

MARINA DEMOCRATIC CLUB

Constitution And Bylaws

ARTICLE I. NAME

The name of this organization shall be the Marina Democratic Club.

ARTICLE II. PURPOSE

The primary purpose of the Marina Democratic Club (hereinafter called the Club) is to support and elect Democratic candidates to local, state, and national offices; to encourage candidates who share Democratic ideals; to provide political education; to foster participatory democratic action in the City of Marina and its sphere of influence; and to provide an enduring local organization affiliated to the Party. The Club shall focus its efforts within the City of Marina and its sphere of influence to unite in voice and action support for Democratic principles, positions, and candidates, and to advance the goals of the Democratic Party (hereinafter called the Party).

ARTICLE III. AFFILIATION

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- A. **Charter Status.** The Club is officially chartered with the Monterey County Democratic Central Committee (hereinafter called the MCDCC) and was duly chartered by the Committee on June 26, 2008.
- B. **Bylaw Compliance.** As a chartered and affiliated club of the MCDCC, the Club shall comply with bylaws of the MCDCC and the Party, as they apply to fully chartered local affiliates.

ARTICLE IV. MEMBERSHIP

- A. **Qualifications.** Any individual qualifies for Club membership if:
- 1) The individual is a registered Democrat, or, the individual is ineligible to vote (due to minority, non-residency, or other legal impediment), pledges to register as a Democrat when eligible; and
 - 2) Supports the purpose of the Club as stated in Article II, above.
- B. **Effective Membership Date.** Membership is effective thirty (30) days after receipt of dues.
- C. **Voting Membership:** A member shall be considered eligible to vote if he or she has paid all club dues and has attended at least one prior meeting.
- D. **Discrimination.** The Club does not require or use any test of membership or oath of loyalty which has the effect of requiring prospective or current members to acquiesce in, condone or support discrimination on the grounds of race, color, creed, national origin, physical ability, sex, age, religion, ethnic identity, sexual orientation or economic status.
- E. **Removal of Members:**
1. A member may be removed from the club roster for non-payment of dues by the date required in these Bylaws.
 2. A member may be removed from the Club for any of the following reasons:
 - a. The member has publicly taken positions which violate the stated purposes of the Club, as stated in Article II above; or,
 - b. The member has publicly endorsed or given support, financial or otherwise, to a candidate other than a Democrat, who is running against a candidate who has been endorsed by the Club.
 3. The procedure for removal of a member shall be as follows:
 - a. At least three (3) members of the Club may seek removal of a member by way of a written petition, stating the grounds for removal and the specific facts on which such grounds are based, and by presenting such petition to any Club officer, which Officer shall transmit the same to the Secretary.
 - b. The Secretary, upon receipt of the statement of charges, shall send to the accused member by first-class mail, and by e-mail, a copy of the statement of charges and a letter stating: that the accused member may either resign or have a hearing before the Executive Board, and that at such hearing, the accused member shall be afforded an opportunity to respond to the statement of charges and to confront the witnesses against such member; and that such

member may be represented by counsel, including a person who is not an attorney, at such hearing.

- c. If the accused member does not resign within ten (10) days of the date of mailing of the statement of charges, the Secretary shall send a copy of the statement of charges to all members of the Executive Board by first-class mail, or by e-mail, and to the accused member by first-class mail, and by e-mail, along with a notice of the time and place of hearing, which shall be held not less than ten (10) days from the date of sending of such statement of charges and notice of hearing date and time.
- d. The hearing may be closed to all except the Executive Board, the accused member, witnesses, and counsel if the accused member so desires. At the hearing, counsel for the Executive Board (which counsel need not be an attorney) shall examine the statement of charges brought against the accused member. The accused member shall be afforded an opportunity to respond to the charges, to confront any witnesses against such member, and may be represented by counsel (which counsel need not be an attorney) if desired. Such hearing shall be conducted in such fashion as to afford the accused member due process of law.
- e. Where the member has been found, by a majority of the Executive Board present and voting, to have violated a prohibition in Section 2 above, the Executive Board may choose to impose censure, suspension for up to six months, or removal as a member and excluded from membership for up to one year. Such discipline shall be consistent with the concept of progressive discipline.

