

# **Stockton Sailing Club**

## **Bylaws of the Stockton Sailing Club**

### **Purpose**

The purpose of the **Stockton Sailing Club** is to encourage sailing and the science and art of designing, building, navigating and handling yachts and small boats, and to provide a meeting place where members can assist one another in becoming proficient in such pursuits.

To that end, the Club will seek to:

Foster the mutual exchange of ideas and the development of common interests with respect to yachts and sailing;

Promote social activities among the Club members;

Gather and disseminate such information as the members may desire;

Aid members in the conduct of their sailing activities;

Encourage intellectual and educational contact among the members of this corporation and the members of other associations devoted to similar pursuits;

All without discrimination on the basis of race, national origin, religious affiliation, gender or sexual orientation.

### **ARTICLE 1**

#### **Office**

The principal office of the **Stockton Sailing Club, Inc.** shall be in the City of Stockton, County of San Joaquin, State of California.

### **ARTICLE II**

#### **Seal**

The said corporation shall have a seal consisting of a circle containing two fouled anchors and a burgee and bearing the words: THE STOCKTON SAILING CLUB, INCORPORATED FEBRUARY 26, 1940.

**ARTICLE III**  
**Board of Directors**

(1) The corporate powers, business and property of the corporation shall be exercised, conducted, managed and controlled by the Board of Directors, which shall consist of eleven members in good standing, as follows:

Immediate Past Commodore

Commodore

Vice Commodore

Rear Commodore

Secretary

Treasurer

Port Captain

Four elected members at large

The Commodore and at least six of the Directors must be owners of a sailing yacht.

If, at any time after his election, a member of the Board of Directors shall cease to have any of the qualifications herein provided, his office as Director shall become vacant at the discretion of the Board of Directors.

(2) A quorum of the Board of Directors shall consist of seven members for the transaction of business.

(3) A member of the Board of Directors shall be subject to removal by a vote of seven members of the Board of Directors at any Board Meeting, or by two-thirds vote of the membership present at any General or Special Meeting where a legal quorum exists. No vote shall be taken to remove a member of the Board of Directors until after at least two weeks prior notice in writing is given said member, setting forth the charge against the member, and such member shall have the right to be heard before the final vote upon the charge.

(4) The Board of Directors shall regulate the affairs and conduct of the business of the corporation as in their judgment may be found necessary or proper. The Board of Directors:

Shall approve all expenditures;

Shall enter into leases;

Shall purchase or authorize the purchase of all supplies or corporate property;

Shall hire and discharge a Harbormaster and determine compensation;

Shall have the power to borrow such money as may be authorized by resolution of a simple majority of the voting members giving their consent in writing, and the note of obligation given for the same, signed by the Commodore and Treasurer, shall be binding upon the corporation;

The Board of Directors shall adopt policies to serve as rules and guidelines for the planning and operation of the Corporation. The Board of Directors shall discuss proposed policies and changes to policies at two separate Board of Directors meetings prior to a vote for adoption.

(5) The Board of Directors shall maintain a rolling five-year capital expenditure plan, supported by responsible estimating practices that must be reviewed annually. The Board of Directors shall be responsible for preparing a budget balanced to income that takes into consideration the current year's capital expenditures and operational expenses.

(6) The Board of Directors may determine the amount of initiation fee, if any, and monthly dues payable to the corporation by members of each of the various membership categories. Changes to initiation fees, membership dues and any other fees shall be read at two board meetings prior to a vote and shall require a two-thirds vote of the Board of Directors present. After the first reading before the Board of Directors, the proposed changes shall be published in the Club newsletter. If approved by the Board of Directors, the proposed fee changes shall be adopted. A schedule of revised fees shall be published in the minutes and posted in the Clubhouse.

(7) The Board of Directors shall present to the general membership annually, at the February General Meeting, a balanced budget for input prior to adoption of the budget, which shall include any increases in initiation fees, monthly dues and other fees payable to the Corporation. The budget shall be adopted by the Board of Directors by the last Board Meeting in March.

(8) No member of the Board of Directors shall receive a

salary or other compensation from the Corporation for their service on the Board of Directors.

(9) Should a vacancy on the Board of Directors occur, the Board of Directors shall, at any Regular or Special Directors' Meeting within sixty days, select a qualified member to complete the balance of the vacated term.

(10) Pursuant to Section 7237 of the California Corporations Code, and to the fullest extent permitted by law, this Corporation shall indemnify its directors, officers, employees, and its former directors and officers, against all expenses, judgments, fines, settlements and other amounts actually and reasonably incurred by them in connection with any proceedings, as that term is used in Section 7237(a) of the California Corporations Code, and including an action by or in the right of the Corporation, by reason of the fact that the person is or was a person described in that section. "Expenses", as used in this policy, shall have the same meaning as in Section 7237(a) of the California Corporations Code.

It is understood that, on written request to the Board by any person seeking indemnification, the Board shall promptly determine, under Section 7237(e) of the California Corporations Code, whether the applicable standard of conduct set forth in Section 7237(b) or Section 7237(c) has been met and, if so, the Board shall authorize indemnification. If the Board cannot authorize indemnification because the number of directors who are parties to the proceeding with respect to which indemnification is sought prevents the formation of a quorum of directors who are not parties to that proceeding, the Board shall promptly call a meeting of members. At that meeting, the members shall determine under Section 7237(e) whether the applicable standard of conduct set forth in Section 7237(b) or Section 7237(c) has been met and, if so, the members present at the meeting, in person or by proxy, shall authorize indemnification.

To the fullest extent permitted by law and, except as otherwise determined by the Board in a specific instance, expenses incurred by a person seeking indemnification in defending any proceeding covered by this indemnification policy shall be advanced by the Corporation before final disposition of the proceeding, on receipt by the Corporation of an undertaking by or on behalf of that

person that the advance will be repaid unless it is ultimately determined that the person is entitled to be indemnified by the Corporation for those expenses.

#### **ARTICLE IV Officers**

(1) The officers of said Corporation shall consist of a Commodore, a Vice Commodore, a Rear Commodore, a Secretary, a Treasurer and a Port Captain.

(2) The Commodore shall:

Be the chief executive officer of the Corporation;

Preside at all meetings of the members and Board of Directors of the Corporation;

Direct the active management of the Corporation;

Together with the Secretary and the Treasurer, execute all contracts of the Corporation under the seal of the Corporation;

Be ex-officio member of all committees.

Shall take a leadership role in the policy-making process by involving the Board of Directors and the membership at large in establishing Club policies and procedures;

At the beginning of each year, the Commodore shall insure that current copies of these Bylaws and the Club Policy Manual are provided to each member of the Board of Directors and are made available in the Clubhouse for member reference throughout the year.

In carrying out these duties, the Commodore shall follow the policies and direction established by the Board of Directors and the Bylaws of the Corporation.

(3) The Vice Commodore shall, in the absence or disability of the Commodore, perform the duties and exercise the powers of the Commodore and shall perform such other duties as the Board of Directors or Commodore shall prescribe.

(4) The Rear Commodore shall, in case of the absence or disability of both the Commodore and the Vice Commodore, perform the duties and exercise the powers of the Commodore, shall oversee public relations, advertising and press releases for the club and shall perform such

other duties as the Board of Directors or Commodore shall prescribe.

(5) The Secretary, or an appointee in the Secretary's absence, shall attend all meetings of the Board of Directors and general meetings; shall give, or cause to be given, notice of all meetings of the members and Board of Directors and shall keep accurate minutes of said meetings in the records of the corporation. The Secretary shall keep in safe custody the seal of the corporation and, when authorized by the Board of Directors, shall affix the same to any instrument required; and, when so affixed, it shall be attested to by the signature of the Commodore. The Secretary shall perform such other duties as the Board of Directors or Commodore shall prescribe.

