

SACRAMENTO FIRE DEPARTMENT RELIEF ASSOCIATION

CONSTITUTION AND BY-LAWS

ADOPTED

July 1, 1921

REVISED

December 8, 1938

April 9, 1959

April 13, 1967

January 1, 1984

January 1, 1992

November 12, 1998

May 5, 2000

September 8, 2000

November 1, 2005

October, 2018

CONSTITUTION AND BY-LAWS

ARTICLE I- Name and Objective

- Section 1: This Association shall be known under the name of and title of SACRAMENTO FIRE DEPARTMENT RELIEF ASSOCIATION.
- Section 2: The purpose of this Association shall be to more effectively combine the interest of the professional firefighters and to aid each other in sickness, distress and death.
- Section 3: Moneys or property directly or indirectly contribute to this Association by its members shall not be paid out as benefits to any person other than its members and their dependents or beneficiaries nominated in writing by such member.
- Section 4: The use of a masculine form in an Article or Section is deemed to include the feminine form unless the contrary is explicitly stated or clearly implied.
- Section 5: It shall be the responsibility of the member to furnish the Secretary-Treasurer with the full name and address of his beneficiary and shall notify the Secretary-Treasurer in writing of any changes or change it electronically.

ARTICLE II – Meetings

- Section 1: A Quarterly meeting of this Association shall be held in the City of Sacramento at such time and place as determined by the Board of Directors.
- Section 2: Demands or request for a special meeting must come from a member of the board and be presented in writing to the President or Secretary-Treasurer of the Association. Any special meeting shall be announced electronically no less than 48 hours beforehand.
- Section 3: The President or Secretary-Treasurer, by writing, email or by telephone, may designate the time and place for said special meeting.
- Section 4: A majority of the directors present, whether or not a quorum is present, may adjourn any meeting to another time or place. If the meeting is adjourned for more than 24 hours, notice of adjournment to another time or place shall be given prior to the time of adjourned meeting to the directors who were not present at the time of adjournment.
- Section 5: Directors may participate in a meeting through use of conference telephone, electronic video screen communication or electronic transmission. Participation in a meeting through use of conference telephone or electronic video screen communication constitutes presence in person at the meeting as long as all directors participating in the meeting are able to hear one another.

Section 6:

An action required or permitted to be taken by the board may be taken without a meeting if all directors individually or collectively consent in writing to that action and if the number of directors then in office constitutes a quorum.

ARTICLE III – Members

Section 1:

Active member of the Sacramento Fire Department of the uniform rank, who have received a regular appointment under civil service rules and regulations as a uniform firefighters, shall be eligible for membership in this association; provided, however, no person shall be eligible for membership in this Association unless having made application for membership within 14 (fourteen) months of their appointment. In the case of new areas annexed to the City of Sacramento, those eligible employees may make application for membership if they pay all dues and assessments retroactive to their date of appointment with the annexed department minus the one year grace period.

Section 2:

Any member who is discharged or resigns from the Sacramento Fire Department ceases to be a member of this Association unless he shall have served not less than Fifteen (15) years and shall have been a member in good standing for Fifteen (15) years in the Association. In which event, upon resigning, such member shall be entitled to the same rights and benefits accorded retired members of the Sacramento Fire Department as outline in Section 11 of Article X.

Section 3:

Except as provided in Section 2 of this Article III and in Section 11 of Article X, this Association shall not be liable for any benefits, save and accepting death benefits, to any member of this Association after he ceases to be a uniformed member of the Sacramento Fire Department.

ARTICLE IV – Elective Officers

Section 1:

Elective officers of this Association shall be President, Vice President, Secretary-Treasurer. These will constitute the principal officers and five Trustees, all of whom shall be elected by the members as provided for in Article VI, Section 1, Constitution and By-Laws.

Section 2:

Only uniformed members of the Sacramento Fire Department who are members in good standing in this Association shall be eligible to hold office in this Association.

Section 3:

The Board of Directors may appoint one or more Advisory Directors who will be uniform firefighters either employed by or retired from the Sacramento Fire Department. Advisory Directors will attend meetings of the Board of Directors but will have no vote and may be excluded from any Executive Session of the Board. The position of each Advisory Director will be subject to annual review.

ARTICLE V – Corporation

- Section 1: There shall be a corporate seal of this Association to be designated by the Board of Directors. The period of existence of the corporation shall be perpetual.
- Section 2: The Association is governed by the laws of the State of California Department of Corporation.

