



Rogers Park Community Council <rogersparkcc@gmail.com>

Proposed amendments to RPCC bylaws

2 messages

d3e3 <d3e3@alaska.net>

Sun, Nov 27, 2011 at 10:23 PM

To: Rogers Park Community Council <rogersparkcc@gmail.com>

Please add "proposed amendments to the RPCC bylaws" to the December agenda as an "information" item and also note that the issue will be taken up as an "action" item in January. That is, at the December meeting, I will merely generally describe the proposed amendments and do not expect debate; at the January meeting, I intend to make a motion that the amendments be adopted.

Please distribute the two attachments with the December meeting notice. One of them gives a short summary of the issues and reasons for the amendments; the other contains the proposed amendments. Both are required by the Bylaws – see below.

Please provide the 14 day notice required by Article XIV (excerpt below).

ARTICLE XIV - AMENDMENTS

Section 1. Amendments. These bylaws may be altered, amended or repealed by a two-thirds (2/3) vote of the Council members present and voting at a general or special membership meeting, providing notice is given of the intention to alter, amend or repeal the bylaws is submitted to the membership in writing at least fourteen (14) days in advance of the meeting. Such notice shall include the proposed changes to be made and the reason for same.

Thank you,

Dave Evans

2 attachments



2011 bylaws - proposed amendments.pdf
62K



2011 bylaws - reasons for proposed amendments.pdf

46K

Rogers Park Community Council <rogersparkcc@gmail.com>
To: d3e3 <d3e3@alaska.net>

Mon, Dec 5, 2011 at 11:12 AM

Hello Dave:

We will add.

David Morgan

[Quoted text hidden]

Rogers Park Community Council
November 27, 2011

Reasons for proposed amendments to RPCC bylaws

NOTE: Bylaw Article XIV provides for amendment of the Bylaws.

BYLAWS ARE OUT-OF-DATE

1. Article XIII of the RPCC bylaws (hereafter "Bylaws") incorporates the latest edition of "Robert's Rules of Order, Revised," where applicable and when not inconsistent with the Bylaws or any rules of order which the Council may adopt.

2. The latest edition of "Robert's Rules of Order, Revised" was published in 1951. Subsequently, "Robert's Rules of Order, *Newly Revised*" (my emphasis) was published; the current edition is dated 2011 (available on Amazon for about \$12.00). The Bylaws should adopt the "Newly Revised" edition.

BYLAWS REGARDING AGENDA ARE INADEQUATE

1. Bylaw Article VII Section 7 states that "The general membership may request that an item be placed on the agenda provided notice is given to the President at least two (2) weeks prior to the Council meeting." That:

- a. Does not allow sufficient flexibility to address urgent matters that might arise within the two weeks prior to a meeting
- b. Does not adequately define what an "item" is; for example, is it just a short summary or title of an action item—sufficient to convey the substance of the proposed action—or is it the full text of a proposed resolution, or both?
- c. Does not guide the President and officers on how to treat such requests; for example, it appears that they have no obligation to put any such item on an agenda.

2. Bylaw Article VII Section 7 states that "The President, in consultation with other officers, shall **establish** the meeting agenda." (my emphasis) That statement appears to give the President and the officers an absolute power to set the agenda and prohibit amendments by the membership at a meeting.

3. The Bylaws do not specifically provide for amendment of the agenda after it has been "established" by the President, nor do they provide for approval of the agenda, by the general membership at the beginning of each meeting.

4. The Bylaws should specifically empower the general membership to amend the agenda, but there should be limits on such amendments; for example, it should not be possible to add an action item to the agenda without reasonable advance notice. But those limits should be tempered, so that the RPCC can act quickly and not be hamstrung by overly restrictive "notice" requirements.

BYLAWS REGARDING MEETING NOTICE ARE INADEQUATE

1. Bylaw Article VII Section 8 requires the RPCC board to distribute a meeting notice and agenda prior to a meeting, but that Section gives no timeline for such distribution.

2. A timeline for distribution of meeting notices, agendas, and proposed action items should be established to ensure accountability, to reduce controversy, and to ensure that there is sufficient time for the membership to prepare for meetings.

BYLAWS RE: DISTRIBUTION OF RESOLUTIONS ARE INADEQUATE

1. Bylaw Article IX, Section 2 charges "The president or the president's designee" with "verbal testimony or written communication of any Council vote to the appropriate party," but that Section does not give a timeline for such testimony or communication.

