

Date April 20, 2015

**RESOLUTION APPROVING UPDATES TO THE
SAMPLE BY-LAWS FOR RECOGNIZED NEIGHBORHOOD ASSOCIATIONS**

WHEREAS, on May 24, 1993, by Roll Call No. 93-2026, the City Council approved the Neighborhood Recognition Policy (the "Policy") which establishes procedures for the formal recognition of neighborhood associations by the City of Des Moines, and authorizes Recognized neighborhoods to advise the City on issues of concern; and

WHEREAS, a sample set of by-laws are provided as part of the application packet for new neighborhoods applying to become formally recognized, as well as to existing neighborhood associations that are interested in updating their by-laws; and

WHEREAS, neighborhood associations are encouraged to tailor their by-laws to their own organization's needs while still retaining required elements, such as an open meetings policy and clearly defined membership and voting requirements; and

WHEREAS, the intention of the Policy is that neighborhood associations operate in a fair, inclusive, and transparent manner; and

WHEREAS, a five-member subcommittee of the Neighborhood Revitalization Board (NRB) has met with staff from the City's Community Development Department in order to review and make recommended changes to the sample by-laws that are provided to new and existing neighborhood associations; and

WHEREAS, on April 1, 2015, the NRB unanimously voted to recommend approval of the updated sample neighborhood association by-laws and forward such recommendation to the City Council, which updated sample by-laws are attached hereto and by this reference made a part hereof.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, as follows:

1. That the attached communication from the Neighborhood Revitalization Board is hereby received and filed.
2. That the updated sample neighborhood by-laws, as attached hereto, are hereby approved, and the Neighborhood Revitalization Board and City staff are directed and authorized to include the updated sample by-laws as part of the Neighborhood Recognition Policy.

FORM APPROVED:
Glenna K. Frank
Glenna K. Frank, Assistant City Attorney

MOVED BY _____ TO ADOPT.

(Council Communication No. 15-207)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
MOORE				
TOTAL				

MOTION CARRIED APPROVED

Mayor

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

City Clerk

NEIGHBORHOOD REVITALIZATION BOARD

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April 13, 2015

Dear City Council Members:

The NRB formed a subcommittee to look at the Neighborhood Recognition Policy and sample by-laws that are provided as part of the application packet for new neighborhoods. This five-member subcommittee has met with staff from Community Development to review the sample by-laws and has made a few minor updates.

At the meeting on April 1, 2015, the NRB voted to approve the revised sample by-laws and forward a recommendation to City Council to also approve the revised sample by-laws, which will be included as part of the Neighborhood Recognition Policy and Application Packet.

Sincerely,



Frank Owens, Chairperson
Neighborhood Revitalization Board

Cc: Neighborhood Revitalization Board Members
Chris Johansen, Deputy Community Development Director

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Example Bylaws
Amended July 23, 2008 _____, 2015

Article 1. Name

The name of the association shall be _____.

Article 2. Purpose

The purpose of the association is to enhance quality of life and value in _____.

Article 3. Boundaries

The boundaries of this association are; _____ on the north from _____ to _____, _____ on the south from _____ to _____, on the east from _____ to _____, and on the west from _____ to _____. These boundaries are indicated on a map attached to these bylaws.

Article 4. Membership and Voting

Section 1 – Membership in the association is open to all persons over the age of 18 who are residents or property owners, or who own or operate businesses or other organizations located within the boundaries of the association.

Section 2 – Any person who is eligible for membership in the association may become a member upon completing a form indicating the person’s desire to become a member of the association ~~and payment of annual dues~~. Each member of the association shall be entitled to one vote on each matter submitted to a vote of the members; provided however, that business and other eligible organizations may have only one voting membership.

Section 3 – Voting Requirements. Votes shall be carried by a majority of members present and voting unless otherwise required by law. Members must be present to vote.

Article 5. Association Meetings

Section 1 – Annual Meeting. An annual meeting shall be held during the month of _____ in each year, with the exact date, time and place to be established by the Board of Directors, for the purpose of electing officers, collecting dues, and transacting other such business as may be necessary.

Section 2 – Regular and Special Meetings. Regular meetings shall be held on (date & time) at (location). Special meetings may be called by the Board of Directors.

Section 3 – Place of Meetings. The Board of Directors may designate any place within Des Moines Polk County, Iowa ~~was~~ the place of meeting for any annual, quarterly, or special meeting.

Section 4 – Notice of Meetings. Notice of each meeting shall be provided at least ___ days before the meeting. Notification will consist of the following methods _____. (i.e. mail, email, website, newspaper, Facebook, etc.)

Section 5 – Minutes. Minutes of Board meetings shall be available to members at all meetings and upon request can be provided to City and/or County staff. Copies of the minutes of the most recent meeting shall be available at the next meeting.

Section 6 – Open Meetings. All of the aforementioned meetings shall be open to the public.

Section 7 – A financial report shall be present to all persons present at all meetings- regular, special or annual.

