



The Latest Diggings

Fall 2021 Newsletter

Funeral Consumers Alliance of San Joaquin County & the Mother Lode

PO Box 4832, Stockton, CA 95204

Tel. 209-465-2741, email: FuneralConsumersAllianceofSJ@gmail.com

Our 2020-21 FCA board

President – Kathy Schick
Vice President – Harry Welte
Treasurer – Cindy Riddles
Board Secretary – Clair Trujillo
Membership Secretary – Mary Bullard
Board Member – Pat Montague

PRESIDENT'S MESSAGE

It is Fall again and time for our annual meeting. Our board has continued to meet and work hard during the pandemic through Zoom. Cindy Riddles, our computer guru, has worked to perfect our web page: www.fcasj.org. Bev Blum and Pat Montague have worked hard to revise our By-Laws to meet with current practices and requirements. They are contained in these pages. Please save the date: **September 19th at 2 pm**

We had hoped to meeting again in person at the First Unitarian Universalist Church of Stockton, but as a close fully vaccinated friend fell ill with Covid's delta variant, and I was subject to a two-week quarantine which just ended last week, we have decided to make this meeting entirely Zoom. Register at least an hour in advance for the meeting:

<https://us02web.zoom.us/meeting/register/tZlvf-usrzgsGNyz0lxs3z0pzhudgE-twb5q>

-Kathy Schick

ANNUAL MEETING

of FCA of San Joaquin Co.

& the Mother Lode

Sunday, September 19, 2021,

2:00 pm

Please register early at:

<https://us02web.zoom.us/meeting/register/tZlvf-usrzgsGNyz0lxs3z0pzhudgE-twb5q>

For FCA of SJ voting privileges, we will need to verify that you are a member of our organization ahead of time (up until an hour before the meeting starts.) You don't have to be a member if you just want to join us for this meeting.

In addition to our annual business meeting we will unveil the beautiful new website for our Alliance.

After registering, you will receive a confirmation email containing information about joining the meeting. Please log in early: Zoom Meeting room will open at 1:30 pm and the meeting will start at 2:00 pm.

Funeral Consumers Alliance

of San Joaquin County & the Mother Lode



FCA of SJ Co. & the ML

P.O. Box 4832

Stockton, CA 95204

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A non-profit, non-sectarian Consumer Education Association dedicated to protecting a consumer's right to choose a meaningful, dignified and affordable funeral since 1975

DRAFT PROPOSED CHANGES: BLACK Unchanged, GREY [Proposed Deletions],

GREEN = Proposed additions, ITALICS = why changes are proposed

**PROPOSED REVISIONS OF
BYLAWS OF
FUNERAL CONSUMERS ALLIANCE
of SAN JOAQUIN COUNTY and the MOTHER LODGE**

Article I – Name, and Organization, and Fiscal Year

Section 1. Name: The name of this organization is Funeral Consumers Alliance of San Joaquin County and the Mother Lode. It was previously named the San Joaquin Memorial Society and the Funeral Consumers Alliance of San Joaquin.

Section 2. The Funeral Consumers Alliance of San Joaquin County and the Mother Lode, hereinafter referred to as FCASJC&ML, is a nonprofit incorporated under the general Non-Profit Corporation Law of the State of California, maintaining its principal office in the County of San Joaquin.

Section 3. The fiscal year of [the Alliance] FCASJC&ML shall be October 1 to September 30.

Article II –Purposes

Section 1. The purpose[s] of [the Alliance] FCASJC&ML [are] is to advocate and inform members and the general public of increasing choices for death-related services that are simple, dignified, affordable, and more environmentally responsible.

[DELETE:

- a. [To promote the opportunity for every person to predetermine end of life options including the arrangements for body disposition of his or her **one's** body after death and type of funeral or memorial service. desired.]
- b. [To encourage the donation of bodies and parts of the body after death for medical education, research, and transplantation.]
- c. [To provide educational opportunities about end-of-life issues, including laws and community resource options before and after death.]
- d. [To provide arrangements whereby members may obtain desired funeral, crematory, and burial services, and related services at a reasonable and justifiable cost.]