2. A timeline for distribution of a Council vote or resolution should be established to ensure that such distribution is not unreasonably delayed, and so that there is accountability.

The proposed Bylaw amendments in the attached document are intended to fairly resolve the above issues in a manner not overly burdensome to the Board. They also address the issue of **dues and keeping the email distribution list current**.

ROGERS PARK COMMUNITY COUNCIL BYLAWS
(ratified January 9, 2006)

ARTICLE I – NAME

Section 1. Name. The name of this organization shall be Rogers Park Community Council (“the Council”).

ARTICLE II – BOUNDARIES

Section 1. Boundaries. The Council shall encompass the following area: Beginning at the southeast corner of 36th Avenue and Lake Otis Parkway, west to the New Seward Highway, north to Chester Creek, east along Chester Creek across Lake Otis Parkway to intersection of South Fork of Chester Creek, south along South Fork of Chester Creek to East Northern Lights Boulevard, west on East Northern Lights Boulevard to Lake Otis Parkway, and south on Lake Otis Parkway to 36th Avenue at the point of beginning.

ARTICLE III – DEFINITION

Section 1. Definition. The Council is a non-profit, voluntary, self-governing association composed of residents, property owners, business owners, and representatives from non-profit associations and other entities located within geographical areas designated as districts by the Assembly. Residents, for the purpose of this chapter, are defined as homeowners, tenants, or others dwelling within the council boundaries, property owners and representatives from nonprofit associations and other entities located within geographical areas designated as district by the Assembly

ARTICLE IV – PURPOSE AND INTENT

Section 1. Purpose. The purpose of the Council is to provide a direct and continuing means of citizen participation in local affairs. It exist to afford citizens an opportunity for maximum involvement in self-determination.

Section 2. Intent. The Council is intended to give:

- a. People within the community 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 of receiving opinions, needs, desires, and recommendation of residents and groups within the community.
- 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 – POLICY AND FUNCTION

Section 1. Policy. The Council has a policy and practice of open membership and meetings which encourages participation of persons from all segments of the community. It has a continuing obligation to remain representative of the residents of the community.

Section 2. Function. The Council has the following functions:

- a. In regards 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
 - (2) Conduct a continuing review and study of the Plan to determine its workability in each district and to advise Municipal officials of, or propose any appropriate action regarding, proposed modifications or additions to the Plan.
- b. Assume leadership and propose or oppose action in regard to:
 - (1) Enforcement of existing laws or ordinances;
 - (2) Pursuit of rights under existing laws or ordinances;
 - (3) Changes in or additions to existing laws or ordinances; or
 - (4) Any matter of policy regulation.
- c. Respond to local government proposals submitted to the Council.
- d. Work with local government and other governmental entities, as well as with persons and groups outside the government, to accomplish community goals, including goals which may have an area-wide impact.
- e. Maintain credibility by not allowing misuse of the Council by, including but not limited to, the following:
 - (1) Special interest groups;
 - (2) Withholding of information
 - (3) Attempting personal financial or political gain;

- (4) Intentionally misrepresenting or not representing a cross-section of opinion; and
- (5) Not representing a minority in addition to a majority opinion.

- f. Inform and educate local citizens concerning community issues and maintain an effective communication system to continue that education.
- g. Solicit items of concern to Council members and generate public interest and participation in community matters originating within the council area.
- h. Publicize within the community all Council activities and results of those activities.
- i. Keep written records of all Council proceedings;
- j. Maintain copies of all Council minutes for community inspection at the Federation of Community Councils center.
- k. Inform the Municipal Assembly of Council actions and concerns.

ARTICLE VI – MEMBERSHIP

Section 1. Eligibility.

- a. Any person 18 years of age or older is eligible for membership in the Council provide that the person is a homeowner, tenant, resident, property owner, or a designated representative of a corporation or non-profit association physically located within the boundaries of the Council as set forth in Article II.
- b. A person qualifying under subsection (a). of this section is a registered member immediately after signing the attendance register, which shall be available at every membership meeting.
- c. Voting eligibility shall be as set forth in Section VIII.

Section 2. Dues. Membership dues may not exceed fifteen (15) dollars per member per year. Dues, if charged, shall be determined by two-thirds (2/3) vote of the general membership present at an annual membership meeting. A dues requirement shall cease to have effect one year after approval, unless action is taken to extend or amend the requirement at an annual meeting. The Council may waive the required dues in individual instances if the Council determines that a hardship exists.