Article 6. Board of Directors

Section 1 – There will be a Board of Directors which shall exercise all powers vested in it by the general membership and shall be responsible for the business of the association.

Section 2 – The Board of Directors shall consist of ____ members, including the officers of the association, elected by the members. Directors shall initially be elected for staggered terms of __, __ and __ years. The Directors first elected to serve as officers shall fill __ year Board terms, the remaining __ Directors shall be selected by lot. Subsequent Directors shall be elected for __ year terms.

Section 3 – The officers of the Board of Directors shall be President, Vice President, Secretary, and Treasurer. Officers shall serve __ year terms and may be re-elected by the membership to serve up to ___ consecutive terms in that position. After an interim of __ years, former officers may again be elected to that particular office.

Section 4 – The Board of Directors shall meet no less than four times a year and meetings shall be scheduled at the annual meeting for the forthcoming year. These meetings will be held preferably three weeks in advance of the regularly scheduled quarterly association meetings. In addition, special meetings of the Board may be called by the President and must be called by the President at the request of at least three Board members. The purpose of each meeting shall be stated in the notice to Board members in advance of the meeting.

Section 5 – Quorum. A quorum shall consist of not less than ____ members of the Board of Directors and an affirmative vote of the majority of all Directors present and voting shall be required for approval of any action.

Section 6 – Members of the Board of Directors are expected to attend all Board and association meetings. Missing three consecutive Board meetings shall be construed as resignation from the Board. Board membership may be reinstated only by a majority of the remaining Board members.

Article 7. Duties of the Officers

Section 1 – President. The President shall preside at all Association and Board of Directors meetings. The President shall present a progress report to the membership during the annual meeting. The President or the President's designee shall be the Association's representative on issues before the Des Moines City Council, any city board or commission, the media or a public forum.

Section 2 – Vice President. In the absence of the President, the Vice President shall perform the duties of the President and other duties as assigned by the President or as determined by the Board.

Section 3 – Secretary. The Secretary shall keep the minutes of the meetings of the Board of Directors and the Association. The Secretary shall be the custodian of all records of the Association, shall maintain an accurate list of members and shall provide notice of meetings to members and Directors. The Secretary shall be responsible for making copies of the minutes available to the members.

Section 4 – Treasurer. The Treasurer shall oversee and keep an itemized report of all funds received and spent on behalf of the Association. As funds accumulate, the Treasurer shall pay all obligations as authorized by the Board and shall make a regular report to the Board and the association. The Treasurer shall prepare and distribute a financial report for all meetings as well as an annual financial report and budget to be received at the annual meeting.

Article 8. Committees

Section 1 – The President with the approval of the Board may establish committees as necessary for the purposes of the Association. The President with the approval of the Board shall appoint members to the committees.

Section 2 – All committees shall report to the President and the Board of Directors.

Article 9. Elections

Section 1 – The association's original steering committee shall serve as the first nominating committee. Thereafter a nominating committee composed of not more than ___ members shall be appointed by the President with the approval of the Board of Directors.

Section 2 – The nominating committee shall secure consent of its nominees to serve if elected.

Section 3 – The chair of the nominating committee shall present a slate of nominees for all Board positions to be filled on an annual basis. The slate of nominees shall be provided to the membership with notice of the annual meeting. Additional nominations may be requested and submitted from those in attendance at the meeting.

Section 4 – The nominating committee shall submit a slate of nominations to fill vacancies on the Board of Directors that may occur between regular elections.

Section 5 – Regular elections shall take place at the annual meeting. The Board shall fill vacancies that may occur between regular elections, and additional nominations may be submitted from those in attendance at the next membership meeting.

Section 6 – Officers and other members of the Board of Directors shall assume their duties immediately following their election and shall serve until their successors are elected and take office. OR new incoming board members shall assume their duties at the next meeting of the association.

Article 10. Finances

Section 1 – Dues. Annual dues shall be established by the Board of Directors with the approval of the membership.

Section 2 – Treasurer's Report and Budget. The Treasurer shall prepare an annual report and budget to be received at the annual meeting. The Treasurer shall also provide a report to be presented at all association and Board meeting.

Section 3 – Records. The financial records of the Association shall be reviewed by the Board of Directors on an annual basis. The Treasurer shall provide any and all Association financial records to the Board, as well as City and/or County staff upon request.

Section 4 - Financial safeguards should be considered to protect association finances. Associations should consider having more than one board member signoff or approve expenses, particularly those that are a higher dollar amount.

Article 11. Approval and Amendment of Bylaws

Section 1 – These bylaws, upon being presented to the membership shall become effective upon approval of a majority vote of the members voting.

Section 2 – Proposed amendments to the bylaws shall be provided to the membership at least ten days prior to the meeting at which the proposed amendment is to be considered. Any amendment of the bylaws shall require a two-thirds (2/3) majority vote of those present and voting at association meetings.

Section 3 – Amended By-laws will be dated and copies will be made available to the membership. *A copy of the amended by-laws will be sent to the City of Des Moines Community Development Department to have on file.*