

*ABQ Pickleball Club*



## **Bylaws**

**Approved by The Managing Council**

**July 28, 2015**

**Amended September 29, 2017**

**Amended April 11, 2019**

**Amended November 8, 2020**

**Amended December 12, 2021**

## **ARTICLE I: NAME**

The name of the organization shall be the ABQ Pickleball Club (ABQ PBC).

The ABQ Pickleball Club was previously an affiliate of the NM Senior Sports Foundation and has updated the bylaws to reflect the change to an individual NM Nonprofit and a Federal 501c3 entity.

## **ARTICLE II: PURPOSE**

To promote the sport of pickleball in the greater Albuquerque area in the most inclusive way possible. This promotion includes actions to increase participation, to improve the quality of play and to provide playing facilities.

## **ARTICLE III: ORGANIZATION STRUCTURE and MEMBERSHIP**

### ***Section A: Overall Structure***

The ABQ PBC organization is a bottom up structure, with the general pickleball community comprising the members who elect a Venue Coordinator for each playing location. The Venue Coordinators as a group make up the Managing Council, i.e., the governing body. The Managing Council then elects an Executive Team which is responsible for the organization's day-to-day functions, under direction provided by the Managing Council.

### ***Section B: Membership***

- 1) Eligibility for membership of the ABQ PBC shall include all pickleball players and other parties who have an interest in the sport and who agree to abide by the purpose, bylaws and ideals of the Organization, without regard to gender, race, color, creed, religious affiliation, sexual orientation, or ability. Additional requirements and definitions of membership may be established by the Managing Council.
- 2) To become a member, an individual shall sign the appropriate liability waiver, provide a valid email address, and comply with all requirements established by the Managing Council.
- 3) Members are responsible for electing responsible Venue Coordinators for their venue. All members shall have equal rights, including the right to attend meetings, to nominate, to vote, and to hold office.
- 4) Members must ensure that they adhere to ABQ PBC policies, responsibilities, and the Code of Conduct. Since the ABQ PBC is a member-driven organization, it is expected that members be up-to-date on all ABQ PBC matters and participate as much as is practical in ABQ PBC activities.

## ABQ Pickleball Club By-Laws

- 5) Membership may be terminated by voluntary withdrawal, violation of published rules or bylaws, conduct detrimental to the ABQ PBC, or other violations of policy. Procedures for membership termination may be developed as needed by the Executive Team with approval of the Managing Council.
- 6) Non-voting, affiliate or guest memberships, as required, will be determined by the Executive Team with the approval of the Managing Council.
- 7) The Executive Team may recommend dues, request donations, or set other fees as necessary for any activities. Any general membership dues or fees, plus any other general membership requirements, are subject to confirmation by the Managing Council before they can take effect. Any such dues, fees, etc., must be publicized to the general membership on a timely basis prior to taking effect.

### **ARTICLE IV: Meetings**

- 1) Open meeting policy. All members have the right to attend and be heard at all meetings of the ABQ PBC. This includes all Managing Council meetings and general meetings. All meetings are to have a published agenda and a forum for public comment as time permits.
- 2) General membership meetings will be held on a regular basis as determined by the Managing Council, with a minimum of one meeting each calendar year, and will require a minimum of two weeks' notice. In the event of governmental restrictions that limit pickleball participation at established venues, such as closures during pandemic or environmental conditions, the annual General Meeting requirement shall be waived.
- 3) The Managing Council will meet as necessary to provide direction to the Executive Team but must meet a minimum of four times per year to effect maximum oversight and input. A ten-day advance notice is required for all Managing Council meetings, unless an emergency exists and is declared by the Executive Team.

### **ARTICLE V: Elections**

- 1) Venue Coordinators are to be elected and/or removed if necessary, by the venue's members in a manner determined by each authorized venue, with each member giving one vote in one location only. These elections are to be held on an annual basis by the end of November, with the new term of office (one year) taking effect on December 1 of the same year. The Managing Council may remove a venue coordinator for cause.
- 2) The primary Venue Coordinator will be the candidate who gets the highest number of votes and will assume the status of a member of the Managing Council.

