

Bylaws of The East San José Democrats

Article I. Name

I.1. The name of this organization shall be the East San José Democrats, hereinafter referred to as the ESJD.

I.2. The ESJD is an organization of the Democratic Party, duly accredited by the Santa Clara County Democratic Central Committee.

Article II. Purpose

II.1. The purpose of the ESJD is to promote and influence the aims of the East San José community within the Democratic Party; to promote leadership in political activities for East San José residents; to educate the East San José community on the political process and the issues of importance to the East San José community and the Democratic Party; to assist in the selection and election of East San José Democrats to office locally, statewide and nationally and to support candidates who have strong records in the positive advancement of East San José issues; and to provide a vehicle through which its members may more actively participate at all levels of the Democratic Party.

Article III. Membership

III.1. All registered Democrats who reside in East San Jose or have historical ties to East San José, and those unable to register, who support the Democratic Party and its platform as well as issues of concern to the East San José community, shall be eligible for membership upon payment of annual dues and confirmation of the executive board. Associate membership may be awarded upon a two-thirds votes of the executive board, and payment of dues. A dues structure shall be established by the executive board.

III.2. The membership year shall run for 12 months commencing from the month in which dues were paid. Membership renewals shall extend the term of membership for an additional twelve months.

III.3. Membership shall be considered terminated if the member is no longer qualified per section 1 of Article III or if membership dues are delinquent by more than 60 days.

III.4. Each Member of the ESJD shall designate whether he or she chooses to have the ESJD named as their primary Democratic Club. A member may not have more than one club named as their primary club.

Article IV. Officers and the Executive Board

IV.1. The ESJD shall have the following officers: President, Policy Director, Director of Communications, Director of Membership & Development, Secretary and Treasurer.

IV.2. There shall be an Executive Board (“Board”) consisting of the officers of the ESJD (six members) and up to three additional board members; otherwise known as directors-at-large for a total board membership of 9 who will be elected at the same time.

IV.3. Each member of the Board shall be elected for a two year term.

IV.4. The Board shall meet as it deems necessary but at a minimum every three months to conduct its business. The President shall run the meetings. In the absence of the President, the meeting will be chaired by the Policy Director, Director of Communications, Treasurer, Secretary or Director of Membership & Development, in that order. A quorum shall be a simple majority (6) of the members of the Board, and decisions shall be made by a 60% affirmative of those present.

Article V. Powers and Duties of the Officers

V.1. Powers and Duties of the President

The President shall be the chief executive officer and official representative of the ESJD and shall preside at all Board and Membership meetings. The President shall be responsible for implementing the broad overall program of the ESJD and for making periodic reports to the Board and Membership and other applicable reporting requirements as deemed necessary by the Democratic Party.

V.2. Powers and Duties of the Policy Director

The Policy Director shall be responsible for developing the policies of the ESJD as it pertains to issues of concerns to the East San José community and the Democratic Party. In the absence of incapacity of the President, the Policy Director shall assume the powers and duties of the President. The Policy Director shall maintain, or cause to be maintained, the membership list, and shall make it available to persons authorized by the Board. The Policy Director shall work closely and actively participate with the President to help meet the goals and objectives of the ESJD. The Policy Director shall automatically assume the President position at the expiration of the Chairperson's term and serve a full two-year term as the President.

V.3. Powers and Duties of the Director of Communications

The Director of Communications shall be responsible for developing the overall communication plan of the ESJD in order to promote and inform its membership and the public of its activities, goals and objectives.

V.4. Powers and Duties of the Director of Membership & Development

The Director of Membership & Development shall be responsible for membership recruitment, retention and organizing efforts.

V.5. Powers and Duties of the Secretary

The Secretary shall take and keep minutes of all Board and Membership meetings, shall keep a book of Resolutions and Board Actions, and shall be responsible for ESJD correspondence, and shall act as custodian of the ESJD files and records. Such ESJD records shall be open for inspection by any member upon request.