ARTICLE VII – MEETINGS

Section 1. General Meetings. There shall be a minimum of four (4) general membership meetings per year.

Section 2. Annual Meeting. A general meeting held between March 1 and April 30 of each year shall be designated as the annual membership meeting.

Section 3. Special Meetings. Special meetings of the general membership may be called by a majority of the Council officers or by written petition of ten (10) Council members. Such petition shall be delivered to any of the officers.

Section 4. Quorum. Fifteen eligible voting members shall constitute a quorum at all meetings of the Council. A quorum must be present before Council business can be conducted.

Section 5. Open Meetings. All Council meetings shall be open to the general public.

Section 6. Meeting Place. Council meetings shall be held at a public and handicap-accessible location within the Council boundaries. Such location shall be chosen by the Board of Directors and notice of the location shall be included in any general or special membership mailings.

Section 7. Agenda.

- a. The President, in consultation with other officers, shall ~~establish the~~ prepare a proposed meeting agenda.
- b. The general membership may request that an item be placed on the agenda provided notice is given to the President at least two (2) weeks prior to the Council meeting. propose items for the agenda. The president and other officers shall be obligated to treat such items as follows:
 - (1) If notice is given **two (2) weeks or more** prior to the starting time of the Council meeting, a proposed **information** item shall be placed on the agenda, if it is judged that there will be sufficient time for the item (action items shall have priority over information items).
 - (2) If notice is given **two (2) weeks or more** prior to the starting time of the Council meeting, a proposed **action** item shall be placed on the agenda for action at the meeting, provided that the proposed text of the item is submitted together with the notice.
 - (3) If notice is given **less than one (1) week** prior to the starting time of the meeting: the proposed item is not required to be placed on the agenda; is not required to be forwarded to the membership; may be added to the agenda by amendment, but as an information item only, in accordance with Section 7. c.; and shall not be acted upon at the meeting.
 - (4) If notice is given **after the two (2) week deadline but before the one (1) week deadline**: if an item is proposed for action, the full text of the item shall accompany

the notice; the item is not required to be placed on the agenda; the item and text, if any, shall be forwarded to the membership within 48 hours of receipt, together with a notice that the item might be added to the agenda by amendment, either for information or for action, in accordance with Section 7. c.

c. Before conducting any other business at the meeting, the president shall present the proposed agenda for adoption by the Council. At that time, Council members may amend the proposed agenda, subject to the following:

(1) A proposed action item conforming to Section 7. b. (4) may be added to the agenda for action, provided that the motion to add the item to the agenda is approved by a three-quarters (3/4) majority vote. That super-majority is required since the relatively short notice might disenfranchise some members and might not allow adequate review by others.

(2) All other amendments to the agenda need only be approved by a simple majority vote.

Section 8. Meeting Notices. Meeting notices shall be required as follows:

a. A meeting notice shall consist of the proposed meeting agenda, text of proposed action items, and supporting material, if any.

b. The meeting notice shall be emailed to members at least one (1) week prior to the starting time of the meeting.- Publication of meeting notice materials on the FCC website or social media is permitted but shall not substitute for email.

c. ~~The A~~ meeting notice and agenda shall be sent to all members registered within the last twelve (12) months on the current email list.

~~b. Notice of the meeting should be submitted to the newspaper as a public service announcement.~~

~~e. The annual meeting for election of officers shall be publicized as widely as possible through the Council area.~~

d. The ~~President-elected Council officers or their designee~~ shall ensure the timely be responsible for publication of meeting notices.

ARTICLE VIII - VOTING

Section 1. Eligibility. Any member of the Council, as defined in Article VI, Section 1, shall have one vote. Even if a single individual represents several kinds of property or business within the definition for membership qualifications, he/she shall be entitled to only one vote.

Section 2. Proxy Vote. Voting by proxy is not permitted. Each eligible Council member must be present and registered on the attendance roster at the time of the vote in order to cast a vote.

Section 3. Communicating a Position. An eligible member who is absent from the meeting may send a personal letter to the Council detailing her/his position on the question to be voted on. Such communication shall be read by the President to the Council prior to the vote.

Section 4. Challenges. Any vote may be challenged and the attendance register shall serve as the official list of eligible voters.