(6) The Treasurer shall have custody of the corporate funds and shall keep full and accurate accounts of receipts and disbursements in books provided by the Corporation. All monies and valuables shall be deposited to the name and to the credit of the Corporation in such depositories as may be designated by the Board of Directors. The Treasurer shall perform such other duties as the Board of Directors or Commodore shall prescribe. All disbursements of corporate funds shall carry the signatures of two of the four following officers: the Treasurer (who should be the primary signor), the Commodore, the Vice Commodore, or the Past Commodore.

(7) In concert with the Harbor and Facilities Committee, the Port Captain shall have general responsibility for the planning, operation and maintenance of the corporate facilities and such additional duties that the Board of Directors or Commodore shall prescribe.

## **ARTICLE V**

### **Meetings of the Members**

(1) A monthly General Meeting of the membership shall be scheduled by the Board of Directors for the following year and published in the annual Club calendar.

(2) The annual meeting of the members of the Corporation shall be held each year at the November General Meeting.

(3) A thirty-day written notice must be given for changes

in the schedule for General and Annual Meetings.

(4) Special meetings of the membership of the Corporation may be called at any time by the Commodore or any three Board Members. Notice of such meetings shall be given, or caused to be given, by the Secretary at least ten days in advance. All meetings of the membership shall be conducted according to Roberts Rules of Order.

(5) The Quorum requirement for Annual, Special and General Meetings of the membership shall be 20% of the total of those memberships that have the right to vote.

## **ARTICLE VI**

### **Meetings of the Board of Directors**

(1) Regular Meetings of the Board of Directors shall be held monthly and shall be scheduled in the annual calendar. A thirty-day written notice shall be given for any changes in the scheduling of a regular Board of Directors Meeting. Board Meetings may be cancelled by agreement of the Commodore and at least five other members of the Board. All Meetings of the Board of Directors shall be conducted according to Roberts Rules of Order. In the absence of a Board-appointed Parliamentarian, conflicts and/or disagreements regarding parliamentary procedure shall be resolved by a simple majority of the Board of Directors present.

(2) Special Meetings of the Board of Directors may be called at any time by the Commodore or any three Board Members. Notice shall be posted in the Clubhouse seven days prior to any Special Meeting of the Board of Directors.

(3) Closed sessions of any Board of Directors Meeting are limited to discussion of personnel matters, matters of litigation or problems with a member. When problems with a member which may result in sanctions are to be discussed, the affected member shall be given reasonable notice of the discussion and shall have an opportunity to make a statement. The Board may limit the member's presence at the closed session to the presentation of the member's statement. Any action which is taken as a result of a closed session must be made in the form of a motion in an open meeting so that it is recorded in the minutes.

**ARTICLE VII**  
**Election of the Board of Directors**

(1) Members of the Board of Directors shall be elected, unless otherwise provided herein, by the corporate membership to serve starting January First, a term of one year. No member shall serve in any one office for more than two consecutive years or a combination of elected offices totaling more than six years without at least two consecutive years break in service. The years spent as Commodore and Past Commodore shall not be counted when calculating the total number of years in elected office. The Treasurer and the Directors at large shall be elected to serve a term of two years. The terms of Directors shall be staggered. The Vice Commodore, being a member in good standing, shall automatically become Commodore and then Past Commodore.

(2) Nominees for the office of Vice Commodore and Rear Commodore shall have served on the Board of Directors for at least one year to be eligible for nomination.

(3) No later than the first Board Meeting in June of each year, the Board of Directors shall appoint a nominating committee. The nominating committee shall be composed of no fewer than five members. There shall be no more than two Board Members and no more than five Non-Board Members serving on this committee. No member of the committee shall be eligible to seek membership on the Board of Directors. This committee shall elect its own chairperson.

The nominating committee shall meet and nominate, with the consent of the nominees, not less than two members in good standing for each vacancy to be filled. This committee shall give a written report to the Secretary no later than the regular Board of Directors Meeting in August. This report shall list the nominees for each vacancy to be filled. If the Committee is unable to fill a position with the minimum two person requirement, then a written explanation shall be attached to the report. This explanation must include the names of all persons who were asked to run for the vacancies that do not have the minimum number of nominees. Five days after the receipt of the report, the Secretary shall cause the nominations to be posted on the bulletin board at the Clubhouse, as well as being placed in the next Club



newsletter. In the event that a nominee ceases to remain a member in good standing, for any period of time, his/her name shall be removed from the ballot or, if this is not practical, no votes for the disqualified nominee shall be tallied.

(4) Additional nominations may be submitted by any member in good standing by presenting to the Secretary of the corporation, on or before 7 p.m. of the second Tuesday in September, a petition naming such nominee and bearing the signatures of ten voting members in good standing and the consent of the nominee. Any such nominee shall have been a member in good standing for the previous sixty days. The Secretary shall post, or cause to be posted, a complete list of nominees, without reference to the manner of nomination, within three days of this close of nominations.

(5) No member shall be nominated for more than one office. The nominees for all vacancies shall be introduced and allowed to speak at the October General Meeting.

(6) Ballots shall be prepared by the Nominating Committee. The Secretary shall see that the ballots are printed and mailed to the listed addresses of all voting members no sooner than the October General Meeting and no later than one week after the October General Meeting. The ballots shall list all offices to be filled and the nominees for each office. No special indications shall separate one nominee from another. All ballots will be due no later than 7:30 p.m. on the evening of the November Annual Meeting. Ballots shall utilize a secret two-envelope system.

(7) The election ballots shall be tabulated during the Annual Meeting in November. In order for an election to be valid, a minimum of twenty percent of memberships must cast their ballots. The Secretary shall conduct the counting of the ballots along with two disinterested Non-Board Members and two nominating committee members, all to be appointed by the Secretary. After the ballots are counted, the Secretary shall prepare a written tabulation of the complete results signed by the committee for the Commodore and the corporate records. All ballots shall be retained under the custody of the Secretary for a period of thirty days following the tabulation and, if no objections to the results are voiced

regarding the tabulation, the ballots will then be destroyed. Should an equal number of votes be received by the nominees, the “tie” will be broken by lot.

(8) The successful candidates shall qualify by taking the following oath: “I solemnly affirm to support the Constitution of the United States, the State of California, and the Bylaws of the Stockton Sailing Club and to faithfully perform the duties of my office as (name of office) to the best of my ability.”

## **ARTICLE VIII**

### **Members**

(1) Membership shall be considered without regard to race, national origin, religious affiliation, gender or sexual orientation.

Membership categories in the corporation shall be classed as:

(A) Family Memberships shall include married couples and their dependents, single persons and their qualifying dependents. Qualifying dependents shall be considered a dependent child up to age twenty-one or twenty-four if a full-time student.

It shall be the responsibility of each married couple holding this membership to inform the Board of Directors should their marriage become legally dissolved. Within thirty days of the final judgment of dissolution, the Board of Directors must be advised as to which of the formerly married persons will continue to hold the Family Membership as a single person. The other person, at the time of that declaration, shall relinquish all interest in the Club and, if continued involvement with the Club is desired, then formal membership application and one half the current initiation fee shall be submitted to the Board of Directors.

Dependents may participate in all Club activities that the Board of Directors determines acceptable and shall have full use of the facilities, following current Clubhouse, harbor and miscellaneous rules. A dependent, upon reaching age 21 (24 if currently in school) may apply within six months for membership and, if approved, may convert to a Family Membership without payment of initiation fees.

