

CLERK'S OFFICE
AMENDED AND APPROVED
Date: 4/24/01
VETOED 5/1/01

Submitted by: Assemblymember ABNEY
Prepared by: Assembly Office
For reading: MARCH 20, 2001

ANCHORAGE, ALASKA
AR 2001- 85

**A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY RECOGNIZING
THE GIRDWOOD COMMUNITY ASSOCIATION AS THE COMMUNITY COUNCIL
FOR THE GIRDWOOD VALLEY COMMUNITY COUNCIL DISTRICT.**

WHEREAS, Anchorage Municipal Code Chapter 2.40 authorizes and recognizes community councils; and

WHEREAS, AMC Section 2.40.040 gives the Assembly authority to define community council districts; and

WHEREAS, the Assembly has received a request to recognize the Girdwood Community Association as the community council for the Girdwood Valley community council district; and

WHEREAS, the Girdwood Community Association includes the former City of Girdwood and encompasses that area constituting the watershed drainage of the Girdwood Valley, including Glacier Creek, California Creek, Crow Creek, Raven Creek, Goat Creek, Winner Creek, Alyeska Creek, and Virgin Creek; and

WHEREAS, the Girdwood Community Association meets the definition and recognition requirements of AMC 2.40.030, specifically the Association:

Is a nonprofit, voluntary, self-governing association;

Is representative of the residents in the district;

Has a policy and practice of open membership which encourages participation of persons from all segments of the community;

Does not charge dues or require other financial contribution as a condition of membership or participation in excess of \$5.00 per member per year; and

Has held at least two well publicized meetings in the district which resulted in the determination to seek recognition as a community council.

NOW, THEREFORE, the Anchorage Municipal Assembly resolves:


Section 1 That the Assembly recognizes the Girdwood Community Association as the community council for the Girdwood Valley community council district.

Section 2: That this resolution shall be effective ^{in thirty days from passage.} ~~upon passage and approval.~~

Section 3: That the Assembly directs the Municipal Attorney to draft necessary code changes to legally implement this resolution.

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4 PASSED AND APPROVED by the Anchorage Municipal Assembly on this 24 day of

5 April, 2001.
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Chair

11 ATTEST:

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16 Municipal Clerk
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October 5, 1999

Ms. Pat Abney
5800 E. 142nd Ave.
Anchorage, AK 99516

Mr. Dick Tremaine
P. O. Box 196650
Anchorage, AK 99519-6650

RE: Girdwood Community Association

Dear Pat & Dick:

Enclosed please find copies of the Articles of Association and Girdwood Community Association Rules and Bylaws that were formally adopted at an organizational meeting held September 13, 1999. Also enclosed is a suggested resolution which, if adopted by the Assembly, would recognize the Girdwood Community Association as Girdwood's Community Council.

This request is the end result of a process that began in January of 1998. That process was in response to a municipal ombudsman's finding that the Girdwood Board of Supervisors did not meet the qualifications to serve as a community council. In a series of public meetings, a community wide poll conducted by the Federation of Community Councils and in an advisory vote, the community expressed strong support for continuing to have an elected board serve as a single voice for Girdwood on municipal issues.

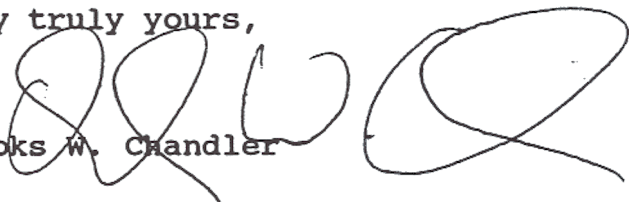
The Association Rules and Bylaws are intended to accomplish this by designating the Girdwood Board of Supervisors as the body authorized to speak on behalf of the Association. The Rules and Bylaws also formally recognize what has previously been subcommittee of GBOS the Land Use Committee, to provide advice and recommendations to GBOS on land use issues. The Land Use Committee provides a forum where every person attending a meeting is entitled to vote. Thus, the new arrangement combines concepts of every person having a vote with concepts of traditional representational democracy in a way tailored to meet the desires of Girdwoodians. We are enclosing copies of the Rules and Procedure for both the Land Use Committee and the Board of

Ms. Pat Abney
Mr. Dick Tremaine
October 5, 1999
Page 2

Supervisors. If you need any additional historical information about the community meetings held in 1998 and 1999, the survey or the results of the municipal advisory vote, please let me know. We certainly hope recognition of the Girdwood Community Association will be approved by the Assembly by the end of the year.

