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RE: Proposed Changes to Federation of Community Councils Bylaws

Sand Lake Community Council Comments and Proposed Amendments

On behalf of the Sand Lake Community Council, the following comments and amendments are submitted on draft number 2 of the proposed Bylaw changes for the Federation of Community Councils (FCC or Federation).

Overall Comments and Observations

Draft number 2 of the proposed Bylaw changes for the FCC is not acceptable and needs substantial revision. The proposed changes significantly transform the function of the FCC and diminish the voice and role of the Community Councils. Almost all authorities would reside with and be exercised by a Board of Directors, with seven to eleven Directors. There are presently 37 Community Councils and each now has an equal voice.

The proposed Bylaws would dramatically change the present relationship between the FCC and Community Councils. The proposed Bylaws would fundamentally change and alter the basic nature, structure and purpose of the FCC, which was created only to provide administrative support to the Community Councils. The FCC was not created by the city Charter and the proposed changes would make the Community Councils subservient to the FCC Board of Directors. The changes would also restrict the voice and contributions of the 37 Community Councils, which presently have an equal voice. What is the reason for the radical transformation?

Below are some proposed amendments but they are the starting point for what is needed. The objections to the present draft Bylaws and proposed preliminary comments are better understood with a review of how Community Councils were created and their purpose.

Background

How were Community Councils Created and their Purpose

Article VIII of the Municipality of Anchorage Charter (Charter) created Community Councils “to afford citizens an opportunity for maximum community involvement and self-determination.” In addition, the city code states that Community Councils are to provide “a direct and continuing means of citizen participation in government and local affairs.” The following is a list of what “Community councils are intended to give”:

- A. The people 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 for receiving opinions, needs, desires and recommendations of residents and groups.
- C. Local governing bodies an improved basis for decision-making assignment of priorities for all programs affecting community development and individual well-being.

Specific Preliminary Amendments

AMENDMENT 1

Article III, Section 1 – Delegates

The present Bylaws state that the powers of the Corporation (Federation) shall be vested in the members which are the Community Councils. This provision should be reinserted in the proposed new Bylaws, with the exception that the word “Board” needs to be deleted because there will be a Board of Directors and will cause confusion. In addition, the word members needs to be added. The draft Bylaws refers to members as Delegates

Present Bylaws

The powers of the Corporation, as set forth in the Articles of Incorporation, shall be vested in a Board of Delegates of not more than one delegate for each Community Council. No Community Council shall have more than one vote.

Proposed Amendment- add the following provision to Section 1 of Article III:

The powers of the Corporation, as set forth in the Articles of Incorporation, shall be vested in the members, hereinafter known as Delegates of not more than one delegate for each Community Council. No Community Council shall have more than one vote.

Reason for the Amendment:

The present Bylaws clearly states that the powers of the corporation is vested in the Community Council delegates. This truly reflects the intent of having Community Councils participate fully in the affairs of the Federation, which was created to only provide support for the Community Councils. This provision has been deleted in the proposed draft no 2.

AMENDMENT 2

Article III- Section 1

Proposed Amendment

Delete the following sentence: “The Corporation shall have members, hereafter known as Delegates.”

Reason for the Amendment

When proposed amendment number 1 is added to section 1 in Article III, keeping the above sentence will be repetitive.

AMENDMENT 3

Article III- Section 2- Manner of Meeting (For Delegates)

Proposed Amendment

In the First paragraph delete seven and insert “two weeks”. Also delete the following at the end, “by or at the direction of the Chair, the Secretary or the Officers.”

Reason for the Amendment

Two weeks notice is more reasonable for a regular meeting of the Delegates and is the same as required for regular meetings of the Board of Directors. In addition, the Chair, the Secretary or the Officers appear to have discretion to determine the amount of notice. The amount of notice should be firmly consistent with the amount of notice provided to the Board of Directors and the discretion to change should not be allowed.

AMENDMENT 4

Article III- Section 4- Special Meetings (For Delegates)

Proposed Amendment

In the first paragraph, last line, delete “one-fifth of the” and insert four.