ARTICLE VI – Election

- Section 1: At the third quarter meeting, the president will appoint an election officer for the nomination process. The process will be as follows. A list of candidates for elective positions ascertained by the election officer will be nominated at the first fourth quarter meeting. At this time, nominations will be accepted from the floor. Prior notification of at least fifteen (15) days shall be made to the members announcing that nominations will be taken at this meeting. A write in candidate must declare his candidacy at least ten (10) days prior to the election to be eligible for an elective position.
- Section 2: The election shall be by secret ballot, conducted on at least two (2) consecutive days, prior to December 31, with polls open a minimum of three (3) hours each day. The dates, times, and location(s) shall be designated by the election officer and announced to the membership at least fifteen (15) days prior to the election. A referendum election may be conducted in lieu of poll elections. Candidates receiving the plurality vote shall be declared elected.
- In the event of a tie, a runoff election shall be held, repeating the same fourteen (14) day notice.
- Section 3: Any vacancy occurring in the offices of the Association shall be filled in the following manner: The presiding officer at a regular meeting shall notify all members of such vacancy and inform them that said vacancy and inform them that said vacancy shall be filled by a majority vote of the Board of Directors at the next meeting. Officers so elected shall hold office for the unexpired term.
- Section 4: The regular term of office of all elective officers in this Association shall commence on the first meeting in January.
- The terms of the officers and Trustees shall be two years for each position. The 3 principal officers elections will take place during even years and the 5 trustees will be during odd years.
- Section 5: All directors must be current in all dues and assessments. Should any director

become delinquent or absent himself from three (3) successive meetings, unless such absence is occasioned by department business, illness or unavoidable absence from the city, his office shall be declared vacant. Such vacancy shall be filled if in accordance with Article VI, Section 2. of the Constitution and By-Laws.

Section 6: Any officer, including Trustees, of this Association who vacates their office shall surrender all papers, records, documents, funds, and any other property of the Association to the President or their successor in office.

ARTICLE VII – Directors

Section 1: The elective officers of this Association shall constitute the Board of Directors and shall transact such business as may regularly come before it.

Section 2: Subject to limitations of this Constitution and By-Laws and relating to action required to be approved by the members or by a majority of members, the Board of Directors shall have general supervision of the activities and affairs, including financial affairs of the Association; shall designate banks or other financial institutions in which to deposit funds and make necessary arrangements for drawing checks thereon; shall also bond all officers in suitable sum, procuring such bond from a reliable company at the expense of the Association. They shall also have supervision over all property of the Association and shall perform all duties which may be delegated to them

Section 3: A quorum at any meeting shall consist of six (6) board members one of which shall be a Principal officer a majority of such quorum shall decide any question that may come before the meeting. Each director shall have one vote on each matter presented to the board of directors for action. No director may vote by proxy.

ARTICLE VIII – Duties of Officers

Section 1: **PRESIDENT:** He shall preside at all meetings when present, sign all orders draw on the Secretary-Treasurer, and call special meetings when necessary. He is also to perform all duties assigned to him by the Association.

Section 2: **VICE PRESIDENT:** He shall act as presiding officer and perform all other duties of President in the absence of such officer.

Section 3: **SECRETARY-TREASURER:** He shall keep a record of the minutes of all meetings, attend to all correspondence of the Association, countersign all drafts pertaining to the business of the Association and receive all fees and dues. He shall keep a true account of all moneys received and disbursed by him, subject at all times to inspection by the auditing committee.

Section 4: The **TRUSTEES** shall constitute an auditing committee who shall at all

times have access to the books of the Association. They will avow the books to be properly kept and report immediately any irregularities found for which no satisfactory explanation can be given. They shall examine and audit the books annually and report their findings at the first meeting after such audit. The Trustees may call for an audit or review upon the election of a new Secretary-Treasurer or at any other time deemed necessary by the Trustees, with at least a yearly review. This committee shall be formed in accordance with Article IX, Section

Section 5: Advisory Director: Shall be an appointed position by the Board of Directors. He shall not have voting privileges but because of previous board experience shall act as an advisor to the Board.

Section 6: Any member of any standing committee or any officer in this Association who may become negligent in the performance of his duties or be found guilty of acts opposed to the welfare of the Association may be removed from office by a majority vote of the board. The vacated office shall be filled as provided for in Article VI, Section 2.

ARTICLE IX – Committees

Section 1: The Board may, by resolution adopted by a majority of the number of directors in office, provided that a quorum is present, create one or more committees, each consisting of two or more directors, to serve at the pleasure of the board. Appointments to such committees shall be by a majority vote of the directors then in office. This shall include any committee formed for the purpose of auditing the books of the Association.