Very truly yours,

Brooks W. Chandler

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned above the printed name Brooks W. Chandler.

BWC\lhf
Enclosure
gboc\asacm.1

ARTICLES OF ASSOCIATION
GIRDWOOD ASSOCIATION

The undersigned, all of whom are residents, property owners or business owners within the Girdwood Community Council area identified in the Anchorage Municipal Code hereby agree to associate as a non-profit voluntary self-governing association composed of residents, property owners, business owners, and representatives from non-profit entities located within the above-referenced area. This association shall be politically non-partisan.

PURPOSE

The purpose of this association is to provide a direct and continuing means of citizen participation in local affairs and to provide Girdwood residents and property owners, business owners and non-profit representatives a means 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 Girdwood's development and services. The association is also intended to provide governmental agencies a method for receiving opinions regarding the needs, desires and recommendations of community members and to provide local governing bodies including the Anchorage Assembly and the Anchorage Planning and Zoning Commission and the Heritage Land Bank an approved basis for decision making and assignment of priorities for all programs affecting Girdwood.

BYLAWS

The association shall be governed by rules and bylaws which may be amended from time to time as set forth in those rules and bylaws.

ADOPTED this 13th day of September, 1999, at
Alaska.

Kenneth Stuey

Andy Nielsen

Mr. Brown

Bill Schwarz

STRECH GILSON

William J. Donohue

Julie W. Jones

James Wick

Elizabeth L. Jones

JSKLP

Nathaniel B. Carl

James L. Jones

GIRDWOOD COMMUNITY ASSOCIATION
RULES AND BYLAWS

The Girdwood Community Association ("the Association") is a voluntary non-profit, self-governing, unincorporated association formed for the purpose of being formally recognized as the community council for the Girdwood Valley. The Association adopts as its operating rules and bylaws the following:

Article 1. Membership. Membership in the Association is open to all registered voters, residents, property owners, businesses owners and designated representatives of non-profit associations who reside in, or own property in, or who own a business located in, or who operate as a non-profit association in the Girdwood Valley Community Council District as defined in AMC Sec. 2.40.040. No membership form or application is required; however, the Association may inquire of any person who purports to meet the membership requirements in order to determine their eligibility to be a member of the Association.

Article 2. Dues. There are no dues.

Article 3. Governance. The Association hereby designates the Girdwood Board of Supervisors as the governing body of the Association. The Girdwood Board of Supervisors is authorized to speak on behalf of the Association, and as the community council for the Girdwood Valley Community Council District in accordance with these operating rules and bylaws and the attached Rules of Procedure.

Article 4. Land Use Committee. All land use issues brought to the Board's attention shall be referred to a permanent standing committee called the Land Use Committee. The Land Use Committee shall conduct its affairs pursuant to the attached operating principles and shall report the results of their consideration of any issue to the GBOS.

Article 5. Voting. The vote of the Girdwood Board of Supervisors shall be the official action of the Association. If the GBOS votes contrary to the recommendation of the Land Use Committee, GBOS will provide the reasons for its decision in writing to the Land Use Committee. In addition, there may be a special meeting of the Association with a quorum present held within thirty days of the date of any GBOS vote contrary to the recommendation of the Land Use Committee, at which the Association may override the GBOS vote by an affirmative vote of at least 75% of those present at the special meeting.

Section 6. Annual Meeting. On or about the second Monday of January the Association shall have its annual meeting. This meeting shall be held immediately prior to the Land Use Committee meeting for the month of January and shall be conducted by the Land Use Committee. Notice of the annual meeting shall be provided either by the GBOS or the Land Use Committee by posting of a notice in at least three (3) public places in the Girdwood Valley at least fourteen (14) days before the date of the annual meeting. The Association, may, but is not required to, elect a President, Vice-President and Secretary-Treasurer at this meeting. Should the Land Use Committee not conduct the annual meeting, the annual meeting may be conducted by the GBOS immediately prior to its February meeting.

