

By-Laws
Of
Tracy Triton Swim Club

A California Non-Profit Organization

Preamble

The Tracy Triton Swim Club is organized in order to promote the sport of recreational/competitive swimming in the Tracy Area,

When no specific rule applies, League Rules of USA Swimming rules have jurisdiction.

ARTICLE 1

MEMBERSHIP AND ELIGIBILITY

- Section 1. Membership in the Tracy Triton Swim Club shall consist of participating swimmers 4-18 years of age by April 1st of said year.
- Section 2. Membership of swimmers shall be granted only after the recommendation of the Coaching Staff.
- Section 3. Members shall be eligible to participate in activities of the Club upon meeting the financial obligations.
- Section 4. Honorary membership may be granted by a majority vote of the Board of Directors. .
- Section 5. A swimmer may NOT practice with, nor swim for any other aquatics team before April 1 or after October 31, in accordance with the Mid Valley Swim League by-laws. Swimmers who violate this rule are eligible to swim "exhibition only" with the club. Exceptions to this rule will be granted to swimmers who participate in high school swim programs and water polo.
- Section 6. Active membership is open to all families who participate in the League Swim meets and do not have any outstanding debts to the Club.

ARTICLE II

MANAGEMENT

- Section 1. The management of the Swim Club shall be vested in a Board of Directors consisting of eleven (11) members.

- Section 2. A. The Directors shall be elected by the General Membership at the Annual General Meeting and shall serve a term of three swim seasons. Directors voted in prior to the 2012 elections shall serve the remainder of their two swim season terms. The swim season shall be defined as August to July.
- B. The Directors shall hold office for a three (3) year term, with no limit on terms, resignation, or removal of the Director. After the first three (3) year term, two (2) Directors position on the board will come up for vote of the General Members. Thereafter, every year two (2) Director positions on the board will come up for by vote by the General Members.
- C. The General membership shall be informed of the elections being held at the Annual General Meeting and shall have the right to put forth nominations to the Board of Directors.
- D. Nominations will be completed and the names of the candidates will be distributed to the General Membership prior to the election.
- E. Final ballots will be distributed at the Annual General Meeting to active adult members in attendance. The votes shall be tallied by the Board of Directors and the top vote-receivers for the open Board positions shall be considered elected to the Board of Directors for one 3-year term. If there is the same number of candidates as there are open positions, an election need not be held. The candidates will fill the open positions.
- Section 3. Vacancies on the Board of Directors may be filled by a Board appointment of the most qualified candidate available. Appointed board members shall serve until the end of the swim season, in which the appointment occurred, at which time they will come up for reelection by the General Membership. If, due to the process, a term of only one year comes up for re-election, the new board will decide which member receives the one year term.
- Section 4. The Head Coach shall have his or her positions and duties assigned to him or her by the Board of Directors.
- Section 5. The Board of Directors shall appoint any advisory members to the Board of Directors as deemed necessary.
- Section 6. All Club sponsored activities will be covered by insurance as determined by the Board of Directors as long as the term of the insurance are followed.
- Section 7. Any member of the Board of Directors can be removed from the Board for unexcused non-attendance of the regularly scheduled monthly board meetings. Non-attendance shall be defined as missing two consecutive monthly board meetings, or missing any four meetings in a given swim season. Excused absences will be determined by a vote of the Board at the meeting. A majority

of the Board may vote to excuse any Board Member by a majority vote for any just cause including non fulfillment of assigned duties or obligations.

Section 8. Board Member fees will be determined by a majority vote of the Board of Directors prior to the start of each season.

ARTICLE III

OFFICERS

Section 1. The officers of the club shall be President, Vice-President, Secretary and Treasurer.

Section 2. The officers are to be elected from the Board of Directors by the members of the Board of Directors and shall serve for a term of (1) year until successors can be elected.

Section 3. The President shall preside at all meetings of the Club and of the Board of Directors and shall otherwise perform the duties attributed to this office. The president shall appoint a member of the Board to be responsible for the following duties:

- A. Keep all Club records.
- B. To serve notice of meeting and proposed amendments to the Articles and By-laws as specified herein.
- C. President will have voting privileges in all matters.

Section 4. The Vice President shall assume the duties of the President in the absence of the latter and be Meet Marshall when needed.

Section 5. The Secretary shall be responsible for the following duties:

- A. To keep the minutes of all meetings of the Club and the Board of Directors, and to distribute them in a timely manner not to exceed seven days. Board approved minutes will be available to membership upon request and available on line during swim season.
- B. To help conduct Club correspondence.

Section 6. The Treasurer shall be responsible for the following duties:

- A. To make disbursements from the Club treasury as specified in Article VI. And to provide a detailed list of all the transactions in a monthly report at the Board meeting.
- B. To keep suitable records of all accounts and of all the Club monies and property.
- C. To manage the Club bank account in a local bank and to maintain safe custody of all other funds and securities in the Club treasury.

- D. To prepare an Annual Budget and Profit and Loss statement in collaboration with a contracted bookkeeping firm.
- E. To collect all fees and monies due the Club and make record of all donations made to the Club. All fees and monies collected shall be turned over to the Treasurer upon proper receipt.

ARTICLE IV

MEETINGS

Section 1. The Board of Directors shall hold meetings at the call of the President, that will occur once a month on the last Thursday of the month, at which a simple majority of Board members shall constitute a quorum.