V.6. Powers and Duties of the Treasurer

The Treasurer shall be the custodian of the ESJD funds and shall, upon due authorization, receive and disburse money for and on behalf of the ESJD and shall keep and maintain all

financial accounts of the ESJD including bank deposit books, check books and bank statements. The ESJD financial records shall be available to ESJD members for inspection upon request. The Treasurer shall submit a written financial report at each meeting of the Board and as requested by the Chairperson. The Treasurer shall be responsible for filing reports required by the State Fair Political Practices Commission (FPPC).

Article VI. Powers and Duties of the Board

VI. 1. The Board is charged with the responsibility to plan the overall program of the ESJD.

VI. 2. The Board, on behalf of the ESJD, shall have the power to join organizations with which the ESJD chooses to affiliate, and to appoint representatives to those organizations. The appointees will serve at the pleasure of the Board and shall represent the ESJD's interests as directed by the Board.

VI.3. The Board shall set the membership dues.

VI.4. The ESJD may publish a periodic newsletter to be made available to all members without additional cost. Subscriptions may be made available to non-members, at a cost to be determined by the Board.

VI.5. The ESJD may publish other pertinent material as the Board deems appropriate.

VI.6. The Board shall have oversight of and take responsibility for the content of all publications of the ESJD.

VI.7. The Board shall select the representative(s) to the Assembly District Committee(s) to which the ESJD is entitled.

VI.8. The Board shall select the representative(s) to the County Central Committee(s) to which the ESJD is entitled.

VI.9. If any officer position becomes vacant other than by recall, it shall be filled by majority vote of the entire Board.

V.10. The Board may fill vacant at large Board positions except those created by recall, by majority vote of the entire Board.

Article VII. Committees

VII.1. Structure

Unless otherwise provided for in these bylaws or by Board resolution, the President shall appoint the Chair of each Committee, subject to approval by the Board. Each Committee Chair shall then choose the other members of the Committee. A Committee member may be removed at any time and for any or no reason, by the Committee Chair, and a Committee Chair may be removed at any time and for any or no reason, by the Board. Each Committee Chair shall maintain a record describing responsibilities, activities and detail of value to any successor.

VII.2. Permanent Committees

The Chairperson and Board shall establish a Membership Committee, a Finance Committee, a Nominating Committee and a Programs Committee.

VII.2a. The Membership Committee shall be responsible for billing members for renewal, soliciting new members, and serving as hosts at Membership meetings. The Membership Chairperson shall run this Committee.

VII.2b. The Finance Committee shall be responsible for fundraising efforts and shall report to the Treasurer.

VII.2c. The Nominating Committee shall consist of a Chair and up to four additional members appointed by the Chairperson approved by the Board. Neither the Chair of the Nominating Committee nor a majority of its members can either be officers of the ESJD or candidates for ESJD office. The Nominating Committee shall be appointed by no later than 60 days before an election. The duties of the Nominating Committee are described in Article VIII.

VII.2d. The Programs Committee shall be responsible for scheduling the annual calendar of activities for the ESJD and organizing such activities as planned.

VII.3 Other committees may be created by the Board, as desired. Any committee thus created may be abolished by the Board at any time

Article VIII. Elections of Officers and the Board

VIII.1. Qualifications for office

Candidates for Officer and Board positions must be members in good standing for at least 90 days prior to their election. Members appointed to fill vacant positions on the Board must be in good standing for at least 30 days prior to their appointment.

VIII.2. Nominating Process

Candidates for Officers and Board positions may be nominated by the Nominating Committee, by petition of 10 members in good standing, or from the floor at the election meeting. Petitions for nomination shall be delivered to the Chair of the Nominating Committee at least 40 days prior to the election. The names of all nominees shall be published and mailed to the ESJD members at least 30 days prior to the election.

VIII.3. Election

For purposes of founding the ESJD, election of officers and the Board will begin in January 2010. After the year 2010, the election shall be held at a general membership meeting in the month of May, every two years, beginning in 2012.

The Nominating Committee shall be responsible for tallying the votes. Officers and Board members declared elected shall assume their respective duties on June 1st of that year

VIII.4. Conduct of Elections

All contested elections shall be conducted in an open ESJD. Except as provided below, only members present at the meeting may cast ballots; proxy votes shall not be allowed. Ties shall be broken by a coin toss or some other suitable random process.