Section 7. Special Meetings. The Association may not call a special meeting unless and until specific notice of such a special meeting, and the matters to be considered at the meeting, is sent by regular mail, using the Federation of Community Councils mailing list, to all persons eligible for membership in the Association. Such notices must be mailed at least fifteen (15) days in advance of the scheduled date of the special meeting.

Section 8. Quorum. At least 70 members, or 20% of the number of persons who voted in Girdwood in the last regular municipal election, whichever is larger, must be present at any annual or special meeting to constitute a quorum.

Section 9. Amendment of Rules and Bylaws. These rules and bylaws may only be amended upon the affirmative vote of 75% of those present at any annual or special meeting.

Section 10. Severability. If any provision of these bylaws and procedures are found to be contrary to law, the remaining provisions shall remain in force.

ADOPTED THIS Day of _____

William Donahue
President Pro Tem

gbos\Girdwood.byl

Rec'd
9/20/99

LAND USE COMMITTEE
and
MEETING TO ESTABLISH THE CHARTER AND
BYLAWS OF THE GIRDWOOD COMMUNITY
ASSOCIATION

ROOM 7 Girdwood School 16 people present

I. NEWS, NOTES AND UPDATES:

A) John Gallup asked after the resolution of the Carrie Reed development on Crow Creek Road. The planning and zoning board denied her original proposal for 8 units on the site. She is building a duplex, and apparently can do that without going back through the formal comment process because the lot is larger than 16,500 square feet.

B) A gentleman named Joe Quigly is purchasing the tract north of the trailer court and is preparing to propose a hotel and restaurant for the site.

II. THE FORMATION OF THE GIRDWOOD COMMUNITY ASSOCIATION.

A) Brooks Chandler has proposed that Girdwood form a "Girdwood Community Association" to fulfill the legal requirements of a Community Council for Girdwood for the Municipality. It was the advice of the electorate at the last election that Girdwood speak with one voice, but legally, the Girdwood Board of Supervisors may only comment on tax-related issues. The formation of the Girdwood Community Association puts in place the legal structure which permits the Girdwood Board of Supervisors and its advisory committee the Land Use Committee, to speak and advise the Assembly on land use and other issues which affect the Valley.

B) The Articles of Association. The following Articles of Association were proposed:

1) The Girdwood Community Association is open to membership to all residents, property owners, business owners, and representatives of non-profit organizations

within the Girdwood Community Council Area (roughly the Glacier, Crow, Winner, and Virgin Creek drainages of the valley)

2) The Girdwood Community Association is non-partisan

3) The purpose of the Girdwood Community Association is to provide the community an opportunity for citizen input and participation in community affairs.

A vote was held to adopt these Articles of Association. The vote was:

AYE - 13 NO - 0 ABS. - 3

The Articles of Association were adopted.

C) The Rules and Bylaws of the Girdwood Community Association.

1) Membership is open to residents, registered voters, property owners, business owners, and representatives of non-profit organizations in the Girdwood Community Council Area (described above)

2) No membership form or application is required, but the Association may ask any voting attendee to verify their status as a member.

3) There are no dues.

4) The Association designates the Girdwood Board of Supervisors as its governing body.

5) The Land Use Committee continues its status as the body commenting on land use issues.

6) The vote of the Girdwood Board of Supervisors is the official voice of the Association. If the GBOS's vote on a single issue differs from the recommendations of the Association, the GBOS must provide justification for this in writing. In addition, the Association may convene a Special Meeting at which a quorum (defined below) is present to address this single issue. At this meeting a vote of 75% present can override the GBOS recommendation on that single issue.

7) The Annual Meeting of the Girdwood Community Association will occur just before the January meeting of the Land Use Committee

8) The Association is not prohibited from electing officers.

9) Notification of a Special Meeting must be done using the Community Council mailing list.

10) A Quorum is defined as 70 members or 20% of those who cast ballots in the last election, whichever number is higher.

11) These Bylaws can be ammended by a vote of 75% of a Quorum.