Section 2: All Committee reports must be in writing unless otherwise instructed by the presiding officer.

Section 3: The Board may not grant a committee those powers generally reserved to the board

ARTICLE X- Membership, Dues, and Benefits

Section 1: All applications for membership in this Association or reinstatement therein shall be made on proper forms provided and signed by the applicant who shall present same together with the necessary fees as provided for in these Bylaws as prescribed.

Section 2: Each application shall be accompanied by an initiation fee of twenty five dollars (\$25) and the necessary dues as provided for in Article X, Section 4,

and Section. Money to be refunded if applicant is rejected.

Section 3: The regular annual dues for those members who were retired from the Sacramento Fire Department before January 1, 1992 shall be nineteen dollars (\$19.00). The regular annual dues for those members who were not retired as of January 1, 1992 and were members of this Association prior to October 1, 2018 shall be twenty five dollars (\$25.00). The regular annual dues for all members of this Association hired after October 1, 2018 shall be fifty dollars (\$50.00).

Dues shall be paid to the Secretary-Treasurer in advance, annually, July 1st of each year.

Section 4: Any beneficiary member who is not in arrears on the books of the Association when unable to perform their regular line of duties or labor on account of sickness or disability and does not receive their salary from the City of Sacramento or from the retirement fund or from State compensation shall be entitled to benefits of fifty dollar (\$50.00) per week for a period not to exceed a total of twenty-two (22) weeks for any one sickness or injury, nor shall any member be entitled to draw more than one thousand one hundred dollars (\$1,100.00) in one calendar year.

Benefit payments begin only after a member has been incapacitated for more than one week.

Should a member return to duty after leave on account of sickness or injury and have served thirty (30) days thereafter, then any recurrence of the illness or injury shall be construed as a new illness or injury.

Sick and injured members, before leaving the City for an indefinite period of time, shall notify the Secretary-Treasurer or President and leave their physician's certificate of the existing sickness. Failure to do so will be sufficient cause to disqualify a member from receiving any sick benefits

No sick benefits shall be paid to any active member of this Association who has sick benefits remaining with the City of Sacramento

Section 5: All applications for benefits from members must be accompanied by certificates signed by their attending physician or physicians.

The first day of any illness or injury shall be established from the records of the Fire Department and shall be classed as on or off duty the same as these records and benefits and payments shall be paid accordingly.

Section 6: Any member of this Association granted a leave of absence from the Fire Department shall be entitled to sick or death benefits while on said leave of absence. In the event any leave of absence shall exceed the term of one

year, said member shall have been considered as to have resigned from said department. Any member of the Fire Department having resigned from said department and having returned to work reinstated to former ranking held by them, regardless of the length of absence.

Any member of this Association granted a leave of absence from the Fire Department for the purpose of enlistment or induction into any branch of the military service of the United States shall not be entitled to sick or death benefits during any part of such service. Be it further understood that during said service, their monthly dues shall be suspended until such time when they will again become an active member of the Sacramento Fire Department.

It shall be incumbent upon any member of the Fire Department or retired member and all members on leave of absence to pay their regular monthly dues in order that their death benefit hereinafter mentioned shall remain in full force and effect.

Section 7: Any member of this Association who shall willfully impose on the same by claiming and receiving benefits when not entitled thereto shall have charges filed against them and may be expelled from the Association by a majority vote of the Board. Members so expelled shall not again be admitted to membership.

Section 8: Any member of this Association who may become sick or disabled by conduct unbecoming, as decided by a majority vote of the board, a member of this Association shall not be entitled to receive benefits from the Association.

Section 9: Upon the death of any member in good standing of this Association, and upon supplying proof of death and that said member is not in arrears in payment of dues, there shall be immediately paid by the Board of Directors to the beneficiary named in said certificate, or in case of the death of the beneficiary to the estate of the deceased of said deceased member the death benefit to which said member was entitled.

Any member, upon attaining the age of seventy (70), shall have the option of no longer paying dues and being vested at the current death benefit {payable upon death. This option will have to be opted upon by the member after their seventieth (70th) birthday.

Death Benefit

As the investments of the Association increase or decrease by one hundred thousand dollar (\$100,000.00) increments, so shall the death benefit increase or decrease by five hundred dollar (\$500.00) increments.

The death benefit shall be as follows:
\$100,000 = \$1000.00

\$200,000 = \$2000.00
\$300,000 = \$2500.00
\$400,000 = \$3000.00
\$500,000 = \$3500.00
ETC.....