(B) Associate Trial Memberships shall be available to married couples and their dependents, single persons and their qualifying dependents. Initiation fees for the Associate Trial Membership shall be at the discretion of the Board of Directors. The monthly membership dues shall be set by the Board of Directors with no additional credits given. After six (6) months the Associate Trial Membership will be automatically converted to a Family or Young Adult Membership, unless terminated by the member; all applicable dues and fees will be due at that time. The Associate Trial Membership may only be used once. All dues paid while holding this membership category are applicable to any required initiation fee. An Associate Trial Member shall have all the rights and privileges granted by the Bylaws, Rules and Policies of the Stockton Sailing Club, with the exception of holding office and/or voting. An Associate Trial Member cannot request a Leave of Absence or Cruising Status. If a Trial Member's account is not paid in full within 60 days from the date of billing the member will forfeit their Trial Membership.

(C) Young Adult Memberships shall be available to individuals and married couples while they are between 21 and 29 years of age inclusive. Initiation fees and monthly membership dues for this membership category are 50% of the initiation fees and monthly dues normally charged by the Club. All other fees, charges and costs remain unchanged. Young Adult Members have all rights and privileges granted by the Bylaws and policies of the Club. Qualifying dependents may participate in the same Club activities as dependents of members who have Family Memberships. When a Young Adult Member, including either spouse of a married couple, turns 30 years of age, the membership shall be changed to a Family Membership. Thereafter, normal monthly dues shall be charged. No additional initiation fees shall be owed.

(D) Junior Memberships shall be available for any person who is not a dependent of a Family Member and wants to participate in the Stockton Sailing Club Junior program or is a dependent of a Family Member and is between the ages of eight and twenty-one (twenty-four if currently in school). A Junior Member shall have all the rights and privileges granted by the Bylaws and Policies of the Stockton Sailing Club, with

the exception of holding office, voting or incurring indebtedness

This membership is terminated on the twenty-first birthday or at the age of twenty-four if a full time student. All dues paid while holding this membership category are applicable to any required Family Membership initiation fee if, within six months of reaching maximum age, application is submitted for a Family Membership is approved.

(E) Lifetime Membership may from time to time be granted by the Board of Directors. Lifetime Memberships shall be granted to persons who, in the unanimous opinion of the Board of Directors, have rendered extraordinary service to the Stockton Sailing Club and/or the fraternity of yachting. These memberships shall be for life, or until terminated by the Board of Directors, and shall carry no obligation of dues or assessments. A Lifetime Member shall have all the rights and privileges of the Family Member.

(F) Honorary Memberships may from time to time be granted by the Board of Directors. Honorary Memberships shall be granted to persons who, in the unanimous opinion of the Board of Directors, have rendered extraordinary service to the Stockton Sailing Club and/or the fraternity of yachting. These memberships shall be for life, or until terminated by the Board of Directors, and shall carry no obligation of dues or assessments. An Honorary Member has none of the rights or privileges of a Family Member but is accorded the rights and privileges of a guest.

(G) Legacy Memberships shall be designated for a surviving spouse of a deceased Member who was in good standing at the time of death. Legacy membership shall expire twelve months after the death of the spouse, at which time the Legacy Member shall be eligible to continue as a member in an appropriate category, provided that the requirements of that category are fulfilled. Legacy Members are not obligated to pay dues.

(H) Cruising / Non-Resident Memberships may, at the member's request, be granted by the Board of Directors to a Family or Junior Member whose principal residence is outside a radius of more than 100 miles from the Clubhouse. Both memberships shall have full fraternal

rights and privileges but shall not hold office or have voting rights. Cruising and Non-Resident memberships may revert to their prior membership category upon their written notice to, and approval of, the Board of Directors.

(1) Youth Memberships shall be designated for any person who is not a dependent of a Family Member and is participating in Club sponsored youth program approved by the Board of Directors for use of specified Club facilities. The age range of this membership is defined by each program. The membership terminates at the close of each program. Collective dues paid during one calendar year, while holding this membership category, are applicable to a Junior Membership application within thirty days of the last program attended. Rights and privileges are limited to use of the facilities, with access to the Clubhouse only with adult supervision.

(2) A membership card shall be issued to each adult member of a Family Membership (and each dependent over the age of sixteen years, at the discretion of the Board), each Junior Membership and each adult member of Honorary Memberships. Memberships and membership cards are not transferable.

(3) Any person desiring a Family Membership or a Junior Membership who is not already part of a Family Membership shall present an application to the Harbor-master. Applicants shall attend an orientation meeting with the Membership Committee prior to their application being submitted to the Board of Directors for consideration. If satisfied as to his eligibility, the Board of Directors may elect such person to membership

(4) Initiation fees and first-month dues shall be payable upon application for membership. All subsequent dues shall be paid monthly in advance or otherwise, as the Board of Directors may prescribe. At the discretion of the Board of Directors, the initiation fee for any membership category may be paid in installments.

(5) Indebtedness not discharged within thirty days of the due date shall become delinquent. If not paid within an additional thirty days, the name of the delinquent member shall be posted in the Clubhouse and his

membership shall be suspended automatically until such indebtedness is paid in full. Any member remaining delinquent for a period of thirty additional days shall cease to be a Club member on the last day of such period and shall forfeit all rights and interest in the Club. A delinquent member whose membership has been suspended may not vote at any meeting unless such delinquency is discharged and payment thereof received by the Club prior to the meeting.

(6) The Board of Directors may, at its discretion, reinstate any member whose membership has been suspended or terminated for financial delinquency. Members who are terminated for financial delinquency and who seek reinstatement may, depending on circumstance, be required to submit up to 100% of the current initiation fee.

(7) The Board of Directors may, by a vote of six of its members, terminate or suspend any membership in this Corporation. This action may be taken for any conduct unbecoming a member of this Corporation or detrimental to the welfare, character, interest or purpose of the Corporation.

A third suspension of membership shall automatically result in permanent termination.

Written notice, setting forth the charge(s), will be given to the affected member two weeks prior to a vote to suspend or expel. The accused member shall be given the opportunity to address the Board before a final vote is taken, according to the "Due Process" procedure.

(8) A member who is terminated or suspended shall not participate in Club functions or use the Clubhouse facilities, even as a guest of a member in good standing or as a member of another yacht club or sailing association. Three years after a termination, a member in good standing may request permission from the Board of Directors to have the terminated member as a guest. If granted, this permission may be withdrawn at the discretion of the Board of Directors.

(9) Fees and dues will not be reimbursed to Club members who are terminated or voluntarily resign their memberships.

(10) All resignations must be in writing. Members may resign at any time, but acceptance of such resignation shall not prejudice the right of the Corporation to collect any indebtedness owing at the time of resignation.

Anyone who is a member in good standing when they resign from the Club may make application for membership at a future date. At that time, the initiation fee to accompany the membership application shall be reduced to fifty percent of the current initiation fee, provided that the same membership category is applied for.

(11) Each Family Membership, Lifetime Membership and Legacy Membership shall have one vote. All members in these categories over twenty-one years of age may hold office, except that only one member of a membership may hold office at any given time.

(12) The Harbormaster shall not be a member of the Club. Employees of the Corporation are not eligible for any membership category. However, existing members may become limited or part-time employees for specific projects or programs, with the recommendation of the Harbormaster and the annual approval of the Board of Directors. Such employment shall not exceed 400 hours in any twelve-month period.

(13) The Board of Directors may propose a membership ceiling. Adoption of a membership ceiling must be ratified by a majority of votes at a General Meeting at which twenty percent of members eligible to vote are present.

(14) If there is a waiting list for Family Membership, the children of Family Memberships shall be given preference, in the order received, to any other applications for Family Membership, provided that the child of a membership makes application within six months of attaining the age of twenty-one (twenty-four if a full-time student).

(15) A Family Membership in good standing may request (in writing) from the Board of Directors a leave of absence for a period not exceeding one year. Such leave may be granted in any case where the Board of Directors finds that a member's discontinuance of usage of the Club facilities and services is justifiable and temporary. No more than two leaves of absence may be granted to any membership. In the event a member wishes

to renew such a leave, the Board of Directors may, at its discretion, extend the leave if:

- (A) The Member's conduct has been consistent with the Purpose of the Club, and,
- (B) There is a reasonable likelihood that the Member will return to active status at some point in the foreseeable future.