Reason for Amendment

Special meetings can be called by the presiding officer of the Board of Directors, the Board of Directors and the presiding officer of the Coalition of Delegates. However, if

the Delegates themselves wish to call a special meeting, the draft Bylaws require no less than one-fifth of the Delegates. This is an awkward and cumbersome requirement that chills the ability of Delegates to call a meeting. Presently, there are 37 Community Councils with 37 Delegates, so 7.4 Delegates are required to call a special meeting. Both the fraction and the number of required Delegates is chilling and would discourage Delegates from attempting to call a special meeting. Requiring a minimum of 4 Delegates is more reasonable.

AMENDMENT 5

Proposed Amendment

In the second paragraph delete “two days”. The proposed Bylaws require only two days notice for special meetings.

Reason for the Amendment

This is not a reasonable amount of time to provide notice and does not comply with Alaska statute 10.20.066 which requires at least ten days notice nor more than 50 days before the date of the meeting.

AMENDMENT 6

Article V- Board of Directors

Proposed Amendment

Directors must reside in the Municipality of Anchorage and be members of a Community Council.

Reason for the Amendment

There is presently no explicit and clear requirement for Directors to reside in the Municipality of Anchorage or be a member of a Community Council during their entire term. The requirements are set forth indirectly in the following provision, “Each Member Council can only have up to one Director from their Council.”

AMENDMENT 7

Section 4- Regular Meetings – (For Board of Directors)

Proposed Amendment

In the first paragraph, add the following to the last sentence “ and shall state the manner, place of the meeting and if the meeting is to be held at a designated place, day and hour of the meeting.”

Reason for the Amendment

This section just states that written notice of regular meetings for the Board of Directors

“shall be given at least two weeks in advance.” This does not comply with Alaska statute 10.20.066 which requires written notice of meetings to state the manner, place of the meeting and “if the meeting is to be held at a designated place, day and hour of the meeting.” The proposed draft just states that “written notice of those meetings shall be given at least two weeks in advance.”

AMENDMENT 8

Section 5- Special Meetings – (For Board of Directors)

Proposed Amendment

In the second paragraph delete “two days”. The proposed Bylaws require only two days notice for special meetings.

Reason for the Amendment

Two days notice is not a reasonable amount of time to provide notice and does not comply with Alaska statute 10.20.066 which requires at least ten days notice nor more than 50 days before the date of the meeting. In addition, Alaska statute requires additional information in the notice of the special meeting to include the manner, place of the meeting and “if the meeting is to be held at a designated place, day and hour of the meeting.” The proposed draft just states that “written notice of any special meeting shall be noticed at least two days in advance.”

AMENDMENT 9

Article VI- Officers

Proposed Amendment

Officers are elected by the Board of Directors. This section needs to be revised so that the Delegates elect the officers.

Reason for the Amendment

There is no need to consolidate power in the Board of Directors. The Delegates should be empowered to select and vote for the officers.

AMENDMENT 10

Section 8- Coalition Liaison

Proposed Amendment

The position of Coalition Liaison should be removed.

Reason for the Amendment

The position of Coalition Liaison is being created to provide regular information to the Delegates at the meetings of the Delegates. This position is an officer and is selected by the Board of Directors and is a member of the Board. This position is isolating the Board from the Delegates. If information is needed by the Delegates, they should feel free to ask the Directors and Officers. The Directors should also feel free to speak to Delegates.

If the Delegates wish to have such a position, they can vote to create one. Having the Board elect someone to this position further consolidates their power.

AMENDMENT 11

Article VII- Committees

Section 1

Proposed Amendment

Revise to allow Delegates to form ad hoc committees.

Reason for the Amendment

As drafted, only the Board can create ad hoc committees. There is no need to consolidate power in the Board of Directors. The Delegates should be empowered to vote and create ad hoc committees that serve their needs.

AMENDMENT 12

Proposed Amendment

Add the following sentence to the last paragraph in section 1. The Committee member may appeal his/her removal to the entire Board of Directors.

Reason for the Amendment

The chair of the Board has the authority to remove any committee member without cause when in their judgment, the best interests of the Corporation is served by the removal.

AMENDMENT 13

Section 2

Proposed Amendment

With the exception of the Finance Committee, delete the requirement that committee Chairs must be a Director. A Director may be a member of a committee.

Reason for the Amendment

There is no need to consolidate power in the Board of Directors. With the exception of the Finance Committee, the Delegates should be empowered to serve as Chair of committees.