINGS & QUORUM

A) Membership:

1. All residents, real estate owners, business owners and not more than one representative from each nonprofit association and/or other entity located within the defined area, and at least eighteen (18) years of age, shall be eligible for membership. Any individual eligible for membership may be recognized to speak at any meeting, but shall not be permitted to make or second a motion, or to vote

on any matter, without first satisfying the criteria for voting membership stated in paragraph 2 of this section.

2. Voting members - All residents described in (1) above, immediately upon signing a monthly meeting register and indicating a residence address that is within defined council boundaries, (or another mailing address together with the address of real estate or a business owned by or a nonprofit association or other entity located within the defined area and represented by that individual only) ~~and having paid the membership dues (when imposed)~~ have a voting right beginning the next council meeting. No individual may cast more than one vote. Proxy votes are not allowed. ~~Eligible members may participate telephonically during the meeting.~~

B) Meetings:

1. A general membership meeting shall be held once a year for election of Board members (“Annual General Meeting”). Subject to being rescheduled by a 2/3 vote of at least a quorum of the Board, the Annual General Meeting shall be held in April or May of each year. Regularly scheduled membership meetings will be held the second Wednesday of the month, September through May. An individual meeting may be rescheduled by a 2/3 vote of at least a quorum of the Board or 2/3 of at least a quorum of the membership present at the previous meeting, so long as notice is given as provided below.
 2. All meetings will be held within the council area defined in Art. II.
 3. Special Meeting: A special meeting may be called by petition of 5 of the voting members or a majority of the Board or by the President upon oral consent of a majority of the Board.
 4. Board Meeting: A Board meeting may be called by the President at any time on not less than three days oral or electronic notice, unless such notice is waived orally by 2/3 of sitting Board members for an emergency matter.
5. Notice:
- a) Whenever possible, the draft agenda shall be posted online 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.
 - b) The meeting date and time may be submitted to the media as a public service announcement.
 - c) For Annual General Meetings where annual elections take place, public notice shall be given at least thirteen (13) days prior to the meeting date and 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

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Federation of Community Councils, or current municipal contractor, for electronic distribution. ~~Annual General Meeting: Public notice as provided above shall be given at least thirteen (13) days prior to the date of the Annual General Meeting.~~

d) Effect of Failure of Notice: Failure of published notice shall not diminish the validity of action taken at such meeting, however action taken at a meeting without timely electronic notice shall become valid only upon ratification at special or general meeting having been noticed according to the standard required for the meeting ratified.

6. 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.
7. Robert's Rules of Order, Revised, shall apply for regular and special meetings for all matters not covered by these By-Laws.
8. Quorum:
 - a) A quorum for a Council meeting shall be at least ten (10) voting members of the Council.
 - b) A quorum for a Board meeting shall be 2/3 of the sitting Board members.

A) Board Members.

ARTICLE VI BOARD AND OFFICERS

1. The Board shall consist of nine members elected for three year terms with staggered terms; three seats shall fall vacant each year.
2. Seats becoming vacant shall be filled by the Board until the next Annual General Meeting.
3. Any Board member who misses three consecutive meetings, or five meetings in a year shall, unless excused by the President or by vote of the membership at a regular or special meeting, be automatically removed from the Board, but may be reinstated by vote of the membership.

B) Officers.

1. Officers shall be: a president, a vice-president, and a secretary, ~~and a treasurer.~~
2. Officers shall serve one (1) year ~~elected~~ terms as elected by voting members of the council. ~~They are elected from the Board members, by the Board members, after the Annual General Meeting.~~
3. Offices becoming vacant shall be filled by the Board until the next Annual General Meeting.

C) Duties and Powers

1. Unless otherwise stated, the duties of the officers and Board members shall be such as their titles, by general and popular usage, would indicate, such as required

by these By-Laws, and such as may be assigned to them by Resolution of the membership.

2. President: The President shall be the chief officer and preside over all Council business. The President shall be ex officio member of all committees, except the nominations committee ~~and the audit committee.~~
3. Vice-President: The Vice-President shall be the parliamentarian at each meeting. The Vice President shall preside over council business in the absence of the President and shall succeed to the presidency for the remaining term of a President who resigns. The Vice-President will represent the President on any committee, as delegated by the President.
4. Secretary: the Secretary shall keep all minutes, issue all notices, keep custody of all Council records, and perform all other duties as may be required.

~~5. Treasurer: The Treasurer shall raise funds, expend funds, hold funds or otherwise be responsible for the financial status of the Council. The Treasurer shall make an audited accounting of Council funds to the members at the Annual General Meeting and a statement to each monthly meeting.~~

ARTICLE VII COMMITTEES & REPRESENTATIVES

A) Standing Committees.

