

TRI CITIES MARKETING COUNCIL RULES

Approved: June 7, 2009

ARTICLE 1: NAME

The name of the group is the Tri Cities Marketing Council, hereinafter referred to as “TCMC”.

ARTICLE 2: PURPOSE

The Council is a committee of the Bay East Association of REALTORS® (“BAY EAST”). Its purpose is to help its members improve their awareness of inventory and market conditions, to network with fellow members and affiliates of the real estate industry; and to provide educational opportunities that will provide members with skills and experience in becoming better professionals in the real estate industry, and to contribute to the local community.

In addition, the Council encourages its members to act in a fair and honest manner with all of their associates.

ARTICLE 3: DEFINITIONS

Bay East Affiliate – An Affiliate Member shall be a real estate owner or other individual or firm engaged in activities related to the real estate profession, but who does not qualify for REALTOR® membership, and is an Affiliate member in good standing of BAY EAST.

REALTOR® - Individuals who are engaged in the real estate profession, who are licensed/certified by the State of California, and who are members of the National Association of REALTORS®, and is a REALTOR® member in good standing of BAY EAST.

Vendor/Service Provider – An individual who is engaged in a business that directly relates to the real estate profession, but who is not a Bay East Affiliate member.

ARTICLE 4: JURISDICTION

The jurisdiction of TCMC will be:

- A. Fremont, Newark, and Union City, County of Alameda
- B. Weekly Meetings shall be held at a location within the cities of Fremont, Newark or Union city. The location shall be determined by a majority vote of the governing officers.

ARTICLE 5: MEMBERSHIP

The membership of TCMC shall consist of REALTORS® and Affiliates (as defined in Article 3).

- A. Voting is limited to members only (no proxies permitted) who have attended at least 50% of the meetings in the twelve (12) weeks prior to election date.
- B. Only members in good standing may hold office.

ARTICLE 6: FEES & ASSESSMENTS

Fees

Weekly entry fees will be charged for all attendees. Fees will be established from time to time by the Officers.

Fee Exemptions

- A. Officers are exempt from entry fees during the time they hold office.
- B. Sponsors may have one exempt entry per week during the month of their sponsorship.
- C. Employees of BAY EAST shall not pay entry fees.
- D. The President, President-Elect, Past President, and Treasurer of BAY EAST shall not pay fees.
- E. The President, Vice President and Treasurer from other BAY EAST Marketing Groups shall not pay fees if they attend the meeting as a representative of their group.
- F. Invited speakers shall not pay entry fees.
- G. Any attendee who is exempt from fees must pay the entry fee if they wish to present a listing.

Fines

Fines will be imposed if, during a meeting, the following occur:

- A. An attendee's cell phone rings; or
- B. An attendee's pager goes off.

The amounts of fines and actions which result in fines will be established from time to time by the Officers.

ARTICLE 7: OFFICERS

Titles and Terms

The following Officers shall serve on behalf of the Council:

- A. President
- B. Immediate Past President
- C. Vice President
- D. Treasurer
- E. Secretary
- F. Sergeant-at-Arms
- G. Public Relations Officer
- H. Members Communication Officer
- I. Affiliate Liaison

All Officers shall serve for a period on one year from January 1 through December 31. The Officers will meet quarterly to discuss financial reports, events and sub-committees.

Qualifications

All Officers must be REALTOR® or Platinum Affiliate member of BAY EAST, and be a member in good standing of TCMC.

The President and Vice President must be REALTORS®.

Positions other than President and Treasurer may be a shared position (maximum of two members) *If the Vice President position is shared, at least one of the members holding the position must be a REALTOR®.*

Member Communications Officer must have working knowledge of computer applications and the Internet.

Duties of Officers

The President, Vice President, and Treasurer shall serve on the BAY EAST Marketing Council. Marketing Council meeting attendance is required of these three officers. If an officer fails to attend two (2) of the quarterly meetings within a calendar year, the officer will be deemed removed from the council and as a Marketing group officer, and his or her vacancy filled as determined by these Rules.

Within seven (7) days after the Marketing Council meetings, the President (or designee) will prepare a summary report which will be forwarded to all Officers. This report will be discussed at the next quarterly Officers Meeting. (*see article 11B*) After being discussed at the Officers Meeting, a report will be distributed to the general membership at the next weekly meeting.