During an approved leave of absence, no dues shall be payable, nor shall any discounts apply.

## **ARTICLE IX**

### **Notices**

(1) Any notice required to be given by the Bylaws shall be given, unless otherwise stated herein, by depositing the same in the United States mail with postage prepaid thereon, addressed to the person to whom notice is to be given, at his address as shown upon the books of the Corporation.

(2) Waiver of notice. Whenever any notice is required to be given under the provisions of the General Nonprofit Corporation Law of California or under the provisions of the articles of incorporation or the Bylaws of the Corporation, a waiver thereof, in writing, signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

## **ARTICLE X**

### **Board Advisory Committees**

(1) **PURPOSE:** The purpose of the Board Advisory Committees is to allow the Corporation, through its Board of Directors, to take advantage of the experience and expertise which its members collectively possess and to expedite budgetary and other decisions in specific areas of corporate operations. The Board of Directors will retain the powers, duties and responsibilities as elsewhere provided.

(2) **COMMITTEE MEMBERSHIP:** Board Advisory Committees shall consist of not less than three members, no more than one will be a member of the Board of Directors. The Finance, Budget, Legal and Insurance Committee shall have not less than five members, no more than two of



whom may be members of the Board of Directors. Members of Finance, Budget, Legal and Insurance Committee will be selected for their expertise in the specific fields of the committee, to be approved by a majority vote of the Board of Directors on an annual basis. Each committee shall elect its own chairperson, who will report to the Board Member designated for that committee. In addition to the Standing Committees specifically described below, the Board of Directors may establish additional committees for specific tasks that do not fall within the purview of existing committees.

(3) COMMITTEE MEETINGS: All meetings shall be open to interested members of the corporation. All Program Committees shall hold an annual meeting prior to submitting their report to the appropriate Board Member for the purpose of soliciting input from the general membership and shall give thirty days' notice of said meeting.

(4) COMMITTEE REPORTS: A copy of the written committee report shall be submitted to the Secretary of the Corporation for the purpose of record and as otherwise herein provided.

(5) BOARD ADVISORY COMMITTEES:

(A) HARBOR AND FACILITIES COMMITTEE shall evaluate all areas of maintenance, upgrading, remodeling, additions or new construction of any nature which may be required or proposed by governmental agency or by a general member for the operation or improvement of the harbor facility and appurtenances thereto. The written evaluation of this committee shall include, but not be limited to, the obligation of the corporation to governmental agencies, the impact of the proposed project on the facilities as a whole, the scope of the project, preliminary cost estimates and such other information as the Committee shall deem necessary to provide the Board of Directors with sufficient information on the feasibility and/or desirability of the project.

It shall be the responsibility of the Harbor and Facilities Committee to propose to the Board of Directors a written Five Year Capital Improvement and Maintenance Plan which will prioritize and schedule proposed capital

improvements, preventive and on-going maintenance to include all areas of the physical plant. This plan shall be reviewed annually and revised as deemed reasonable by the Committee. The Harbor and Facilities Committee shall submit the written plan directly to the Port Captain. The Port Captain shall provide copies of the proposed Five Year Capital Improvement and Maintenance Plan to the Finance, Budget, Legal and Insurance Committee for their recommendations. After the recommendations of the Finance, Budget, Legal and Insurance Committee are considered, the Port Captain shall submit the Proposed Five Year Budget Plan to the Board of Directors for consideration. Discrepancies between the proposed Five Year Plans submitted by the Harbor and Facilities Committee and the Finance, Budget, Legal and Insurance Committee shall be resolved by the Board of Directors.

(B) FINANCE, BUDGET, LEGAL AND INSURANCE COMMITTEE shall study Corporation's needs and requirements in the areas of finance, budget, legal and insurance matters. It shall be the responsibility of the Finance, Budget, Legal and Insurance Committee to propose a written Five Year Budget Plan, which shall take into account the Five Year Capital Improvement and Maintenance Plan developed by the Harbor and Facilities Committee. The Finance, Budget, Legal and Insurance Committee shall submit an annual written report directly to the Treasurer, who shall submit it to the Board of Directors for consideration. Discrepancies between the five year proposals submitted by the Harbor and Facilities Committee and the Finance, Budget, Legal and Insurance Committee shall be resolved by the Board of Directors.

(C) CLUB RULES & POLICIES COMMITTEE shall formulate such rules, policies and regulations for governing the day-to-day use and enjoyment of the facilities as may seem appropriate to insure the safety and well-being of all tenants, guests and members of the corporation in their use of the facilities. The Club Rules & Policies Committee shall submit written recommendations to the Board of Directors.

The Rules and Policies Committee shall perform an annual review of the Bylaws, Board of Director's minutes, adopted Club rules and policies. In order to provide a central repository for the policies and rules adopted by the Board of Directors, this committee shall incorporate newly-adopted policies, previously adopted policies and adopted rules in a rules and policy book for continued utilization by the membership and the Board of Directors.

This committee may also develop drafts of policies as it sees a need. These drafts shall be reviewed with the General Membership for input and shall then be presented in writing to the Board of Directors for consideration or adoption in accordance with Bylaws.

(D) MEMBERSHIP COMMITTEE shall review all proposed applications for membership, acquaint themselves with the prospective members and make recommendations to the Board of Directors regarding the applicants. The committee is further tasked with recruiting new members and promoting the advantages of club membership. The committee shall report to the Board member appointed by the Board of Directors.

## **ARTICLE XI**

### **Program Committees**

(1) **PURPOSE:** To organize and manage, with fiscal responsibility, such non-business activities as the Board of Directors feels are in harmony with the purpose of the Club. In addition to the Program Standing Committees specifically described below, the Board of Directors may establish such additional ad hoc committees as it deems necessary.

(2) **COMMITTEE MEMBERSHIP:** After giving thirty days' notice, each committee shall hold an annual organizational meeting during the month of October. The membership in attendance shall, with the committee chairperson of the current committee presiding, hold an election to determine the committee chairperson for the

upcoming year. The committee shall consist of not less than three members. Additional temporary committee members may be appointed by a majority vote of the committee. The newly elected chairperson will report to the Board Member appointed to that committee.

(3) COMMITTEE TERM: Each member's term shall start at the annual meeting and end on December 31 after the next annual committee meeting. During the period from the annual meeting through December 31 of that year, the committee shall consist of the previous year members as well as the newly appointed members.

(4) COMMITTEE MEETINGS: Committee meetings shall be open to interested members of the Corporation.

(5) COMMITTEE BUDGET: Each committee shall be responsible to prepare a written budget for the period including April 1 through March 31. Prior to the regular December Board of Directors meeting, the committee shall submit the written budget to the Finance, Budget, Legal and Insurance Committee and to the designated Board Member for that committee, who shall submit it to the Board of Directors for consideration.

(6) PROGRAM COMMITTEES:

(A) SOCIAL AND CRUISE COMMITTEE shall be responsible for the planning and execution of all social functions, including regatta related social activities, and Club cruises. It shall prepare a proposed calendar of events along with its budget.

(B) REGATTA COMMITTEE shall be responsible for administering the entire Regatta program. It shall prepare a proposed calendar of events along with its budget.

(C) JUNIOR COMMITTEE shall be responsible for administering the entire Junior Program. It shall prepare a proposed calendar of events along with its budget.

(D) SAILING INSTRUCTION PROGRAM COMMITTEE shall be responsible for administering sailing instruction programs. It shall prepare a proposed calendar of events along with its budget.