- 3) The Elections Committee, selected by the Managing Council, shall solicit candidates for the Executive Team until November 30 from any ABQ PBC member. Executive Team members are not required to be members of the Managing Council. Any member of ABQ PBC can be nominated even if not a Venue Coordinator. The 5-member Executive Team is elected by a vote of the Managing Council in December. Term of office is one calendar year beginning January 1. Any ABQ PBC member may petition the Managing Council for the removal of an Executive Team member in a written, signed submission to the Managing Council.
- 4) A quorum is required for all votes and shall consist of 3/4 of the Managing Council. All changes in the Executive Team (including the initial election) must be approved by a 3/4 vote of those voting.
- 5) Voting may be done by paper ballot, electronically, by e-mail, or any other method whereby a proper election trail may be made; a record must be available to ensure election fidelity. Provision must be made to reach out to those who cannot vote by digital methods and a paper ballot must be made available.
- 6) Proposals for changes to Bylaws can be submitted in writing to a member of Managing Council or the Executive Team by any ABQ PBC member. The proposed changes may be also generated by the Managing Council or the Executive Team. Bylaws changes require approval by the Managing Council after a sufficient period for review and discussion, with a 3/4 vote required of those voting to approve the change. Fast-track discussion and voting can apply if an emergency exists and is called for by the Managing Council.
- 7) Election results are to be tabulated by each venue, including names of voters and votes cast, and communicated to the Managing Council for validation.
- 8) In the event of governmental restrictions that limit pickleball participation at established venues, such as closures during pandemic or environmental conditions, the Managing Council and Executive Team shall remain in place until the restrictions have ended and full venue participation is allowed.
  - a. A Managing Council member who chooses not to remain in office during this time shall be replaced through appointment by the outgoing member or Executive Team
  - b. An Executive Team member who chooses not to remain in office during this time shall be replaced by vote of the Managing Council
  - c. These elections are to be held During the month following resumption of full venue participation, with partial year term to end on November 30. Subsequently, elections shall be held on an annual basis by the end of November, with the new term of office (one year) taking effect on December 1 of the same year.
  - d. The Executive Team elections by the Managing Council will be held within the second month after resumption of full venue participation, with partial year term to end on December 31st. Subsequently, elections shall be held on an annual basis by the end of December, with the new term of office (one year) taking effect on January 1 of the next year.

## **ARTICLE VI: DUTIES & RESPONSIBILITIES**

***Section A: Managing Council – as directed by the membership***

- 1) Represent the concerns of their venue, reporting and discussing with other Managing Council members as appropriate.
- 2) The Managing Council also represents the concerns of all ABQ PBC members, recommending actions to address these concerns.
- 3) Elect Executive Team members as directed under Article V - Elections. Note that persons, and not positions, are selected by the Managing Council.
- 4) Direct the activities of the Executive Team, meeting with the Team a minimum of four times per year to provide this direction and financial oversight.
- 5) Form standing committees as necessary to advance ABQ PBC goals in conjunction with the Executive Team.
- 6) Approve and/or discontinue playing venues.
- 7) As of March 2019, there are 14 venues. They are Manzano Mesa Multigenerational Center, Thomas Bell Community Center, Alamosa Community Center, Los Duranes Community Center, Cesar Chavez Community Center, Johnny Tapia Community Center at Wells Park, Los Vecinos Community Center, Raymond G Sanchez Community Center, Paradise Hills Community Center, Roosevelt Middle School, Hoover Middle School, LBJ Middle School, Don Newton – Taylor Ranch Community Center, and Desert Ridge Middle School.

***Section B: Executive Team – as directed by the Managing Council***

- 1) Identify and facilitate opportunities for participants to engage in recreational and competitive pickleball.
- 2) Sponsor, host and/or participate in events and activities that promote pickleball.
- 3) Interface with the City of Albuquerque Senior Affairs, the City of Albuquerque Parks and Recreation, Bernalillo County Parks and Recreation, and other parties with which the Club interacts.
- 4) Monitor and provide direction for the financial assets of the Club and determine income needs and disbursements.
- 5) Determine the need for Committees, select committee chairpersons, set requirements, and provide direction.
- 6) Provide Club news via website and email, including the maintenance of a general e-mail distribution list.
- 7) Work with Venue Coordinators to ensure needed equipment is available.

- 8) As the Executive Team changes members or priorities change, their specific duties may also change, depending on their interests, skills, and abilities. Position assignments will be reported to the Managing Council. Formal positions established within the Executive Team will include a minimum of four officer titles: President, Vice-President, Secretary and Treasurer. A fifth member will be an at-large position, with specific duties being assigned as needed by the Executive Team.

**President:** President will preside over meetings of the Executive Team.

**Vice-President:** Presides over meetings in the President's absence. In the case of a vacancy in the President's position, the Vice President will become Acting President until the vacancy is filled by the Managing Council.

**Secretary:** Responsible for maintaining records and minutes of all Executive Team, Managing Council and General Membership meetings. (The duty of keeping minutes can be delegated.)

**Treasurer:** Responsible for the monthly and annual financial reports and exercising control of any cash or income. The Treasurer is also a required signatory for disbursement of funds from the NMSSF, although others may be added in accordance with Policies and Procedures in the Club's Corporate Book.

**At-Large position:** Responsibilities will be determined by the Executive Team.

***Section C: Venue Coordinator (on-site)***

- 1) Ensure the needed equipment is present at the facility; i.e., lines, nets, standards, balls, etc. in conjunction with the Executive Team.
- 2) Maintain a current email list of players, provide updated information to the Managing Council, and communicate venue-specific information to the local players.
- 3) Ensure that venue attendance is kept as required, preparing an attendance sign-in sheet as needed. This is to be reported to the designated liaison with the City Office of Senior Affairs as instructed.
- 4) Act as liaison with the venue regarding schedules, applicable waivers, and conformance with venue procedures and policies. If required by the venue management, report a daily attendance to them.
- 5) Collect such dues, fees and donations as may be made, and transmit them to the Executive Team for deposit.
- 6) Ensure that elections are held yearly by the end of November, to elect a new or re-affirm the current Venue Coordinator. Report the results to the Managing Council and the Executive Team. Each new term of office begins December 1. If a change is occurring, assist in the changeover period.
- 7) Each Venue Coordinator may appoint assistants as is necessary for coverage at their venues. The primary Venue Coordinator may appoint, in writing, a proxy for meetings if the primary Venue Coordinator cannot attend.