In addition, all Officers shall:

- A. Attend a minimum of 75% of the quarterly Officers' meetings each calendar year;
- B. Attend a minimum of 80% of the weekly marketing meetings each calendar year;
- C. Arrive at weekly meeting site no later than 45 minutes prior to start of meeting;
- D. Assist in set up of weekly meeting and any post-meeting clean up that may be required;
- E. Return telephone calls from agents and affiliates in a prompt manner;
- F. Attend other marketing meetings outside of this council's jurisdiction as requested by the Officers;
- G. Advise the President if unable to attend any of the weekly meetings, and
- H. Solicit sponsors.

Specific duties based on office held

- A. President shall:
 - 1. Coordinate, call to order and preside over all meetings;
 - 2. Act as official spokesperson;
 - 3. Assign an alternate for any Officer who has indicated that he/she will not be attending a weekly meeting, preferably a person who has previously held the position;
 - 4. Appoint sub-committee chairs;
 - 5. Generally supervise operations;
 - 6. Receive and respond to all incoming correspondence;
 - 7. Facilitate resolution of grievances and/or disputes of members or attendees;
 - 8. Ensure that 100 sets of the Tour Sheets are available at each weekly meeting;
 - 9. Be responsible for signing checks, along with the Treasurer, as needed; and
 - 10. Serve as Immediate Past President at the end of the term as President.
- B. The Immediate Past President shall be an active Officer, act in an advisory position to the President, and shall vote only in the event of a tie.
- C. The Vice President shall:
 - 1. Support the President in all areas;
 - 2. Assist President in weekly meetings;
 - 3. Perform the duties of the President in the event of the President's absence, resignation, or inability to perform;
 - 4. Serve as ex-officio member of all sub-committees. and attend meetings of such sub-committees as needed; and
 - 5. Be responsible for signing checks, along with the Treasurer, as needed.

- D. The Secretary shall:
1. Take minutes of the quarterly Officers' meetings as required and prepare them for publication;
 2. Staff registration table at weekly meetings;
 3. Assist Treasurer as required;
 4. Order Attendance Discount Cards;
 5. Ensure that there is an adequate supply of letterhead, envelopes and other office supplies;
 6. Ensure that an adequate number of Homeowner letters are typed, put in envelopes, and available at the weekly meetings;
 7. Serve as ex-officio member of all activities committees and attend meetings of such committees as needed;
 8. Prepare table signs for monthly Room/Breakfast sponsors; and
 9. Take attendance for the twelve (12) weeks prior to each election date in order to determine eligibility of members to vote and shall prepare a list of eligible voters.
- E. The Treasurer shall:
1. Receive and disburse, with the approval of the officers, all funds;
 2. Ensure that all checks are stored in a safe place and that there is proper, written backup for all checks written (invoice or receipt from receiving party);
 3. Forward backup for all checks to Bay East Accounting Dept monthly;
 4. For any check over \$500, ensure that two of the following signatures are on each check: President, Vice President, or Treasurer;
 5. Pay all debts as they become due;
 6. Make bank deposit after every weekly meeting, endorsing all checks with "For Deposit Only";
 7. Forward backup of all deposits to Bay East Accounting Dept monthly;
 8. Keep an accurate account of all transactions;
 9. Staff registration table at weekly meetings;
 10. Assist Secretary as required;
 11. Communicate monthly financial report to the Officers;
 12. Review quarterly financial report from Bay East Accounting Department (based on calendar year), present the report at the quarterly Officers' meetings, and have the same available for inspection by Members within 15 days of the end of each calendar quarter. The report for the fourth quarter of each year shall be done in conjunction with the incoming Treasurer;
 13. Create an annual budget;
 14. Ensure that there are adequate funds in the TCMC bank accounts to cover expenses, and immediately notify the President if funds fall below an acceptable level;
 15. Serve as ex-officio member of all activities committees and attend meetings of such committees as needed; and

16. Ensure that sufficient cash is available at each weekly meeting to handle attendance fee transactions.

- F. The Sergeant-at-Arms shall:
 - 1. Maintain orderly behavior of the members;
 - 2. Monitor time guidelines of presentations;
 - 3. Conduct a count of attendees at the mid-point of each weekly meeting;
 - 4. Assist with other duties as requested;
 - 5. Serve as ex-officio member of all activities committees and attend meetings of such committees as needed; and
 - 6. Assist with set up of sponsors' signs and/or banners.

- G. The Members Communications Officer shall be responsible for maintaining the website for the Council, including insuring that all changes and updates are made in a timely manner.