ARTICLE IX - VOTE RECORDING AND OFFICIAL CONTACTS

Section 1. Vote Recording. All motions and amendments to motions made during general and special membership meetings shall have the name of the maker and second recorded in the minutes, together with the wording of the motion. All votes on a motion shall have the following information recorded in the minutes:

- a. Total number of voting members present, including officers.
- b. Number of "yes" votes
- c. Number of "no" votes, and
- d. Number of "abstentions"

Section 2. Verbal Testimony/ Written Communication.

- a. No officer or member shall commit the Council to a position not previously voted on by the membership.
- b. The president or the president's designee shall be charged with verbal testimony or written communication of any Council vote to the appropriate party(s).
- c. Such testimony or communication must include:
 - (1) The date and type of meeting (general, special, executive)
 - (2) A clear statement of the question voted on, and
 - (3) The number of members present, number voting "yes" and number voting "no"
- d. The president shall also ensure that, within one (1) week of the Council meeting at which they were approved, action items (such as resolutions) are signed, scanned, and emailed to the membership and the following people:
 - (1) the Mayor
 - (2) the Municipal Clerk
 - (3) all Anchorage Assembly members representing the Council area

(4) all state legislators representing the Council area

(5) other municipal staff, commission members, or committee members listed on the action item as addressees

ARTICLE X - OFFICERS AND BOARD OF DIRECTORS

Section 1. Officers and Federation of Community Councils (FCC) Representative. The officers of the Council shall consist of the president, vice-president, secretary, treasurer, and past president, if available. The position of the secretary and treasurer may be combined. The officers of the Council plus the Council's representative to Federation of Community Councils shall constitute the Board of Directors.

Section 2. Election of Officers and Appointment of FCC Representative

- a. Election shall take place at the annual membership meeting as set forth in Article VII, Section 2.
- b. Elected officers shall serve one (1) year terms or until their successors are elected. No member shall serve more than four (4) consecutive full terms in the same office.
- c. The FCC shall be appointed by the President and receive a majority approval by the Council officers. The term limit for the FCC representative shall be the same as for a council officer.

Section 3. Duties of Officers and FCC Representative. Officers shall perform all the duties incident to the offices they hold and such duties as from time to time may be assigned by the president.

- a. President. The president shall:
 - (1) Preside at all meetings of the Council and of the Board of Directors;
 - (2) In general, supervise and manage the affairs of the Council;
 - (3) ~~Establish the~~ Prepare a proposed meeting agenda
 - (4) Ensure that the bylaws are followed and enforced;
 - (5) Be an ex officio member of all committees except the Nominating committee
- b. Vice President. The vice president shall:
 - (1) Keep the attendance register at each membership meeting with the name and contact information for each person, such as mailing address, email address, and phone number of each person attending the meeting, and shall turn the log over to the secretary at the end of each meeting; and
 - (2) Assume the duties of the president when the president is absent.
- c. Secretary. The secretary shall:
 - (1) Keep and report the minutes of all membership and Board of Directors meetings;
 - (2) Be responsible for sending copies of minutes to the Federation of Community Councils;
 - (3) Maintain a Council email distribution list and update it at least monthly with addresses obtained from the attendance register and other means;
 - (~~2~~)(4) Ensure that the email distribution list is kept confidential, not revealed to the general membership (accomplished by using "blind carbon copy" when sending emails), and not used for purposes other than Council business;

- ~~(5)~~ ~~Ensure proper distribution of~~ Distribute meeting notices, and agenda;
- ~~(3)(6)~~ Distribute approved action items.
- ~~(4)(7)~~ Be responsible for maintaining records and correspondence of the Council;
- ~~(5)(8)~~ Keep custody of the membership voting (attendance) register and ensure that it is available at all Council meetings;
- (9) Ensure that the bylaws are kept current, that copies of the bylaws are available for reference and distribution at all Council meetings, and provide individual members of the Council copies of the bylaws upon request.
- ~~(6)(10)~~ One month prior to the first general meeting of the year (in the autumn), send a postcard to all addresses in the Council area, announcing the meeting and soliciting email addresses, subject to available funds.

- d. Treasurer. The treasurer shall:
 - (1) Have charge and custody of and be responsible for all funds of the Council;
 - (2) Make disbursements as necessary upon the authorization of the Council or its Board of Directors; and
 - (3) Report at each membership and Board of Directors meetings all receipts and expenditures for the preceding month, including a statement of the current balance of funds.
- e. Immediate Past President. The Immediate Past President shall serve as a resource person to insure continuity in existing programs and Council affairs.
- f. FCC Representative. The FCC Representative shall represent the Council at the Federation of Community Councils meetings.