## **ARTICLE XII - Amendments**

These Bylaws may be amended by the affirmative vote of a majority of the voting members during the Annual Meeting by the balloting procedure described in Article VII, sections (7) and (8), provided that at least twenty-five percent of the eligible members cast ballots in accordance with the procedures established for the Election of Officers and Directors.

Notice of any proposed change of Bylaws shall be given to the voting members of the Corporation along with the ballots for said election according to Article VII, sections (7) and (8). Affirmed changes shall take effect January First of the year following adoption, unless otherwise stated.

Proposed Amendments or changes to the Bylaws to be put on the ballot shall be submitted to the Board of Directors for a majority vote, or require 20 signatures of voting members in good standing, before it can be submitted for the General Membership to vote on in the next General Election.

## **Clubhouse Rules**

**(as of January 2015)**

The Harbormaster, Flag Officers: Commodore, Vice Commodore, Rear Commodore, Secretary and Treasurer and Port Captain are responsible for the administration of the Clubhouse Rules. Persistent or serious violators may be referred to the Board of Directors for appropriate disciplinary action. If, at any time, any member has anything to discuss related to the Clubhouse, or the following Clubhouse rules, contact the Harbormaster or the Rules Committee and the proper action will be taken.

(1) A numbered keycard for the Clubhouse will be issued to each adult member. An additional keycard may be purchased for the member's spouse. Junior members and children of members may not have keycards in their possession.

(2) Normal Clubhouse hours are 6:00 A.M. to 2:00 A.M. Bar purchases may be made from 6:00 A.M. to 2:00 A.M. The last member to leave at any time must make certain that all lights have been turned off and that

the doors are locked securely.

(3) We have an honor system bar and galley. No free drinks are to be given or taken by members. Please respect the privilege of our honor system.

(4) Ice is available at the ice machine downstairs in the breezeway. Please sign tags found in box on left wall and include account number.

(5) Alcoholic beverages purchased from the Clubhouse bar at no time may be removed from the Clubhouse-designated license area, which includes the area from the flagpole to the south, the parking lot in front of the Clubhouse, to the Retreat area to the north, and along the river front to the west. This is to adhere to the California State Alcoholic Beverage Control Board laws. There is no take-out privilege.

(6) Minors may not be served or allowed to consume beer or liquor on any part of the Club premises. Minors or Junior Members and guests will not go behind the bar for any reason.

(7) Use of the Clubhouse and facilities by terminated members will not be allowed. Members in good standing who knowingly sponsor terminated members as guests do so at the risk of jeopardizing their own membership.

(8) Guests of any member in good standing and visiting yachtspersons must be signed into the guest book and wear a name tag.

(9) A visiting yachtsman, who is a member in good standing of a reciprocating yacht club, may be extended privileges of the club after being properly signed into the guest book and issued a guest gate access card (obtained from the Harbormaster). ***Guests and visiting yachtsman are not allowed behind the bar.***

(10) The Club reserves the right to deny or rescind Club privileges to visiting yachtsmen or guests and to absolutely exclude any person intoxicated or under the influence of an illegal substance. Violations of the rules or boisterous conduct shall be grounds for temporary expulsion of any person from the Club premises, and the directions of a member of the Rules Committee or Flag Officer shall be obeyed in this connection.

(11) Children under twelve years of age shall be accompanied by an adult while in the Clubhouse, and

there shall be no rough housing about the Clubhouse, decks or stairways.

(12) Dogs or other pets are not allowed in the Clubhouse except service animals.

(13) No personal gear or equipment shall be stored in the Clubhouse.

(14) Proposed gifts or decorations or furnishings intended for the Clubhouse shall be approved by the Harbor and Facilities Committee before acceptance. (Changed by Board 10/9/01).

(15) Club restrooms shall not be used for dumping of portable head tanks.

(16) ***Do not expect others to clean up after you.*** Cleaning must be done by everyone. Empty cans and trash are to be put in the containers provided in the Clubhouse, including restrooms and galley. Dining room chairs are to be returned inside and put back in order.

(17) The bar will be on a “charge only” system unless our bartender is on duty. Visiting yachtsmen will pay their bar tag along with berthing when leaving.

(18) The foregoing rules are designed to give the greatest enjoyment and pleasure to the Club members. Observance by all members and guests is required.

(19) ***The Sailors Lounge should be treated as an extension of the clubhouse. Do not expect others to clean up after you. Children and dogs are welcome in the Sailors lounge.***

## **Harbor Rules**

(as of January 2015)

The Harbormaster, Flag Officers and Port Captain are responsible for the administration of the Harbor Rules. Persistent or serious violators may be referred to the Board of Directors for appropriate disciplinary action. The rules and guidelines are designed to provide the greatest degree of safety and enjoyment to members, guests and tenants.

(1) It is recommended that boats leave and return to their

berths under power. Sails should be raised and lowered in the channel. Small boats sailing in the harbor should stay clear of other boats powering in and out. Watch your wake.

(2) Do not leave a moored boat unattended with sails hoisted. This is to maintain general harbor safety and reduce dock maintenance exposure.

(3) Recreational swimming in the harbor is prohibited by these rules and city ordinance. This includes floating on air mattresses or similar devices. This is in consideration of the obvious danger with other boat traffic.

(4) Open fires (barbecues) are not permitted on docks. They are permissible on your own boat when done in a safe manner.

(5) Do not leave power cords plugged into a power source when the boat is gone. Only three-wire power cords with a minimum 14-gauge "S" (standard) "W" (outdoor) rating are to be used. Heaters are not permitted to be on when there is no one on the boat. The Harbormaster is authorized to disconnect the power of anyone who violates this rule.

(6) No dinghies or other equipment are to be left or stored on docks.

(7) Since the Club is located within the city limits, all pets and their owners shall be subject to Stockton City Ordinances. Pet owners shall be responsible for their animal's conduct at all times.

(A) Dogs shall be on a leash and under the control of a responsible person at all times.

(B) Any animal deemed aggressive or a nuisance by Club management shall be restricted from Club premises.

(C) Any incidents regarding animals should be reported to the Harbormaster. The penalties for violating the rules will be determined by the Harbormaster or the Board of Directors depending on the severity of the case. The Board of Directors shall be notified by the Harbormaster of all reported incidents. (Revised July 2003)

(8) After using, dock hoses are to be rerolled. Carts are to be returned to the head of the dock. Pick up all trash on



docks.

(9) No fishing or cutting of bait on docks. OK from your own boat.

(10) No running, skateboarding, scooters, roller or inline staking on docks or in the vicinity of the Clubhouse or Harbormaster's Office. Bicycle riding is to be confined to the pavement area and not on docks.

(11) Vehicle speed limit in the harbor paved area must be strictly observed (10 mph). Be alert for pedestrians, especially children.

(12) Guest dock rules:

(A) Members of reciprocating P.I.C.Y.A. yacht clubs have complimentary 72-hour guest dock privileges.

(B) Other guests will be charged prevailing fees.

(C) Members and tenants do not have guest dock privileges and cannot tie up to guest dock overnight without checking with the Harbormaster.

(13) No "Live-Aboards" allowed in the Harbor without prior approval.

(A) A "Live-Aboard" is defined as a person who spends more than seven (7) consecutive days or thirty (30) days in one quarter of a year residing on any boat in the Stockton Sailing Club harbor.

(B) Persons wishing to stay between seven (7) and thirty (30) days residing on any boat in the Stockton Sailing Club harbor must get prior written permission from the Harbormaster.

(C) Persons wishing to stay over thirty (30) days residing on any boat in the Stockton Sailing Club harbor must petition the Board of Directors in advance for permission.

(D) Extended stays will be charged according to a fee schedule determined by the Board of Directors.

(14) Adult supervision of children is always required.

(15) Restrooms shall not be used for dumping of portable head tanks.

(16) No commercial activity allowed on docks, including posting of "For Sale" signs on boats.