The motion was made to adopt these bylaws as ammended.

The vote was

AYE - 16 NO - 0 ABS - 0

These Bylaws were adopted.

III. OTHER BUSINESS

A) Diane Powers expressed concern that she was prevented from running for a GBOS seat because she lived outside the GBOS Service Area, but within the Girdwood Community Council area.

A motion was made to recommend that persons falling into this category be allowed to run for the GBOS provided that, if elected, they abstained from any votes which affected taxation to which they themselves were not subject.

The vote was

AYE - 13 NO - 2 ABS - 1

The motion carried.

GIRDWOOD LAND USE COMMITTEE OPERATING PRINCIPLES

Adopted by the Land Use Committee - 10/12/98

Approved by the GBOS - 10/19/98

Minor revisions - 4/12/99

Statement of Purpose - To advise the Girdwood Board of Supervisors/Community Council (GBOS) on land use issues based on research and community input. We encourage all those in Girdwood to take part in discussing land issues facing the community by attending the meetings. It is hoped that in this way, we will reach the goal of representing the community on routine and controversial land use issues in a broader way.

Collaborative Process - The Land Use Committee (LUC) aims to apply the principles of the Collaborative Process, which is becoming common across the country for successfully solving community concerns. The Collaborative Premise states, "If you bring the appropriate people together in constructive ways with good information, they will create authentic visions and strategies for addressing the shared concerns of the organization or community." Necessary conditions for successful collaboration include a group of participants that are broadly representative of the community, and a credible, open process that is not dominated by any one group or sector.

Members - Members of this committee are residents, property owners, business owners, and representatives of non-profit associations in Girdwood Valley (i.e. not just the service area) who are age 18 or older.

Officers - Officers are comprised of three members in the positions of Chair, Vice-chair, and Secretary. Duties include: set and post an agenda 7 days prior to meetings, coordinate and publicize meeting time and place, facilitate meetings, ensure all voices are heard, take minutes and publicly post before the next GBOS meeting, and present a summary of the meeting at the next GBOS meeting. Agenda and minutes are to be posted at the Post Office, the Library, Little Bears, and girdwood.net.

Election of Officers - Each year at the January meeting, nominations will be taken from the floor and all three officers elected for the following year.

Discussion - All viewpoints are valid and welcome. Discussion is to be held in a respectful manner. It is the aim of the LUC to have broad citizen participation, therefore discussions can not be monopolized by a few individuals. Comments should be limited to two minutes. If discussion becomes contentious or out of hand the facilitator will choose who speaks next by "going around the room" - giving every person present the opportunity to speak in the order they are seated. Additionally, prior to voting on major issues, it is recommended the facilitator close the discussion by going around the room for final comments. The facilitator will work cooperatively with all present to decide when thorough discussion is complete and/or when it is time to move on. (NOTE: The facilitator is generally the Committee Chairperson. However another officer or individual may be designated in their place.)

Voting - If a vote is taken, every member present may have one vote including the officers. Roll call will be taken before major votes where each person will state their name, if they're a voting member, and under what category (i.e. resident, business owner, etc.) Votes are taken by a show of hands. The exact number of yeas and nays will be presented at the GBOS meeting. If the GBOS votes in opposition to the committee's recommendation the LUC requests a written response outlining their reasoning. Absentee voting by proxy is not allowed, but absent members are encouraged to submit written comments which will be read at the LUC and passed on to the GBOS.

Education - It is the goal of the LUC that members become well educated on regulations, agencies, and other topics of importance to understanding land use issues. Community members are encouraged to give brief educational presentations to the LUC in their area of expertise.

Presentations - It is requested that petitioners seeking changes on land use issues come and present at the LUC.

Coordinating with the GBOS - To avoid redundancy, conduct efficient meetings, and to help insure that the work of the LUC and GBOS compliment one another, the GBOS chair and LUC chair will coordinate which land use topics are best discussed at which meetings. Generally, all land use issues within Girdwood Valley proper will be discussed at LUC meetings and land use issues outside of Girdwood Valley but that may be of interest to residents as members of the municipality will be discussed at the GBOS meetings. Additionally, the GBOS land use person is encouraged to attend LUC meetings to assist coordination and communication between the two groups.

