

BYLAWS OF MARTINEZ COMMUNITY SWIM TEAM

June 1984

Amended 1986, 1987, 1996, 1998, 2004, 2005, 2013

ARTICLE I NAME

Martinez Community Swim Team (henceforth referred to as "MCST")

ARTICLE II PURPOSE

The purpose of MCST is to operate a not-for-profit organization for the education of the young people in the Martinez area in water safety, citizenship and sportsmanship, through participation in swimming activities and competitive swimming.

ARTICLE III MEMBERSHIP

Eligible swim team members must be between the ages of 4 and 18 as of June 15th, according to the rules of the Twin Counties Swim League.

ARTICLE IV FEES

Section 1 All members on MCST shall be subject to and liable for season fees in such amount as may be established by the Elected Board and approved by the Swim Team Board.

Section 2 All members are liable for financial obligations as set by the Swim Team Board.

Section 3 Member's annual fees must be paid prior to the first day of practice, before they will be permitted to participate in team activities.

Section 4 Members who have unpaid financial obligations will not be permitted to participate in team activities until those obligations are paid.

ARTICLE V GOVERNMENT

The government of MCST will be vested in the Elected Board. The Swim Team Board, appointed chairpersons, meet directors and the head coach shall be an active part of the decisions and function of the team.

Section 1 The fiscal year for MCST shall run from November 1st through October 31st of the following year.

Section 2

The Elected board shall consist of President, Vice President, Immediate Past-President, Secretary, Treasurer, Membership Director and League Representative (henceforth referred to as the "Elected Board"). Although there may be two League Representatives, that position on the Board shall only have one vote. It shall be the responsibility of the League Representatives to agree on their vote. If they cannot agree, the League Representatives shall abstain from voting.

- a. **President** is the chief officer of MCST. He or she shall preside at all general and business meetings and appoint chairpersons and directors, subject to the approval of the Elected Board. The President shall supervise the business affairs of the team, file applications for facility use and work with facility personnel, shall twice yearly audit (or appoint and auditor of) the financial records, and shall be the ex-officio member of all committees.
- b. **Vice President** will exercise all authority and duties of the President in the absence of the President. He or she shall also assist with the responsibilities of the President. The Vice President shall also be in charge of all fundraising activities and the obtaining of sponsors.
- c. **Secretary** will keep a permanent record of all meetings. He or she will be custodian of all official correspondence of MCST. He or she will also be responsible for composing and distributing the monthly newsletter.
- d. **Treasurer** will keep complete financial records and will account for funds received and disbursed. A report on the financial condition will be made at each Elected Board/Swim Team Board meeting, and annually at the end of the swim season. The Treasurer shall work with the Budget Committee to establish an annual budget. The Treasurer will also maintain insurance and provide proof of insurance to all meet directors and others, as required.
- e. **Membership Director** shall prepare posters and fliers for recruiting team members, provide information and accept registration for members, keep up-to-date roster for the Elected Board and Head Coach, and prepare a general membership roster. He or she shall also be responsible for creating and maintaining the family files.
- f. **League Representative** will coordinate meet schedules and will represent the team at Twin Counties Swim League meetings.
- g. **Past President** shall be parliamentarian and presidential advisor.

Section 3

Responsibilities of the Elected Board and policy shall include:

- a. The term of office of the Elected Board shall commence November 1st and terminate October 31st each year to coincide with the Team's fiscal year end. A nominating committee shall be appointed at the regular Swim Team Board meeting in July, with nominations being presented at the regular Swim Team Board meeting in August. The

election of officers shall be held at the regular Swim Team Board meeting in September, with nominations remaining open until elections take place.

- b. Vacancies on the Elected Board will be filled by appointment of the President and approved by the Elected Board.
- c. With the exception of League Representative and Treasurer, no officer will be eligible to hold the same office for more than two (2) consecutive terms. This exception is made in order to provide continuity to our representation on the Twin Counties Swim League. The exception for the position of Treasurer provides a timeframe for adequate mastery of the Treasurer's job (including computerized bookkeeping) and provides continuity to budgetary planning and fiscal management for the team.
- d. Four (4) members of the Elected Board will constitute a quorum for the conducting of business.
- e. The Elected Board will be charged with the responsibilities of hiring, firing and setting salaries of the coaches.
- f. Upon approval of the Elected Board, funds of MCST will be withdrawn from the bank with which they are on deposit by the joint signature of any two of the following: President, Vice President, Treasurer or Secretary.

Section 4 All Swim Team business communications, written or verbal, must have prior approval of the President.

Section 5 The Swim Team Board will be made up of parents/guardians of eligible swimmers. The Swim Team Board will meet at scheduled monthly meetings to be held immediately following the Elected Board meetings. All members of the Swim Team Board are eligible to (1) participate in nominating and electing the Elected Board; and (2) to participate in discussion and decisions regarding policies, fees, activities, etc. of MCST.

Section 6 Board Meetings

- a. Monthly Elected Board and Swim Team Board meetings will be set by the President. Additional meetings will be held as called by the President.
- b. Motions will be decided by a simple majority of those present at a meeting except as set forth in Article VII.
- c. Policy will be finalized for the ensuing year at the February meeting with regard to:
 - 1. Fees
 - 2. Sign-up dates
 - 3. Fundraising
 - 4. Team suits
 - 5. Calendar of events
 - 6. Medal times and awards
 - 7. Coaches
 - 8. Salaries
 - 9. Approval of Expenditures
 - 10. Miscellaneous

d. Order of Business:

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| 1. Secretary Report | 6. Ongoing Committee Reports |
| 2. Treasurer Report | 7. Old Business |
| 3. Vice Pres. Report | 8. New Business |
| 4. League Report | 9. Elections (as needed) |
| 5. Coaches Report | |

ARTICLE IV DISTRIBUTION OF FUNDS UPON DISSOLUTION

In the event of dissolution of MCST, all assets are to be distributed to a not-for-profit youth organization in the Martinez community to be named at the time of dissolution.

ARTICLE VII NOTICES

Notices of MCST meeting and activities shall be delivered via electronic mail or posted on our Team website. Such notice via electronic mail or on our Team website shall constitute presumptive evidence of service of the notice.

ARTICLE VIII AMENDMENTS

These Bylaws, or any part hereof, may be adopted, amended or repealed by a two-thirds (2/3) vote of parents/guardians present at any scheduled Swim Team Board meeting. Notice of such amendment to the Bylaws shall be given in written form to the full membership (which notice may be included in the newsletter or on our website), not less than seven (7) days prior to the meeting.