The Board may choose to allow members to mail in a ballot prior to the meeting. This ballot will contain the names of all persons nominated by the Nominating Committee and by petition, and shall include spaces for write-in votes matching the positions to be filled. Instructions for marking the ballots shall be included.

Procedures shall be established whereby a person may revoke their mail-in ballot if they desire to vote at the meeting. Blank ballots shall not be given to any member who has mailed in a ballot and who has not requested that the ballot be revoked

VIII.5. Recall

A recall election can be called for by either three-fifths (3/5) of the Board or by a petition of 60% or more of the membership. The recall election must be scheduled at least 30 days but no more than 60 days from the date of the call for a recall. The membership shall be notified at least 20 days prior to the date of the recall election. Such notification shall include a proponent statement from the proponent(s) of the recall and a rebuttal statement from the person being recalled. The proponent statement must be delivered to the Chairperson at least 28 days prior to the elections, at which time a copy shall be made available to the person being recalled. The rebuttal statement must be delivered to the Chairperson at least 23 days prior to the election.

The ballot for recall election shall appear as follows:

“Shall (name of officer/Board member) be recalled?” ____ yes ____ no

If a majority of the ballots cast, including blank ballots, are voted “yes”, then the recall shall be deemed successful and the position shall be declared vacant. An election to fill that vacancy shall be held immediately after the announcement of the results of the recall election, with nominations taken from the floor of the meeting.

Article IX. Meetings

IX.1. Membership meetings shall be held at the discretion of the Chairperson and shall be held no less than once every three months each year. A quorum shall consist of a majority of the Board plus ten percent (10%) of the membership, either in person or by mailed ballot.

IX.2. Procedure at all Board and Membership meetings shall be governed by Roberts Rules of Order except as otherwise herein prescribed.

Article X. Political Endorsements

X.1. As permitted by law and the rules of the California Democratic Party, the ESJD may endorse Democratic candidates, ballot propositions, and local measures. The procedures will vary according to election type. In contested races, all candidates must be given equal opportunity to appeal or make a written statement. No candidate shall be endorsed prior to one week following the filing deadline for the office sought.

X.2. Partisan Offices

The Board may endorse any Democratic candidate(s) for partisan office in a general or special election by a 2/3 vote of the entire Board.

If the Board choose not to endorse a Democratic candidate, or if none is available, no endorsement shall be made.

The Board may not endorse any candidate in a contested partisan primary. The Board may call a special endorsement meeting of the membership. The Membership may endorse any Democratic candidate(s) by a 60% majority vote.

X.3. Non Partisan Offices

The Board may endorse any Democratic candidate(s) for non partisan office by a 2/3 vote of the entire Board.

If the Board chooses not to endorse a Democratic candidate, or if none is available, no endorsement shall be made.

X.4. Ballot Measure and Local Measures

The Board may endorse any ballot proposition or local measure by 2/3 vote of the entire Board.

X.5. Democratic Party Offices

The Board may endorse any candidate(s) for Democratic Party office by a 2/3 vote of the entire Board except in a contested partisan primary as specified in Article X.2.

Article XI. Amendments

XI.1. Amendments to the bylaws by substitution, addition or repeal shall be made in the following manner: the proposed amendments shall be submitted to a regular meeting of the Board; it shall be written and signed by ten percent (10%) of the members. The Board shall study all amendments so submitted and shall issue a recommendation within fifteen days of submission. Within thirty days of the date the recommendation is issued, the membership will be sent a copy of the amendment, the recommendation, and a notice of a meeting at which the amendment will be considered. This membership meeting will be held not less than seven nor more than thirty days following the mailing to the membership.

XI.2. When submitted and considered in accordance with the procedure herein set forth, amendments to the bylaws shall be adopted or rejected by a majority of votes cast, and shall take effect immediately unless otherwise stated in the amendment.

Adopted and ratified on 1/7/10.