- (17) Small Crane Operation and Restrictions:
- (A) 1,500 lbs., 20 ft. length, and 6 ft. 6 in. beam maximum.
  - (B) Only manufacturer-installed boat lifting rings or slings must be used.
  - (C) Return and secure crane in proper position, not over water.
- (18) Large Crane Operation and Restrictions:
- (A) Power to crane hoist and light is controlled by key found on wire at control box.
  - (B) Power to be turned off and crane moved to position at edge of pavement at completion of operation.
  - (C) 4800 lb., 34 ft. length and 10 ft. 8 in. beam maximum. (Changed by Board 10/9/01).
  - (D) Only manufacturer-installed lifting rings in boat or proper slings around boat may be used.
- (19) All dock boxes installed on docks will be purchased through the Harbormaster under the following conditions:
- (A) The dock box will become the property of the Stockton Sailing Club.
  - (B) Should the purchaser move to another slip, the dock box can be moved by the Harbormaster for a \$10.00 fee. The box will not be moved by the renter.
  - (C) Maintenance of the dock box is the responsibility of the Club.
  - (D) A new renter moving into a slip with an existing dock box shall pay a one-time charge of \$24. Subsequent moves to berths with existing dock boxes shall not incur additional such charges.
  - (E) If a renter surrenders a slip with a dock box, and gives notice that he plans on returning to the Harbor within six months, the dock box will be considered on loan to the new renter until such time as the previous renter returns, and the fee referenced in rule 18(D) will be postponed. The dock box will then be moved to the previous renter's new slip for the current fee. If a renter who has purchased a dock box surrenders a slip without giving notice, or does not return within six months, upon his return he may purchase a new dock box at one- half the current cost.

(20) Recreational Vehicle Parking Rules

(A) There are two RV parking spaces marked off just north of the basketball court on the West Side of the dry storage area. 20-amp electrical service is provided for all spaces.

(B) Members of Stockton Sailing Club and reciprocating P.I.C.Y.A. yacht clubs have complimentary 72-hour guest privileges.

(C) Other guests will be charged prevailing fees.

(21) All boats must be in compliance with all applicable local, state, and federal regulations.

(22) Removal of bottom paint from a boat is prohibited on Club property.

(23) No personal watercraft may be launched or stored in the Harbor or on Club premises. Personal watercraft will be treated as any other visiting vessel with regards to mooring or operation within the harbor.

Any special circumstances or modifications of these rules must have the prior approval of the Board of Directors.

# **Policies**

## **Finance**

### ***Credit to Member Accounts*** (Modified June 2004)

If no money is due the Club on the 28th day of the month, members are entitled to a 30% credit of their berth rent and dues for the following month. This credit does not apply to Trial Memberships.

### ***Delinquent Accounts***

The names of members whose accounts are past due, as prescribed by Article VIII, section (5) of the Bylaws, will be posted in a locked case behind the bar.

If accounts are not paid in full within 90 days from the date of billing, members will be automatically terminated, as prescribed by Article VIII, section (5) of the Bylaws.

The boats of members and non-members whose accounts are over 90 days may be removed without notice from their slip by the Port Captain or Harbormaster. A lien sale will be initiated against the boat of any account for berthing 95 or more days past due.

### ***Receipts for Reimbursement***

Receipts for purchases must be submitted to the Harbormaster who will, in turn, submit them to the billing office, to reimburse any member for purchases made relating to Stockton Sailing Club activity.

### ***Friday Night Dinner Budget***

The Board may authorize a maximum allowance for each Friday Night Mixer and each General Meeting Dinner to reimburse a member for expenses in connection with the event. Current allowances are: \$200.00 for Friday Night Mixer; \$300.00 for General Meeting Dinners.

### ***Installment Plan (March 1995)***

The 30%-member credit for on time payment of Club statements will be applied to the current initiation Fee for incoming members who wish to join the Club under the

Installment plan. These members cannot hold office, or vote, until the Initiation Fee has been paid in full.

***Members Who Leave the Club with Initiation Fee Still Outstanding (July 2001)***

Members who elect to join the Stockton Sailing Club using the time payment method, if available, to discharge their obligation to pay an Initiation Fee and who resign from the Club prior to fulfilling that obligation, shall forfeit any fees paid. Should they seek membership at a later date, they shall not be treated as returning members and shall not be eligible for time payment of the Initiation Fee.

## ***Elections***

***Nominating Committee (See Bylaws, Article VII (9))***

***Nominees***

Each nominee for the Board of Directors shall be allowed equal and reasonable space in Dock Talk to introduce themselves to the general membership.

***Two Envelope Ballots***

At the close of nominations, the Secretary shall prepare, and cause to have printed, the official ballot, which shall list all nominees for each position in alphabetical order, and which shall state the procedure (if any) by which write-in candidates may be voted upon, and which shall contain instructions as set out below for voting and returning the ballot. No special indications shall separate one nominee from another. The Secretary shall then prepare for mailing to the membership a ballot package to contain: the official ballot, an envelope marked "Ballot" with no indication as to who is voting, and a pre-addressed return envelope. Official ballot packages shall be mailed to each voting member in good standing. The voting packages shall be mailed according to Article VII, section (7) of the Bylaws.

After the ballot has been properly marked by the voting member, indicating the choices of candidates, the ballot is placed in the envelope marked "Ballot" and the envelope is sealed. The sealed envelope is then placed in

the pre-addressed return envelope and the member shall sign (not print) his or her usual signature and write the Club account number in the upper left corner of the face of the envelope above the return address. "Ballot" envelopes received without BOTH an official signature and account number or in an envelope other than the official "Ballot" envelope will be voided without opening after recording that the member in question has voted. Ballots completed and prepared as set out above may be mailed to the Club or deposited in the box provided at the Clubhouse. Votes will be opened and tallied per the established Ballot Counting Procedures:

#### ***Ballot Counting Procedures***

***Pre-Count:*** Prior to the count, do the following:

- (1) Have the Club Office prepare a tally list of valid voters in numerical order, with names and with an extra space to tally the number of invalid ballots.
- (2) Have at least 6 copies of a tally list of the candidates and amendments. (Make sure candidates are listed in the same order that the ballot lists them.)
- (3) Number the pages to help keep track of them.
- (4) Get letter openers, calculators, pens.

#### ***Resolving Disputes***

- (1) Any disputes shall be resolved by a vote of the counting committee.
- (2) Ties will be broken by the Secretary.

#### ***Counting Procedures***

No ballots shall be counted before the close of balloting at 7:30 p.m.

- (1) Sort the ballots:
  - (A) Straighten them so that they all face the same way, while looking for ballots that are invalid due to the lack of an outside envelope.
  - (B) Put aside the invalid ballots and tally them.
- (2) Determine and record the valid votes:
  - (A) Divide the tally list of valid voters in half, so you have one person reading the account numbers from the envelopes and two people finding the

account numbers on the tally list of valid voters. If any invalid account numbers come up, put the unopened ballots aside and show them to the rest of the team to verify that they are invalid. Add these to the tally list of invalid ballots.

(B) Valid ballots will be put in a pile for the two counting team members to open. As they are opened, the envelopes are put in one pile and the ballots in another pile. If any invalid account numbers come up or if any ballot is missing its inside envelope, put it aside and show the rest of the team to verify that they are invalid. Add these to the tally of invalid ballots if need be.

(C) Store the opened envelopes of the valid voters.

(D) Store the invalid ballots.

(E) Total the number of valid ballots and the number of invalid ballots. Re-count to ensure correct numbers. Record this information.

(F) Give the inside envelopes containing valid ballots to the counting team.

(3) Counting the valid ballots:

(A) Assign three people to open ballot envelopes and unfold them.

(B) Get one team of counters started right away (while ballots are still being opened and verified). One team member calls out the votes and the other tallies them.