- 8) New Venues may operate with a volunteer Venue Coordinator for the remainder of the first organization year. This Venue Coordinator will immediately become a member of the Managing Council upon recognition of the new Venue by the Managing Council.
- 9) Ensure that all play during scheduled venue sessions is fair and inclusive for all players.
- 10) Inform all players of playing procedures and ABQ PBC Code of Conduct; ensure that all players abide by venue rules as well as the Code of Conduct.
- 11) Represent their venue as a member of the Managing Council by attending meetings of the Council or appointing a proxy (in writing) to ensure that the venue has a voting member present.
- 12) Liaison with the full Managing Council to assist players who have complaints that can't be resolved locally.

**ARTICLE VII: Monies collected**

- 1) Any and all money collected for dues, fees, or by donation will be deposited as soon as possible after collection. Disbursement requirements are to be determined by the Executive Team.
- 2) The General Fund includes:
  1. Receipts from event registrations
  2. Receipts from fund-raising activities
  3. Receipts from program and event sponsors
  4. All other contributions and donations
- 3) The General Fund shall be allocated through the budgetary process. The Managing Council must approve all expenditures and insure that those expenditures meet club purposes and meet all state (NM nonprofit) and federal (501c3) regulations and purposes. The Managing Council may give the Executive Team limited expenditure approval.
- 4) On dissolution of the Club, all funds remaining in the treasury shall be distributed in accordance with 501c3 regulations. The emphasis shall be on charitable entities promoting pickleball, which will be determined at the time of dissolution.

**ARTICLE VIII: Parliamentary Authority and conflict**

- 1) The parliamentary rules contained in the current edition of "Robert's Rules of Order, Newly Revised" shall govern the ABQ PBC in all applicable cases.
- 2) In case of conflict between any part of these bylaws and applicable law of local governmental authorities, and the laws of the State of New Mexico, that part of these bylaws shall be inoperative.

**ARTICLE IX: Club Code of Conduct**

The ABQ PBC subscribes to the same Code of Conduct as the USA Pickleball Association (USAPA) in order to promote the mission of the organization, model good behavior, display respect and show self-control.

Every person involved in the ABQ PBC (participant, official, volunteer, guest or spectator) pledges as follows:

1. I will not engage in unsportsmanlike conduct or encourage others to do so.
2. I will not engage in any behavior that would endanger the health, safety or well-being of others.
3. I will not engage in the use of profanity.
4. I will treat others with respect.
5. I will exhibit fairness and honesty in my dealings with others.
6. I will observe the Golden Rule of doing unto others as I would have them do unto me.

This Code applies in all situations that relate directly or indirectly to pickleball play.

Article X. Nonprofit Status

- 1) The business and affairs of the Club shall be conducted on a nonprofit basis and all rules regarding NM nonprofits and Federal 501c3s will be strictly followed.
- 2) No substantial part of the activities of the Club shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the Club shall not participate in or intervene in any political campaign on behalf of any candidate for public office.
- 3) Not Withstanding any other provision of these Bylaws, the Club shall not carry on any activities not permitted to be carried on (a) by a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code (or corresponding provision of any future United States Internal Revenue Law) or (b) by a corporation, contributions to which are deductible under Section 170(c)(2)n of the Internal Revenue Code (or corresponding provision of any future United States Internal Revenue Law).
- 4) The Club shall not lend money to its directors, officers, other members, or employees.

Article XI. Miscellaneous Provisions

- 1) Fiscal Year-The fiscal year of the Club shall be January 1 through December 31. For the initial year it will be March (date of application) through December 31.
- 2) The Club will keep Correct and complete books and records of all accounts, Minutes of Management Council Proceedings, and a record of the names of individuals accorded membership. The books and records will be available for inspection by any member or authorized governing agency upon reasonable advance request to the president.



## ABQ Pickleball Club By-Laws

### AMENDMENTS:

Article V Section 1: Amended by Managing Council vote September 29, 2017.

Article I: Amended by Managing Council vote April 11, 2019

Article VI Section 7: Amended by Managing Council vote April 11, 2019

Article VI Section B(8): Amended by Managing Council vote April 11, 2019

Article VII: Amended by Managing Council vote April 11, 2019

Article X: Amended by Managing Council vote April 11, 2019

Article XI: Amended by Managing Council vote April 11, 2019

Article V: Elections 8(d) Amended by Managing Council vote (12 Yes, 0 No, 2 did not vote) November 8, 2020

Article VI Section 2: Amended by Managing Council vote (12 Yes, 0 No, 2 did not vote) December 12, 2021

### REVISIONS:

Article V Section 1: Corrected by Managing Council vote November 14, 2019

Article VI Section A(7): Revised by Managing Council vote November 14, 2019

Article VI Sec C(6): Revised by Managing Council vote November 14, 2019