Upon notification and proof of death payment shall be made in full to the noted beneficiary. There shall be no further or future allowance for funeral expenses or otherwise.

In the event that said member shall die leaving no designated beneficiary or members of their immediate family, the Board of Directors shall pay any necessary funeral expenses and make all arrangements for the same. The amount paid by the Association for the above expenses shall not exceed the amount of the death benefit as provided in the preceding paragraphs.

Section 10:

Any member of this Association who, served at least twenty (20) years as a member of this Association, retires from the Sacramento Fire Department, may, at their option, surrender their membership certificate or, if the member was issued no certificate, the member may make a written request to the Association and for those who joined prior to October 1, 2018 receive the sum of seven hundred fifty dollars (\$750.00). For those joining on or after October 1, 2018 the sum of one thousand five hundred dollars (\$1500.00). In such event, said member, beneficiary, or legal representative therein named in said certificate shall at the time of surrender of said certificate or delivery of such written notice waive in writing any claim or claims against any fund of this Association. The member may elect to retain possession of his certificate in which event it shall be incumbent upon him to pay regular monthly dues and upon his death the beneficiary or legal representative shall be paid the full amount as prescribed in Article X, Section 10, of the Constitution and By-Laws.

Section 11:

If the deceased member leaves a child or children under the age of eighteen (18) years, there shall be paid the sum of one hundred fifty dollars (\$150.00) per month with a maximum benefit of three hundred dollars per family towards their support upon the presentation of a birth certificate for each such child. Said amount shall be paid for each such minor child until such child attains age eighteen (18) years.

If a deceased member leaves a widow or widower who through age or sickness is unable to support themselves, the Association may, but need not, allow benefits during such time as it deems necessary. Such benefits not to exceed fifty dollars (\$50.00) per month.

All Children who are receiving benefits under section 12 of Article X shall be given a Christmas gift of One Hundred Dollars (\$100.00)-each.

- Section 12: When any member in good standing shall lose their reason to the extent that they are not responsible for acts and are placed under the constant care of a guardian and does not receive or is not eligible to receive a pension from the City of Sacramento, upon proof thereof and application therefore, the Board of Directors may, but need not, at any time within a period of one (1) year after said member lost their reason declare a benefit from this fund equal in amount to that to which their beneficiaries would have been entitled had such member suffered death. The Payment of this benefit, as herein provided, shall constitute a final settlement of all claims for benefits which the legal representatives or beneficiaries may at any time have against this fund.
- Section 13: All benefits will cease when all available funds are exhausted in which event the Association and its officers shall be relieved of all responsibility.
- Section 14: The President and Secretary-Treasurer shall receive two Hundred dollars (\$200.00) per month for expenses. The Vice- President Shall also receive one hundred dollars (\$100.00) per month for expenses. No other officers shall receive any salary, donations, or revenue in payment for services rendered.
- Section 15: Each member who has served a minimum of 20 years with the Sacramento Fire Department shall receive a gold retirement badge of their current rank to be presented to them at the Associations Retirement Dinner.

ARTICLE XI – Suspension, Expulsion, and Reinstatement

- Section 1: Any member who, having become delinquent in his dues for a period of sixty (60) days, shall be considered to have been suspended without any further action by the Board of Directors of the Association of all sick, death, funeral, or collective benefits of the Association
- Section 2: Any member who, by reason of being delinquent sixty (60) days in payment of dues, having thereby suspended himself from all benefits, can, within six (6) month of such delinquency be reinstated by paying such arrearage. He may be reinstated as a member of the Association at the next regular meeting of said Association provided, however, he shall not participate as a beneficiary member until sixty (60) days after his reinstatement.
- This Association may reserve the right at any time to appoint an examining physician for the examination of any member seeking reinstatement or readmission into this Association at the member's expense.
- Section 3: Any member who has been dropped from the membership list may be reinstated within a period of one (1) year by the payment of his indebtedness to the Association accompanied by a favorable certificate of examination by

an authorized physician and by a two-thirds vote of the members present; provided, however, he shall not participate as a beneficiary member until six (6) months after his reinstatement.

Section 4: Any member who is laid off by the Sacramento Fire Department shall become an inactive member of the Association. All dues and benefits will be suspended from the date of layoff. Laid-off members will have sixty (60) days from the date of rehire be reinstated. All benefits and dues will start on the date of reinstatement.

Section 5: Any member who leaves for any reason prior to serving 20 years with the Sacramento Fire Department shall be considered to have been suspended without any further action by the Board of Directors of the Association of all sick, death, funeral, or collective benefits of the Association.