The General Membership shall be notified a minimum of seven days in advance of the time and place of all regular monthly Board Meetings. The agenda of the meeting shall be available upon request. All Board meetings shall be open to all members, except when dealing with personnel matters or litigation which requires discretion. An active member can request to add to an agenda item by notifying the President 48 hours prior to the meeting.

Section 2. There shall be a minimum of eleven meetings annually of the Board of Directors. A quorum of Board members shall be required for voting and action on any proposed business or motion put before the Board of Directors. All Board Members shall have the right to make motions to the Board of Directors and the President has the obligation to assure that every Board member has the opportunity to vote on each motion. When the President determines that an emergency decision must be acted upon, a telephone or e-mail vote may be taken as a last resort. However, a written report detailing the action must be distributed in a timely manner, not to exceed seven days.

Section 3. A special meeting to the General Membership may be called by the President at any time or may be requested by a written petition signed by six active adult members stating the request and purpose of the Special Meeting. Notice shall include the time, place and purpose of the Special Meeting. Ten days advanced written notice of all Special Meetings shall be given to the General Membership. Notice shall include the time, place, and purpose of the Special Meeting. Any Board Member, upon receipt of a petition, shall institute the written notice of the Special Meeting.

Section 4. The General Membership shall be informed through the Clubs website and email of the forthcoming election and contact the President or the designee to volunteer or suggest a nomination for the Board of Directors by the first Board Meeting in July.

The Board of Directors will then meet and review all nominations and present a slate of candidates to the General Membership for a vote.

Ballots shall be distributed and voted on at the General membership meeting.

The General Membership meeting shall be held at the discretion of the Board following the completion of the swimming season.

Following the meeting the newly elected Directors will meet to select officers for the ensuing term.

ARTICLE V

FINANCES

- Section 1. Registration dues will be assessed each season by the Board of Directors.
- Section 2. The Coaching staff shall be paid a salary and shall also be compensated for swimming meets during the season as determined by the Board of Directors.

ARTICLE VI

EXPEDENDITURES

- Section 1. Upon approval of any two (2) of the officers, the treasurer shall be empowered to make disbursements not exceeding Five hundred dollars (\$500.00) for transactions entered into on behalf of the Club.
- Section 2. Single expenditures other than salary exceeding Seven hundred fifty (\$750.00) shall require the approval of a quorum of Board of Directors. Two signers are required for each check issued by the team. The President, Vice President, Treasurer, Secretary and Board Members at Large, are the only valid signatures for the account. Special Board approval is needed for any reimbursement that does not have a matching receipt. The recipient may not be a signer on a check for reimbursement to themselves.

ARTICLE VII

PROPERTY

- Section 1. Responsibility for the acquisition, management, and care of all Club equipment shall be vested in the Board of Directors.
- Section 2. In the event of Club dissolution, all Club property and assets shall be disposed of at the discretion of the Board of Directors.

Section 3. As a standard practice, no Swim Club property shall be loaned out for personal use.

ARTICLE VIII

COMMITTEES

Section 1. The Board of Directors may appoint committees as deemed necessary and these committees shall operate at the directions and discretion of the Board of Directors.

ARTICLE IX

STAFF

Section 1. The Triton Head Coach will be hired by a majority vote of the Board and will remain in that capacity until terminated by:

1. The Board accepting their resignation OR
2. A majority vote of the Board for termination

Section 2. The coaching staff shall be responsible for maintaining proper conduct and order at all swim meets and practices of the recreation/competition swim program.

Section 3. The coaching staff shall give final approval of all entries in competitive swimming meets.

Section 4. The coaching staff is responsible to the President.

Section 5. Additional staff shall be hired to meet state law requirements.

Section 6. The Head Coach shall attend Board of Directors meetings upon request.

Section 7. All staff jobs are yearly. All positions will go through an application process yearly.

ARTICLE X

VOTING

Section 1. Each family of an active swimmer(s) shall have one vote during any election at a special meeting or at an Annual General Membership meeting.

ARTICLE XI

FISCAL YEAR

Section 1. The fiscal year shall be from January 1st thru December 31st.

ARTICLE XII

SEAL AND COLORS

Section 1. The Tracy Triton Swim Club shall have an emblem of such design as the Board of Directors may adopt.

Section 2. The Tracy Triton Swim Club colors shall be red, white, and blue.

ARTICLE XIII

AMENDMENTS

Section 1. Amendments to the by-laws may be submitted in writing to the Board of Directors by petition signed by ten (10) members of the active membership.

Section 2. Proposed amendments and proposed changes to these by-laws shall be approved for inclusion on the ballot at the Annual General Meeting by an affirmative vote by a majority of Board Members at any meeting of the Board of Directors. The General Membership shall be notified of all proposed by-law changes and or amendments prior to the vote. Changes and amendments shall be adopted by an affirmative vote of the majority of ballots cast at the Annual General Meeting. The Board of directors shall maintain a copy of the most current revision of these by-laws and be available to any member upon request.

I certify the forgoing changes to the by-laws of the Tracy Triton Swim Club was duly adopted by The board of Directors of said Club at the regular meeting held on September 9, 2015 after approval by the majority of the General Membership held on August 14, 2015.

secretary