- H. The Public Relations Officer shall:
 - 1. Coordinate speakers and sponsors;
 - 2. Inform the room sponsor of the number of centerpieces needed each month;
Specify if used
 - 3. Work with the Treasurer to ensure that all sponsorship fees are paid prior to the sponsorship month;
 - 4. Develop a monthly schedule of speakers and sponsors; and
 - 5. Be available prior to each weekly meeting to welcome attendees

- I. The Affiliate Liaison shall serve on the Affiliate Committee as the District Chair for their respective area, and shall act as liaison between this group and BAY EAST. The position will provide information to all its members and the Affiliate Committee which will include, but not be limited to, educational classes, events, and Bay East announcements.

Powers

- A. The Officers shall be the governing body of TCMC, and shall have general supervision over the activities and business affairs of the Council.

- B. The Officers may, by resolution adopted by a majority vote of the Officers then in office, delegate the management of the activities to any person, persons, or sub-committee, however composed, provided that the activities and affairs of the Tri Cities Marketing Group shall be managed and all powers shall be exercised under the ultimate direction of the Officers, and provided that such person, persons, or committee may not be given authority by the Officers to:
 - 1. Fill vacancies in Officer positions.
 - 2. Amend or repeal rules, or adopt new rules.
 - 3. Amend or repeal any resolution of the Officers.

- C. Without prejudice to these general powers, and subject to the same limitations, the Officers shall have the power to adopt an annual budget, by a two-thirds vote of the total number of Officers serving.
- D. Provide at the meeting place, a copy of these Rules, as amended from time to time. Rules shall also be made available to any Member upon request.

ARTICLE 8: NOMINATION, ELECTION, REMOVAL AND REPLACEMENT OF OFFICERS

Nominations

- A. A Nomination and Election committee shall be formed by the Officers each year.
- B. Candidates can be self-nominated or nominated by others.
- C. The Nomination and Election committee shall determine if each nominee is qualified to run for office.
- D. Current REALTOR® and Affiliates lists shall be obtained from BAY EAST for purposes of qualifying candidates.
- E. The slate of candidates shall be approved by the Officers.

Election

- A. Elections shall be held on the first Thursday of November.
- B. Members shall be notified of the election date by verbal announcement at each weekly meeting for the twelve (12) weeks prior to the election.
- C. Election procedure shall be in accordance with Article 10 of these Rules.

Removal of Officers

An Officer may be removed from office by the other Officers if he or she:

1. Has been absent from three (3) consecutive regular meetings of the Officers;
or
2. Has been absent for more than 20% of the regular weekly meetings during a calendar year. *See Duties of Officer pg 5*
3. Fails to attend two (2) of the quarterly Marketing Council meetings within a calendar year. *This rule applies to the President, Vice President and Treasurer.*

Replacement of Officers

In the event the President resigns or is deemed to resign before the end of his or her term, the Vice President shall accede the position and serve the remainder of the President's term. In the event that the Vice President is not a REALTOR® member of Bay East,

then the Board of the Marketing Group shall, within 30 days of such resignation, elect a replacement President who is a REALTOR® member of Bay East.

Any vacancy in office (whether by removal or resignation) shall be filled by an appointee of the President, which must be ratified by a 2/3 vote of the Officers. The appointee shall serve for the remainder of the term.

ARTICLE 9: STANDING COMMITTEES

There shall be two required committees:

- A. Nomination and Election Committee
 1. The committee shall be composed by a minimum of three (3) members, at least one of whom shall be an Officer, selected by the Officers. The Chair of the sub-committee shall be appointed by President.
 2. The committee's duties shall be as follows:
 - a) Candidates/Nominees shall submit their applications to the sub-committee no later than 45 days prior to scheduled election date;
 - b) The committee shall review and qualify all applications received, as indicated in Article VII, 30 days prior to elections;
 - c) After confirmation, candidates can campaign for the 30-day period up to the scheduled election day;
 - d) One week prior to election, nominees may give campaign speeches at the marketing meeting, limited to two (2) minutes per nominee;
 - e) Ballots shall be prepared one week prior to election day. Write-in candidates will be permitted, subject to confirmation of their eligibility as a candidate. Lists of eligible voters shall also be prepared one week prior to the election date, based on attendance records of previous twelve (12) weeks;
 - f) The committee shall submit qualified candidates' names to the Secretary for weekly publishing on flyers that will be distributed at the weekly meetings, during the 30 days prior to the election date;
 - g) On the day of the election, the committee members are to arrive one hour prior to the marketing meeting for set up which includes, table, voter list, ballots, ballot box, tally sheets. Ballots shall be distributed to all eligible members present at that meeting;
 - h) The committee will count ballots and submit results to the President. The President or the Chair of the Nomination and Election_Committee will announce the results at the meeting in which the election is held; and
 - i) No candidate for office shall be involved in the distribution of or counting of ballots.