ARTICLE XII – Funds

Section 1: All depository accounts shall be called The Sacramento Fire Department Relief Association Fund, and all monies derived from dues, donations, fundraising campaigns, interest and securities shall be deposited in the name of said accounts, and all bills, sick claims, and death benefits shall be paid out of said accounts.

Section 2: Deposits: The funds of the Association shall be deposited in any bank or institution which belong to the Federal Reserve System of the United States, or Firefighters Credit Union, or Paypal.

Section 3: The Board shall engage the services of such Investment Managers and/or Investment Consultants as are of good repute. The Board shall adopt a statement of investment policies, guidelines, and objectives for the guidance and with the input of such managers and consultants. The purposes of the statement will be to specify the objectives of the Association in connection with investment in both equity securities and debt type securities. With respect to all investments, the Board shall, at least annually, review the performance of the Investment Manager(s).

Upon a majority vote of all members of the Board, the Board may delegate the authority to invest in securities to either the President or the Secretary/Treasurer and either the Vice President or the Secretary/Treasurer, who will concur in any such investment decision. However, all such decisions

shall be subject to the ratification of the Board at the next regularly called meeting.

- Section 4: Disposition of Funds in Event of Dissolution: In the event of dissolution, any assets of the Association remaining after payment and discharge of its debts and obligations shall go to a charitable trust or trusts to be administered for the purpose of serving Widows, Orphans and Disabled Firemen as set forth and described in these bylaws.
- Section 5: Directors of this Association shall not in any manner be held responsible for any loss of money or property deposited by them as Directors of the Association in any bank or other place of safekeeping due to the failure of said bank or saving and loan; provided, however, fraud criminal intent, or negligence is not present.
- Fiduciary Insurance: Each officer will have maintained upon them insurance coverage in an amount to be fixed by the Board, at the expense of the Association.
- Section 6: The Relief Association Fund shall be used for the payment of such benefits as are provided for by this Constitution and By-Laws and for actual expenses of the Association.
- Section 7: Any member of this Association, upon being retired from the Fire Department, shall be presented with a suitable badge by members of the Association. This, also, shall be deemed an expense of the Association to be paid out of the funds of the Association.
- Section 8: At a date set by the Directors of this Association, there shall be a banquet held to honor members of this Association who have retired from active duty during the past year.
- Section 9: The Directors of the Association may, by a majority vote, present a plaque or award to any member for outstanding service to the Association.
- Section 10: The Secretary-Treasurer shall establish and maintain a petty cash fund not to exceed two hundred dollars (\$200.00). Such funds shall be used for miscellaneous expenses.

ARTICLE XIII – Miscellaneous

- Section 1: Public entertainments may be given under the name and auspices of the Association should the Association deem it advisable, and the proceeds thereof shall be added to the funds of the Association.
- Section 2: Every public act of this Association shall be known by the seal of the

Association and the signature of the President and Secretary-Treasurer.

- Section 3: No part of the Constitution and By-Laws can be amended or dispensed with unless a proposition to that effect shall have been made in writing at least one (1) month previous to any act being taken thereon, after which a two-thirds vote of all votes- cast by members present will be required to pass the same.
- Section 4: Any and all resolutions and amendments that appear on the record of this Association prior to the adoption of these By-Laws shall be null and void. These By-Laws to be in full operation immediately upon approval and return from the members.
- Section 5: Full and up-to-date copies of these Bylaws shall be kept by all officers of the Association and a complete up to date version shall be available online. These Bylaws shall be updated annually by a committee appointed by the President of the Association each January.
- Section 6: Any amendments made to these Bylaws at any time hereafter shall be reflected in the downloadable online version.
- Section 7: Any member, under the direction of the President of the Association, who, within the performance of any duty or service for the benefit of the Association unavoidably loses time or pay, shall be reimbursed by the Association upon presenting his claim. The claim must be presented prior to the event and be approved by the board.

RULES OF ORDER

1. Robert's Rule shall govern.
2. Copies of Robert's Rule of Order shall be furnished by the Association to the President, Vice-President, and the Secretary-Treasurer. One copy shall be present at all meetings of the Association.

ORDER OF BUSINESS

1. Roll call of officers.
2. Reading of the minutes.

3. Receipts and disbursements.
4. Receiving applications and balloting for new members.
5. Report if Investigation and Relief Committee.
6. Report of special committees.
7. Unfinished business.
8. New Business.
9. Good of the Association.
10. Adjournment.