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**Date** ..... August 24, 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; 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, on May 18, 2015, by Roll Call No. 15-0873, the City Council voted to further continue consideration and approval of the updated sample neighborhood by-laws until such time as the NRB subcommittee had been reconvened to further discuss the proposed updates; and

WHEREAS, based on said input, City staff has reconvened the NRB subcommittee to further discuss the sample by-laws and has sent the updated sample neighborhood by-laws to all Recognized Neighborhood Associations for review and comment; and

WHEREAS, on August 5, 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.



**Roll Call Number**

**Agenda Item Number**

18

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**Date** August 24, 2015

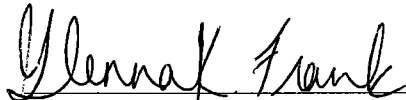
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, as follows:

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.

**(Council Communication No. 15-456 )**

MOVED BY \_\_\_\_\_ TO ADOPT.

FORM APPROVED:

  
\_\_\_\_\_

Glenna K. Frank, Assistant City Attorney

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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18

August 19, 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 August 5<sup>th</sup>, 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

**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~~ and satisfying any additional membership requirements as established by the neighborhood association. 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.~~ (See Article 6, Section 4)

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 available~~ to all persons present at ~~all meetings—regular meetings, special or, as well as the annual meeting.~~

## **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.~~ Those powers include the following...

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~~ ballot. 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, and Members-At-Large.~~ The Board shall include Members-At-Large. 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, one of which shall be the annual meeting. ~~The Board and meetings shall be scheduled~~ at the annual meeting the meeting dates 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~~ 50% of the Board plus one (1) Board member. ~~members of the Board of Directors and a~~ An affirmative vote of the majority of all Directors ~~Board members~~ 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. If extenuating circumstances arise that lead to three or more missed meetings, the Board absent member may seek Board approval to have the absence be excused. If Board membership is terminated, it may only be reinstated ~~only~~ by a majority of the ~~remaining Board~~ general membership.

### **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.

Section 5 – Members-At-Large. Members-At-Large shall serve as full voting members on the Board of Directors and such other duties as may be assigned by the Board or President of the Board.

### **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~~before the electioned.

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 financial records shall also be made available to the general membership at the annual meeting. The Board of Directors shall form an audit committee to review financial records annually. 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 along with the annual neighborhood survey to the City of Des Moines Community Development Department to have on file.*