1. The following standing committees shall be formed with the chair and members appointed by the Board.
 - Education
 - Emergency Preparedness
 - Capital Improvements
 - Zoning and Platting
2. At least one Board member, who may be the appointed chair, may sit on each committee.
3. The committee chair, the Board member, or a designee will report committee business to the Council at each meeting.
4. Each committee supports the Council in an advisory capacity. All actions and decisions will be made by the Council unless specifically delegated to the committee.
5. Appointments and assignments will be for **one year periods**. Vacancies will be filled by the Board for the unexpired period until the next Annual General Meeting.

B) Nominations Committee

1. Three months before the Annual General Meeting, the Board shall appoint a nominating committee informed as to Board vacancies. The Nominations Committee shall find more candidates than there are vacancies if possible, and

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shall provide a list of nominees for inclusion in the notice of the Annual General Meeting. No one may be nominated without his/her consent.

2. Nominations may also be made from the floor, providing the nominee has given consent.

C) Ad Hoc Committees.

1. Ad Hoc committees will be formed to monitor and advise the Council on any topic within the purview of the Council which the Board deems needing a committee.
2. The term of the committee shall be as long as the topic needs a committee, and unless otherwise designated when the committee is established, shall be subject to sunset or continuation at each Annual General Meeting.
3. Ad Hoc committees will be organized by and responsible to the Council in the same way as the Standing Committees.

D) Representatives

1. The Council will (to the extent permitted under municipal law) appoint representatives and alternates to the following organizations (as recommendations for appointment by the mayor where required):

Federation of Community Councils

Eagle River/Chugiak Parks and Recreational Service Area Board of Supervisors (3 year term, Assembly approval required) ([AMC 27.20.100](#))

Chugiak Birchwood Eagle River Rural Road Service Area (CBERRRSA) (3 year term, Assembly approval required) ([AMC 27.20.135](#))

Chugiak/Eagle River Advisory Board (CERAB) (3-year Assembly approval required) ([AMC 21.10.030](#))

~~PTA or PTSAC of each public elementary, middle and high school with attendance area within the Council boundaries (appoint representatives to, or accept representatives from)~~

2. Alternate terms shall be staggered by at least one year.

~~2-3.~~ Vacancies shall be filled by the Board for any unexpired term to the next Annual General Meeting.

~~3-4.~~ Any representative, unless excused by the President, who misses three consecutive meetings, or five meetings in a year, of the Council or the body to which they are appointed shall be automatically removed from the committee or position appointment.

~~4-5.~~ A representative is required to have attended at **least six meetings** of the Council in the last year, unless waived via a vote of the majority of the members present at any regular meeting.

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ARTICLE VIII FINANCES

- ~~A) Funds collected by the Council shall be deposited into a special account at an established bank with the Treasurer being responsible for all deposits and accounting.~~
- ~~B) The Council may not receive voluntary contributions in excess of the amount specified by Municipal Code from any one member to meet the cost of its operation. (Municipal Code)~~
- ~~C) The Council shall have the authority to sign all checks and make all withdrawals with the treasurer and one other officer being required to sign each check or withdrawal.~~
- ~~D) The fiscal year of the Council shall be from each Annual General Meeting to the next, unless otherwise required to conform to federal law or municipal budget cycles or procedures.~~
- ~~E) The treasurer's accounts shall be examined annually by an auditing committee. This committee shall:

 - ~~1. consist of three (3) impartial persons, one of whom is not on the board;~~
 - ~~2. not include the treasurer;~~~~

~~be selected at least one month before the Annual General Meeting sign a statement at the end of the report that the Treasurer's annual report and records of the year are correct.~~

~~3.~~

ARTICLE ~~VIII~~IX 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 IX AMENDMENTS

The By-Laws may be amended at the Annual General Meeting by a ~~two-thirds (2/3)~~ majority of the voting members present. The By-Laws may also be amended at any other meeting if a 2/3 majority of voting members present at the preceding meeting approved consideration of ~~By-Law~~Law amendments at the next meeting. However, the By-Laws may not be amended more than one time in a calendar year. Public notice of the Annual General Meeting and any other meeting at which a By-Law amendment is to be considered shall be given at least thirteen (13) days prior to the date of said meeting.

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ARTICLE XI DISSOLUTION

Unless otherwise provided by law, dissolution may occur by vote of ~~3/4~~~~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.~~

Revisions adopted (Date)

President
Eagle River Valley Community Council