F. **Membership Lists.** Member lists and rosters are the property of the Club and to be used only for Club's and Club affiliate's business.

ARTICLE V. DUES

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- A. **Amount of Dues.** Dues amounts shall be recommended by the Executive Board and reviewed at the General Membership of the second quarter of each calendar year, and shall be submitted to the members for approval at the next General Membership meeting.
 - B. **When Payable.** Dues are due on July 1 and payable by July 31 of each calendar year.
 - C. **Proration.** Annual dues for new active Club members shall be prorated on a monthly basis.

ARTICLE VI. MEETINGS

A. **General Membership Meetings**

- 1) The Club shall hold regular quarterly meetings on such day as the membership may determine from time to time.
- 2) Regular meetings shall not be canceled more than 2 times within any calendar year.

B. **Executive Board Meetings**

The President, or any three members of the Executive Board, may call a meeting of the Executive Board at any time. Executive Board meetings shall be noticed as in Section.VI.D, and shall be open to all members, except to hold closed sessions upon a majority vote of the Executive Board members present. Executive Board actions taken must be presented in the minutes at the following General Membership meeting. A quorum of the Executive Board shall consist of four (4) members of the Executive Board.

C. **Special Meetings**

- 1) The President, or any two other officers, may call special meetings at any time, on notice as specified below. Teleconferencing shall be considered an acceptable method of meeting.

D. **Notice of Meeting**

Notice of meetings shall be given in a manner reasonably calculated to give all members actual notice of such meetings and shall include the date, time and place of the meeting. Notice of General Membership meetings shall be given at least two weeks in advance; notice of special meetings shall be given at least 3 days in advance. Methods may include but need not be limited to the following:

- a. In writing by US mail;
- b. In writing via e-mail;
- c. Via telephone message or left on voicemail or answering device;
- d. Via public announcement at a regular Marina City Council meeting;
- e. Via public announcement at a prior Club meeting; or
- f. By posting on the Club website.

ARTICLE VII. RULES FOR MEETINGS

- A. **Robert's Rules.** The Club shall use the most recently revised *Roberts Rules of Order* to govern parliamentary procedure at all official meetings of the organization, except as otherwise expressly or implicitly stated in these *Bylaws.
- B. **Votes and Proxies.** Each member of the Club who is eligible to vote has one vote and no proxies are allowed.
- C. **Quorum.** A quorum for any meeting of the Club shall be 25 percent of the total voting membership, as of 24 hours before the meeting, or ten voting members, whichever is smaller, as reported by the secretary.
- D. **Majority Vote.** Unless otherwise specified in these Bylaws, the Club may approve regular business items with a majority vote consisting of more than fifty (50) percent of the members present and voting at any meeting, after a quorum has been established.
- E. **Non-Endorsement Resolutions.** The Club may pass resolutions not related to endorsements with a vote of two thirds of those present and voting at any meeting.

ARTICLE VIII. ENDORSEMENTS

- A. **Offices Endorsed.**
 - 1) **Offices Endorsed.** Subject to the requirements of the State Party By-laws, the laws of the State of California and the MCDCC bylaws, the Club may make endorsements of candidates for local elected offices, for State ballot measures where the State party has chosen not to make an endorsement, and local Ballot Measures. To be eligible for endorsement, a candidate must be a registered Democrat and be nominated for endorsement by at least three Club members.
 - 2) **Procedures.** A procedure for review of candidates, prior to their presentation to the Club for consideration for endorsement, shall be developed and published by the Executive Board. The procedure shall include measures to determine that candidates are Democrats, that the County Registrar of Voters lists them as candidates, and that no more candidates will be endorsed than there are offices available to be filled. Endorsements shall not be considered in a General Meeting until after the filing deadline for candidates for the office in question.
- B. **Procedures for Endorsing Ballot Measures.** The procedure for the review of State and local ballot measures that have been officially qualified for the ensuing election shall be developed and

published by the Executive Board. The procedure shall provide written notice of a General Meeting. The procedure shall describe the steps to be undertaken to afford members the opportunity to be heard in support or opposition. At the conclusion of each hearing the club members shall vote to decide whether to endorse, oppose or withhold endorsement by a majority of those members present and voting.