(C) When one sheet of tallies is getting full, switch to a clean one so they don't get over crowded.

(D) When all ballots are open, start another team calling and tallying. One person can rotate in while someone else rests or helps in other ways.

(E) If a member votes for more than the allowable number of candidates (for example: more than two votes for director) that portion of their ballot will not be counted. This will not preclude counting the balance of their ballot that is correctly filled out.

(4) Totaling the tally sheets:

(A) When all valid ballots have been tallied, store

the ballots.

(B) Total the number of tallies per section on each sheet. Switch with someone else and re-count for accuracy.

(C) Gather all of the final counts from all the tally sheets. (You can record them on a blank tally sheet.)

(D) Read them back to ensure accuracy. Total all of the final counts. Have a different person re-total the final counts. Record the winning candidates and give the list to the Commodore.

(E) Store all necessary paperwork in the ballot box and lock it. All keys stay with the Secretary.

(F) Within 48 hours of the close of voting, the Secretary shall post a list of all members who were recorded as having voted and the number of invalid ballots that were received.

### ***Mail-In Balloting (May 2001)***

It is the policy of the Stockton Sailing Club that the Board of Directors may submit any matter which requires the direct approval of the membership to a vote of the membership under the mail-in balloting procedures established for the election of officers. All requirements set forth for voting on the issue at a meeting (notification, opportunity for discussion and the majority required for passage) shall apply. The required quorum for a vote at a meeting will apply to the minimum number of ballots that must be received in order to make the vote valid.

## ***Harbor***

### ***Waiting List for Berthing*** (September 2003)

The Harbormaster shall maintain a posted waiting list in the Harbormaster's office.

(1) The waiting list shall be established by boat rather than slip size. The boat owner will have to specify the size of the boat for which they will need a slip. When a vacancy occurs, the Harbormaster will then determine where the boat will



be berthed according to proper utilization of slip size.

(2) Upon refusal of a slip, the boat owner's name will move to the next position on the waiting list.

(3) If an individual purchasing a boat, new to them, is offered a slip; a maximum period of 6 months will be allowed to take delivery of the appropriate-sized boat for the slip. During this period, the tenant may:

(A) Sub-rent the slip, with the prior consent of the Harbormaster, to an appropriately sized boat.

(B) Berth their smaller boat in the slip.

(4) A deposit of \$50.00 will be required to maintain a name on the waiting list. The deposit will be applied to the first month's rent. The deposit will be refunded if the name is withdrawn from the list.

#### ***Fee for Boat Moved***

A \$10.00 set-up fee will be charged for berthing into a slip and each time the boat is moved at the owner's request.

#### ***Guest Berthing***

P.I.C.Y.A. reciprocal period is three (3) days without charge; \$10.00 per day thereafter, with a fourteen (14) day maximum. Additional days must have prior approval from the Harbormaster.

#### ***Subletting of Berths***

Sub-renting will be permitted with prior approval of the Harbormaster, not to exceed six (6) months in any one year. A written lease agreement from the sub-renter stating that he understands that he must abide by all rules and conditions signed by the renter will be required. A copy of the agreement is to be kept on file with the Harbormaster.

#### ***End Ties (July 2003)***

The use of end ties shall be determined by the Harbormaster. End tie berthing arrangements may be temporary and at the discretion of management. A and B dock end ties will remain open in order to provide flexibility with regard to maintenance operations, member services and Club events.

***How Length of Boats in Storage is Determined (April 2004)***

Fees for boats on trailers shall be based on the length of the boat or the trailer, whichever is longer.

***Invitation to Join the Stockton Sailing Club***

New harbor residents will be given an invitation to join the Stockton Sailing Club and a calendar of Club events with their rental agreement to encourage them to become Club members.

***Club-owned Powerboats***

To operate a Stockton Sailing Club powerboat you must:

- (A) Be a member in good standing of the Stockton Sailing Club.
- (B) Be of the legal age of 16 years.
- (C) Read and sign the Powerboat Certification. If the operator is 16 to 20 years of age, the certification must be completed by a legal guardian.
- (D) (October 2018) Any member wishing to use Club owned powerboats must have a California Boater's Card on file with the Office.

Proper use of Club powerboats:

- (A) All Club boats must be operated in compliance with all applicable boating laws.
- (B) The boats are for Club-related activities and water-related emergencies only.
- (C) Extended use will require that a float plan be approved by the Harbormaster.
- (D) If you put the boat into the water, you must remove it from the water.
- (E) If something is broken or breaks, notify the Harbormaster at once.
- (F) Consumption of alcoholic beverages or use of controlled substances on Club boats is prohibited.
- (G) Any person operating a Club boat in an unsafe or illegal manner, or participating in an inappropriate activity, may face disciplinary action by the Board.

***The posted guidelines for powerboat operation will be reviewed and followed by all members.***

## **Regatta**

Regatta Committee will establish fees for any race event.

### ***Selection of Boats to Represent the Stockton Sailing Club in Non-Club Regattas (July 2001)***

The selection and appointment of boats to represent the Stockton Sailing Club in non-Club race events shall be at the discretion of the Regatta Committee.

## **Youth Sailing**

### ***Support for Junior Sailors Representing the Stockton Sailing Club in Regattas (Sept. 2001)***

All requests for funds to support Junior Sailors who wish to represent the Stockton Sailing Club in Junior Regattas will be referred to the Junior Committee for action. If the Junior Committee does not have sufficient funds to grant the request but feels that the request is justified, the Junior Committee may recommend a course of action to the Board of Directors.

### ***Use of Club Crash Boat for Junior Regattas (February 2015)***

(October 2018) Any member wishing to use the Club owned powerboats must have a California Boater's Card on file with the Office.

Junior Sailors are allowed the use of a crash boat while attending Regattas as long as covered under insurance as well as having some type of communication on the boat.

## **Board of Directors**

### ***Drinking During Board Meetings (2002)***

It is the policy of the Stockton Sailing Club that there will be no alcoholic beverages consumed in the Boardroom during Board Meetings.

## **Standing Program Committees**

### ***Committee "Breakeven" Policy,***

**12-14-2012, Reviewed, 2-9-15**

It shall be a policy of the Stockton Sailing Club that both the Regatta Committee and Social and Cruise Committee begin and end each fiscal year with zero (\$0), breakeven or positive balances.

Each committee event should be planned that income matches expenses (breakeven). In the case of event financial loss, member/hosts shall not suffer personal financial loss.

The Board of Directors may pre-approve an upcoming event to proceed even if that event loses money (for example the Awards Banquet and Installation Dinner). In any such allowed event, loss shall not be included in the fiscal accounting for that committee.

At the end of each fiscal year, all positive funds generated by the either committee shall be placed in the Stockton Sailing Club's General Fund. Funds shall not be rolled over into future budgets.

Funds shall not be comingled between committees. The Ditch Run shall not be considered a function of either committee.

***Event facilities***

***Cancellation Policy (November 2018)***

Only "X" number of reservations will be accepted for a particular event.

Reservation deadline is (date), depending upon the caterer, that is, when the deadline is given.

Cancellations must be received five days prior to the event unless otherwise specified by sign-up sheet or will be billed to the member's account\*.

\*Exceptions would be deferred to the Commodore.

***Member Responsibility (Oct. 2001)***

Members are responsible for the actions of their guests and for the actions of children and young adults who are included in their membership.

***Use of the Clubhouse for Functions (Nov. 2002)***

Members may use the Clubhouse for functions that include fewer than twelve guests (adults and children). Such

usage is not private or exclusive and other members may use the Clubhouse concurrently.