Section 4. Resignations, Vacancies, and Removals

- a. Resignations must be made in writing.
- b. Three consecutive unexcused absences by an officer shall constitute a vacancy.
- c. Resignations, vacancies, and removals may be filled temporarily by appointment of the Board of Directors until an election is held by the voting members at the next general membership meeting.
- d. Any officer of the Council may be removed for violation of the Council's bylaws. Written notice must be given to the elected officers, the officer being considered for removal, and the general membership at least fifteen (15) days prior to the general membership meeting at which time a vote of confidence will be taken. Provision must be made on the agenda for presentation of charges and for defense of the accused. A two-thirds (2/3) vote of Council members present and voting is required for an officer to be removed.

Section 5. Meetings of the Board of Directors.

- a. Open Meetings. All meetings of the Board of Directors shall be open to the general membership. Members shall have the privilege of the Floor but may not vote.

- b. Regular Meetings. There shall be at least six regular meetings of the Board of Directors annually.
- c. Special Meetings. Special Meetings of the Board of Directors may be called by the President or a majority of the officers upon notification of all officers.
- d. Action of the Board. Any action taken by the Board of Directors shall be presented at the next general membership meeting.
- e. Quorum. A majority of the members of the Board of Directors shall constitute a quorum.

ARTICLE XI - COMMITTEES

Section 1. Committees. Either standing committees or ad hoc committees may be established at any time for whatever purpose deemed necessary as follows:

- a. **Members.** Committees may be established by a vote of the Council members at any regular or special membership meeting.
- b. **Board of Directors.** Committees may be established by a vote of the Board of Directors at any regular or special Board meeting.
- c. **Type/ Duties.** The type (whether standing or ad hoc), nature and duties of the committees shall be determined by the Council members or Board of Directors as appropriate. All meetings of committees are open to the general membership.
- d. **Chairperson.** The chairperson of a committee shall be appointed by the President, except for the Nominating Committee whose chair shall be elected by Council members.

ARTICLE XII - FINANCES

Section 1. Bank Account. Funds collected by the Council shall be deposited into a Rogers Park Community Council account at an established bank. The treasurer shall be responsible for all funds deposited or withdrawn from the bank account.

Section 2. Signatures. The president, vice president, secretary and treasurer may be authorized to sign checks, with two signatures required for each withdrawal from any bank accounts established.

Section 3. Expenditures. Expenditures of Council funds must be approved by the Board of Directors before such expenditures are made.

Section 4. Contributions. The Council may receive gifts, grants, contributions, or in-kind donations of not more than \$250.00 per member per year to meet the costs of its operations.

Section 5. Financial Report. A financial report showing all receipts and expenditures shall be made yearly to the Council at the annual meeting.

Section 6. Budget. A budget shall be developed by the Board of Directors and presented for approval at the annual membership meeting.

Section 7. Audit. The Board of Directors or membership may arrange for an annual in-house audit by an appointed committee of Council members, none of whom shall be officers of the Council or have had check signing authority during the period being audited, and for an external audit or review by a certified public accountant at such times that the Board deems necessary or appropriate.

ARTICLE XIII - PARLIMENTARY AUTHORITY

Section 1. Parliamentary Authority. The rules contained in the latest edition of Robert's Rules of Order, Newly Revised shall govern the Council in cases to which they are applicable and in which they are not inconsistent with these bylaws or any rules of order which the Council may adopt.

ARTICLE XIV - AMENDMENTS

Section 1. Amendments. These bylaws may be altered, amended or repealed by a two-thirds (2/3) vote of the Council members present and voting at a general or special membership meeting, providing notice is given of the intention to alter, amend or repeal the bylaws is submitted to the membership in writing at least fourteen (14) days in advance of the meeting. Such notice shall include the proposed changes to be made and the reason for same.

ARTICLE XV – PRIVACY OF MEMBERSHIP INFORMATION

Section 1. Privacy of Membership Information. Personal information collected from members or received from the Municipality for such purpose as maintaining membership lists, shall only be used for conducting Council business.

ARTICLE XVI – DISSOLUTION

Section 1. Dissolution. In the event that the Council is dissolved, remaining funds under the Council's control shall be returned to the Municipality.