ARTICLE IX. OFFICERS

Offices. Club officers shall consist of President, Vice-President, Secretary, Treasurer, and immediate Past President. The Vice-President, Secretary, and Treasurer shall be elected by secret ballot at the third quarterly General Membership meeting, or, if canceled, at any meeting thereafter during the calendar year, to serve one-year terms of office commencing July 1st of that year. Candidates shall be nominated at the second quarterly General Meeting, or, if canceled, at any meeting thereafter during the calendar year.

- A. **Election Procedures.** The names of the persons nominated for office by the Nominating Committee shall be furnished to the membership at the second quarterly General Membership meeting. A member may make nominations from the floor providing the consent of the nominee is obtained prior to the General Membership meeting.
- B. **President.** The President shall officiate at all meetings of the Club and shall be the Club's representative to the MCDCC. The President is responsible for adherence to the Club bylaws. The Vice-President shall become the Club's President for the following year's term, starting at the opening of the third quarterly General Meeting.
- C. **Vice President.** If the President vacates office, or is temporarily absent, the Vice-President shall serve as President.
- D. **Secretary.** The secretary shall be responsible to ensure that all members are notified of Club meetings, maintain an updated club roster, and shall maintain all written records of the Club including minutes.
- E. **Treasurer.** The treasurer shall maintain all financial records of the Club, be responsible for bank accounts, ensure that FPPC/FEC financial reports are submitted on time, and shall provide a current financial report at regular club meetings.
- F. Upon leaving office, elected Officers shall turn over to their successors, or to the Board, all money, property, and records of the Club.
- G. **Appointments by President.** The President may appoint members, temporarily, to fill un-expired terms of office, subject to election by the membership at the next Club meeting. The President may also appoint Club

members to serve in other capacities, and may form committees and appoint committee members and chairs as needed.

- H. **Other Officers.** The Club shall elect three at large members of the executive board.
- I. **Executive Board.** The Executive Board shall be composed of the club officers, chairs of standing committees, and at large members, and shall be responsible for implementing the club's goals and purposes as stated in Article II above, and maintaining financial viability. Club officers and at large members shall be voting members of the board. Chairs of Standing Committees **and the immediate Past President** are nonvoting members of the Executive Board.
- J. **Removal of Officers.** An elected officer may be removed from office by resolution of two thirds of those present and voting at a general membership meeting for such causes as missing two unexcused consecutive meetings or non-performance of duties, provided that the membership and the officer have been notified at least ten (10) days in advance of the meeting of the proposed action.
- K. Continuation of Terms. As of the effective date of enactment of these Bylaws, all current officers shall continue as such officers, notwithstanding the one (1) year term as specified in this article. This provision shall expire on July 1, 2010.

ARTICLE X. COMMITTEES

A. **Standing Committees**

Standing Committees shall be formed to carry out the Club's purposes, and to provide the focus for member's activities. The scope of each Committee's activities shall be as directed by the Executive Board. The Chair of the Committee shall be appointed by the President with the approval of the Executive Board. The Chair of each Committee shall attend each meeting of the Club's Executive Board to report on its activities. Meetings of Committees shall be reported in writing to the Club's Secretary, including attendees and decisions reached. The Standing Committees shall consist of Membership, Communications, and Development.

B. **Ad Hoc Committees**

The Executive Board may also establish Ad-Hoc Committees from time to time, as found necessary to carry out the Club's purposes.

C. **Nominating Committee**

A Nominating Committee shall be appointed at the first quarterly General Meeting by the Executive Board, consisting of a minimum of five members to consider nominations for executive officers. The Nominating Committee shall also preside over the election of new officers (Vice-President, Secretary and Treasurer), and shall certify the results of the elections for the Club's records. The Nominating Committee shall then dissolve.

XI. AMENDMENTS

Amendments. These bylaws may be amended by a vote of two thirds of those present and voting at a general membership meeting, after the proposed amendment has been presented to the membership at a preceding meeting or at least thirty (30) days beforehand. Amendments shall take effect thirty (30) days from such enactment.

ADOPTED: _____ July 31, _____, 2010

Certified by: _____ **Joe Blau** _____
Secretary

*These bylaws shall not be applied retroactively prior to the date of adoption of these bylaws.