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Agenda Item Number
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**Date** May 18, 2015

# RESOLUTION CONTINUING APPROVAL OF 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; and

WHEREAS, on April 20, 2015, by Roll Call No. 15-0663, the City Council voted to continue consideration and approval of the updated sample neighborhood association by-laws until the May 18, 2015 Council meeting in order to receive input from Council Members and neighborhood associations; and

WHEREAS, based on said input, City staff intend to request the NRB subcommittee to reconvene and further discuss the proposed updates, which process has not been completed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that consideration and approval of the updated sample neighborhood by-laws be continued until such time as the NRB subcommittee's review is complete.

Roll Call Number	Agen	da Item Number
Date May 18, 2015		
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FORM APPROYED:

Junk
Glenna K. Frank, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MAHAFFEY				
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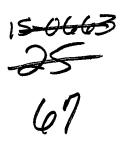
# \_\_\_\_\_ Mayor

## **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
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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 bylaws 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

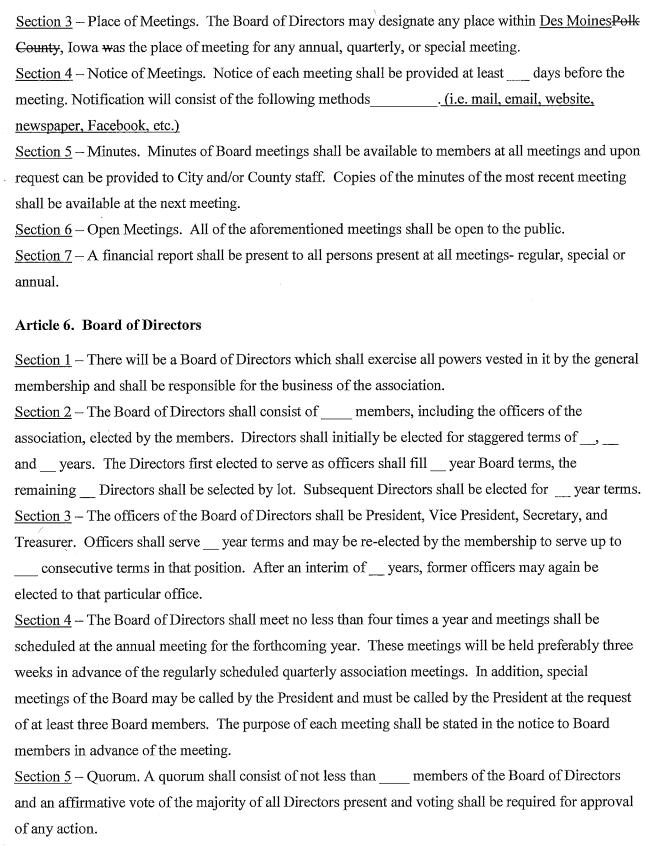
Chris Johansen, Deputy Community Development Director

256

# 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 the	iese
bylaws.	
Article 4. Membership and Voting	
Section 1 – Membership in the association is open to all persons over the age of 18 who are resid	ents or
property owners, or who own or operate businesses or other organizations located within the bour	ndaries
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 pays	<del>nent o</del>
annual dues. Each member of the association shall be entitled to one vote on each matter submitt	ted 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 v	oting
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 ofin	each
year, with the exact date, time and place to be established by the Board of Directors, for the purpo	ose 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.	





<u>Section 6</u> – 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

#### **Article 8. Committees**

budget to be received at the annual meeting.

<u>Section 1</u> – 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**

<u>Section 1</u> – 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.

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



<u>Section 3</u> – 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 <u>requested and</u> submitted from those in attendance at the meeting.

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

<u>Section 5</u> – 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.

<u>Section 6</u> – 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. <u>OR new incoming board members shall assume their duties at the next meeting of the association.</u>

#### Article 10. Finances

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

<u>Section 2</u> – 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.

<u>Section 3</u> – 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

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

<u>Section 2</u> – 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.

15-0663

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.