The Girdwood LUC is a voluntary citizen's committee. These principles are meant to guide the process, but may also require flexibility. Success depends on broad participation from the community and the continual review and refinement of these principles.

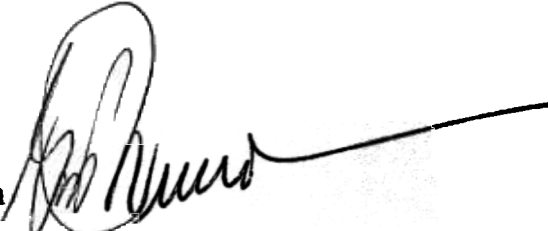


MUNICIPALITY OF ANCHORAGE

MEMORANDUM

DATE: May 1, 2001

TO: Anchorage Assembly

FROM: Mayor George P. Wuerch 

SUBJECT: Veto of Assembly Resolution No. 2001-85 Recognizing the Girdwood Community Association as the Girdwood Valley Community Council.

M.O.A
2001 MAY - 1 PM 4:38
CLERKS OFFICE

I hereby veto Assembly Resolution No. 2001-85 As Amended, enacted by the Assembly on April 24, 2001 (the "Resolution") for the following reasons:

1. The Girdwood Community Association, a private non-profit organization proposed as the community council for Girdwood Valley (the "Association"), has formally designated and authorized the Girdwood Board of Supervisors, an official elected body of the Municipality, as the private Association's governing body and the Association's authorized spokesman and has delegated to the Girdwood Board of Supervisors the authority to take official action for and on behalf of the Association, all contrary to law and the advice provided the Assembly by the Ombudsman in its December 12, 1997 "Report on the Girdwood Board of Supervisors Acting Outside of Their Authority" and the Municipal Attorney's April 24, 2001 memorandum confirming and concurring with the Ombudsman's Report.
2. By designating the Girdwood Board of Supervisors as its governing body and official spokesman authorized to act for and on behalf of the Association, the Association not only fails to provide "a direct and continuing means of citizen participation in government and local affairs" contrary to the purposes of community councils as provided in Anchorage Municipal Code 2.40.020, but effectively eliminates the direct participation and voice of individual Girdwood Valley citizens.
3. Delegating the role and authority of the community council and its member citizens to the Girdwood Board of Supervisors creates a mechanism of indirect citizen participation unlike and more restrictive than the role and participation of any other community council in the Municipality.

Municipality of Anchorage
MUNICIPAL CLERK'S OFFICE
AGENDA DOCUMENT CONTROL SHEET

Apr 2001 - 85

1	SUBJECT OF AGENDA DOCUMENT		DATE PREPARED 3-14-01
	<i>Recognizing Girdwood Community Association as the Community Council for Girdwood Valley</i>		INDICATE DOCUMENTS ATTACHED
			<i>AR Attachments</i>
2	DEPARTMENT NAME Assembly	DIRECTOR'S NAME Ray Von Gemmingen	
3	THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY		HIS/HER PHONE NUMBER 4751
4	COORDINATED WITH AND REVIEWED BY	INITIALS	DATE
	Mayor		
	Heritage Land Bank		
	Merrill Field Airport		
	Municipal Light & Power		
	Port of Anchorage		
	Solid Waste Services		
	Water & Wastewater Utility		
	Municipal Manager		
	Cultural & Recreational Services		
	Employee Relations		
	Finance, Chief Fiscal Officer		
	Fire		
	Health & Human Services		
	Office of Management and Budget		
	Management Information Services		
	Police		
	Planning, Development & Public Works		
	Development Services		
	Facility Management		
	Planting		
	Project Management & Engineering		
	Street Maintenance		
	Traffic		
	Public Transportation Department		
	Purchasing		
	Municipal Attorney		
	Municipal Clerk		
	Other		
5	SPECIAL INSTRUCTIONS/COMMENTS		
	<i>7.5 Introduction</i>		
6	ASSEMBLY MEETING DATE 3-20-01	7	PUBLIC HEARING DATE REQUESTED <i>To be determined</i>