With Board approval, members in good standing may schedule use of the Clubhouse for functions which include 12 or more guests. Such functions may only be scheduled from 8 a.m. to 3 p.m. from Monday through Friday. Such usage is not private or exclusive and other members may use the Clubhouse concurrently. Prior to making a written request to the Board of Directors, the member must have the Harbormaster check the intended time and date for conflicts. Club functions will take precedence over private functions. A minimum forty-five day lead time is needed to process the written request. Functions must be hosted by a member who remains in attendance until all guests have departed. All associated costs will be billed to the member's account.

All guests must be signed in. All trash must be disposed of properly. Unless other arrangements are approved by the Board, all drinks taken from the bar will be billed to the member's account. The Clubhouse Galley and Deck areas must be left as they were found.

***Use of the Retreat Area by Members (Revised January 2004)***

Members may use the retreat area for functions that include fewer than twelve guests (adults and children). Such usage is not private or exclusive and other members may use the retreat area concurrently.

With Board approval, members in good standing may use the retreat area for private functions that include 12 or more guests. Prior to making a written request to the Board of Directors, the member must have the Harbormaster check the intended time and date for conflicts. Club functions will take precedence over private functions. A minimum of forty-five days lead time is needed to process the written request. Functions must be hosted by a member who remains in attendance until all guests have departed. All associated costs will be billed to the member's account. All deposits will be in the form of a personal check made payable to the Stockton Sailing Club. The host member shall sign a Retreat Usage Agreement, provided by the Stockton Sailing Club, prior to submitting the written request to the Board

of Directors. The host member shall agree to abide by all requirements and conditions of the Retreat Usage Agreement. The host member is, at all times, responsible for the conduct of his/her guests while on Club property.

(A) Use of the retreat area, for non-club functions, shall be limited to a maximum of 125 persons. The Board of Directors may, at their discretion, further limit the number of persons attending a function or, due to special circumstances, allow certain functions to exceed the limit. ***Members may reserve the retreat a maximum of 3 times in a 12-month period. Member sponsored, commercial or "for profit" events, are not allowed in the retreat.***

(B) Occupancy of the Retreat Area may commence four hours prior to the start of the function. Functions must end no later than 12 a.m. (2400 hours).

(C) A walkthrough will be performed by the member and the Harbormaster prior to the event. The hosting member will be responsible for any damage done to the BBQ/Deck area and will be charged for the repairs to the damaged area.

(D) Only the lower deck, BBQ and restroom areas may be used. Guests may not use the Clubhouse or Club deck areas.

(E) Care must be used in selecting a time and date. Private functions may not be moved to the Clubhouse or Club deck areas in inclement weather. (However, the open area under the Club deck may be used in an emergency.)

(F) The Retreat Area, including deck, chairs, tables, trash, and kitchen area must be left in the same condition as they were found. Rice or confetti may not be used. Decorations may not be attached to walls, pilings or furniture by means of staples or nails. All decorations and trash must be removed at the end of the function.

(G) Appliances must be turned off at the key switch.

(H) At the Harbormaster's discretion, security guard(s) will be provided at member's cost for all functions that are in progress between 5 p.m. and 12 a.m. (2400 hours).

(I) A portable bar is available, with bartender, at member's cost.

(J) A coffee pot and chafing dishes are available upon request.

***Waiver of fee for use of the Retreat by Club Member  
(October 2015)***

The fee for use of the Retreat will be waived for a member sponsored personal event for up to 50 guests.

***Club Newsletter***

***Commercial Advertising in the Club Newsletter (2002)***

It is the policy of the Stockton Sailing Club that commercial advertising (paid or unpaid) will not be accepted in the Club newsletter.

The newsletter editor may, at the editor's discretion, place informational notices of promotional sales events that provide a benefit to Club members. Examples of acceptable promotional announcements would be a reduced haul out rate at a local yard, an evening demonstration of new GPS features at a marine store, a one-night sales event in which Club members receive special discounts.

## ***Guidelines for working with the Committee system***

### ***To change or add a Clubhouse or Harbor rule***

The Rules and Policies Committee review the suggested change and writes a report to the Board of Directors. The Board Liaison to the Rules and Policies Committee sends the report to each Board Member immediately following the Committee meeting and prior to the Board meeting.

The Board can vote on the suggested change at the same meeting that the report is presented.

### ***To change Club policy***

Policies are statements of intent which are adopted by the Board of Directors. They serve as rules and guides in the planning and operation of the Corporation.

The Secretary shall establish and maintain an orderly plan for preserving and making accessible the Bylaws of the Corporation and Rules and Policies adopted by the Board of Directors.

The Board Bylaws and Rules and Policies shall be published and kept in a manual, maintained in current condition by the Secretary, and made available to all persons concerned. They shall also be published on the Stockton Sailing Club website.

A Policy is changed by the same procedures currently used to adopt a Policy as described in the Bylaws.

### ***The Calendar of Events***

The Social and Cruise and Regatta Committees must submit the proposed Calendar of Events to their assigned Board Liaison to present to the Board at the December Board meeting.



The Calendar must be approved by the Board, and submitted to the Secretary so that the Calendar may be included in the roster.

**Budget**

- 1) Each Committee shall submit their respective tentative budget to their Board Liaison to submit to the Board for consideration prior to the December Board meeting.
- 2) The Harbor and Facilities Committee prepares and manually reviews the Five Year Plan for maintenance and upgrading the Harbor and facilities. It submits a written report to the Port Captain to be presented directly to the Board and presents a copy to the F.B.L.I. Committee for review.
- 3) The F.B.L.I. Committee reviews the budgets and Five Year Plan submitted by the Committees for incorporation in the overall annual budget and Five Year Plan.
- 4) The unapproved annual budget must be presented to the General Membership at the February General Meeting.
- 5) The annual budget must be approved by the Board at the Board meeting in March.

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**Finance**

**Budget**

The Bylaws require a budget balanced to income that takes into consideration the current year's capital expenditures and operating costs. This budget is to be presented to the Board at the February meeting and to the membership at the February General Meeting. The Board must approve the budget in March. Increases in dues and other fees payable to the Corporation must be included in the budget.

**Five Year Plan**

The Bylaws also require that the Board maintain a Five Year capital expenditure plan that will be reviewed annually. The Five Year Plan is generally presented to the Board and General membership along with the annual budget.

### ***Accounts Receivable***

The accounting department prepares monthly billings to members and tenants based on regular rates for particular slip length, regular dues schedules and miscellaneous charges as presented to them by the Harbormaster (for such things as bar charges, special dinners, gift sales and other non-recurring items). Payments are received by the accounting office and posted on a regular (daily or weekly) basis to the accounts. The monthly total of the charges made for the various rents, dues and other non-recurring items are posted to the Club's income accounts.

According to Article VIII, section (5) of the Bylaws, a member's bill not paid within 30 days of the due date shall become delinquent. If not paid within an additional 30 days, the name of the delinquent member shall be posted in the Clubhouse, and his membership shall be suspended automatically until such indebtedness is paid in full. Any member remaining delinquent for a period of 30 additional days shall cease to be a member on the last day of such period, and shall forfeit all rights and interest in the Club. A notification letter is sent to the delinquent member at the 60 and 90 day intervals by the accounting office.

### ***Club Tax Position***

The Club is a tax-exempt organization under the Internal Revenue Code section 501(c) (7). This means that income derived from dues and assessments (including rent) received from Club members is not taxed. However, such income received from non-members, along with investment income, is taxed.

The tax law requires that, in order to remain a tax exempt organization, the club must derive a minimum of 85% of its gross receipts from Club members. Under the tax law, if the Club does not meet the 85% standard, then the IRS will look into the "facts and circumstances" of the Club to determine if it should be tax exempt, including whether income received from non-members is negligible and non-recurring, and not the result of an outside business.

The Club's accountants feel that our continuous efforts to increase our member income percentage, along with our

lease requirement that we not discriminate against the general public in favor of members, gives reasonable chance of the Club sustaining IRS scrutiny. In prior audits, the Club has sustained its position and remains exempt.