- B. Holiday Party Committee
 - 1. The committee shall be composed of a minimum of three (3) members, at least one of whom shall be an Officer, appointed by the Officers.
 - 2. The committee shall be responsible for planning the annual holiday party, in compliance with marketing council guidelines put out by BAY EAST.
- C. Officers may appoint other committees at their discretion.

ARTICLE 10: SPONSORSHIP

- A. Both members and non-members of this Marketing Council can sponsor meetings. In no event shall sponsorship be permitted in violation of state or federal law. Sponsorships are for one month, or two (2) consecutive weeks.
- B. Meeting Sponsors shall be:
 - 1. Allowed to give a presentation to the membership for a maximum of five (5) minutes per meeting. Presentations may not be used as a recruitment tool;
 - 2. Assessed a fee as established by the Officers. Fees for sponsorship shall be used to defer room and food charges for the weekly meetings; and
 - 3. Given the opportunity to identify one person who will be exempt from weekly entry fees during that Sponsor’s time period. The Public Relations Officer shall be notified of name of the exempt attendee.
 - 4. Distribute literature on all tables
 - 5. Place literature at Affiliates Table
 - 6. Be listed in Tour Guide recognition for the calendar year
 - 7. Recognition on Tri Cities Marketing website
- C. Full Month Sponsor shall, in addition to all items listed above:
 - 1. Be permitted to display banner
 - 2. Have designated literature table for monthly sponsors only
 - 3. Have name in flyer stand at meeting entrance
 - 4. Have name in flyer stands on each attendee table

ARTICLE 11: MEETING TIMES, ATTENDANCE, QUORUM, AND PROTOCOL

Weekly Member Meetings

- A. Meetings shall be held on Thursday of each week from 8:30 a.m. in the location as approved by the Officers.

- B. Raffles cannot be conducted at meetings without the advance written permission of BAY EAST, and then only in compliance with state and federal law.

Quarterly Officer Meetings

- A. Officers shall have quarterly meetings during the first week of January, April, July, and October. *(Additional meetings may be held at the discretion of the President)*. Minutes will be kept of these meetings by the Secretary, and a full Treasurer's report will be presented at each meeting.
- B. President, Vice President and Treasurer shall attend quarterly Marketing Council meetings.

Guest Speakers

- A. Guest speakers must be approved by a majority of the Officers.
- B. Presentations shall not be for the purpose of marketing or selling a product, but shall be educational or public service in nature.
- C. Requests for charitable contributions must be for a charitable organization within Alameda County, and must be approved by Officers before being presented at a meeting.

Attendance

Attendance is open to any REALTOR® or Affiliate within the Real Estate Industry, or to any interested person who is sponsored by a Realtor or Affiliate.

Presentations

- A. REALTORS® in good standing with the National Association of REALTORS® may present properties for which they are the listing agent.
 - 1. Properties must be presented by the listing agent, or a qualified member of his/her team.
 - 2. In the event of illness or emergency, the listing agent may designate another licensed agent in good standing with NAR to present the listing
 - 3. If the Officers determine that there has been misuse of designation, the agent in question will be notified that the privilege of assigning a designee may be terminated.
- B. There is no limit on the number of presentations that a listing agent (or designee) may make based on non-discriminatory rules adopted by the officers. Total presentation time per agent is limited to two (2) minutes in length.
- C. "No Host" tours are not allowed to be presented.

Handouts

- A. Only authorized/paid sponsors are permitted to distribute handouts at the attendee tables.

- B. REALTORS® arriving late may not distribute flyers at the tables; all flyers must be put on the back presentation table.

Vendors/Business Providers

- A. Vendors may attend weekly meetings for networking purposes.
- B. Vendors may not make presentations or hand out flyers

ARTICLE 12: REGULATIONS

In addition to these Rules, the Officers may adopt, from time to time regulations which govern listing policy and procedure, sponsorship, general announcements, guest policies and door prizes. These Regulations may be amended and approved by the Officers, after review and approval by BAY EAST.

ARTICLE 13: APPROVAL AND AMENDMENT OF RULES

Approval of these Rules shall be by a majority of the members present at a meeting designated for that purpose. The approved Rules shall become effective on the day of approval. These Rules may be amended at any regular meeting by two-thirds (2/3) vote of the members present, provided however that sections of these rules which BAY EAST designates as mandatory shall not be subject to member approval or amendment. Such amendment must be proposed in writing by an officer or member at least four weeks in advance of the vote on the amendment, and the proposal must be announced and the following three meetings. The same voting procedures used for the election of candidates shall be in effect for voting on amendments to these Rules.