Section 2. [the Alliance] FCASJC&ML assumes no legal or financial responsibility for the final disposition of the body remains.

Section 3. The services of [the Alliance] FCASJC&ML shall be available to anyone seeking information about options and regulations for death-related services.

[DELETE: those persons resident in San Joaquin **County**, Alpine, Amador, Calaveras, and Tuolumne Counties and, with appropriate limitations, to those persons residents in other counties.]

Article III - Members

Section 1. Membership is open [shall be extended] to any person without regard to race, creed, gender, sexual orientation or national origin, [and] **with a suggested donation of \$35 per adult.**

[DELETE: legally competent to make a contract under the laws of the State of California and who signs the application form provided by the Alliance and files such with the Secretary. [Sec. 2.]

Disabled dependents [Dependent incompetents] and minor children of members may be included as FCASJC&ML Family Members at the request of the person joining. Minor children of members, on reaching age 18, must apply individually to remain members.

Section 2. Donations: New and ongoing members will be asked periodically for donations and to volunteer in various ways to support FCA as they are able.

[DELETE: **Section 3. Grandfather clause:** Any family membership which existed prior to October 28, 1990, shall continue to extend all the privileges and services of membership including the right to vote, to both husband and wife, and shall entitle all dependent minor children of such members the services of the Alliance. **REASON: Early member records didn't record date of joining, no way to know eligible!**]

Section 3. Transfers: Persons **may** transfer[ring] membership **to or** from any similar organization affiliated with the national Funeral Consumers Alliance in the US. **A few affiliates may charge a small transfer fee.**

[DELETE: organization or the Funeral Consumers Alliance of California (state organization) shall be accepted as members on payment of a records transfer fee in the amount of ten dollars (\$10.00).]

Section 4. Conflict of interest exclusion: A person with a direct interest in a commercial enterprise selling funeral merchandise, services, or insurance may **join only as** [become] an Associate member. Associate members are not eligible to serve as **Board members.** [Trustees,] They **also** may not serve in any other position of influence within the organization, and may not vote in organizational matters.

Article IV – Members Meetings and Responsibilities

Section 1. An Annual Meeting of the Members shall be held during the month of **September** [October] (*i.e. before the next fiscal year begins Oct. 1*) at a time and place **or electronic alternative** designated by the Board of Directors.

[The Annual Meeting] **Members** shall:

- a. Receive an annual Board report,
- b. Approve **next-year goals and budget,**
- c. **Fill Board vacancies, per** [in accordance with the provisions of] Article V, Sec. 1.

Additional nominations shall be accepted from the floor, provided that such nominee is present and agrees to serve if elected.

- d. . (instead of Board?) Elect 2 Members-at-large for the next-year Nominating Committee.
- e. Consider any other business as needed. [as provided in these By-Laws or which are appropriate to come before a meeting of the members.]

Section 2. Special meetings may be called upon the request of twenty-five members of [the Alliance] FCASJC&ML or by a majority vote of the Board of Directors.

Section 3. Each member present shall be entitled to one vote; there shall be no voting by proxy.

Parliamentary procedure at meetings of the members shall be in accordance with follow Roberts Rules of Order. Members shall vote by mail ballot or at Annual or special meetings.

Section 4. A quorum shall consist of not less than twenty members

Section 5. Two at-large members shall serve on a 3-person Nominating Committee to recruit Board candidates by August each year and propose next year's Nominating Committee members.

Section 6. Meeting notices shall be sent not less than 15 days prior to the [date of such] meeting and include date, time and place, and the topic to be discussed.

Section 7. Financial Contracts between [the Alliance] FCASJC&ML and any other entity beyond the current annual budget shall be approved by a vote of the majority of those members present [and voting] at an [regularly called] Annual or Special meeting. [V. Sec. 6]

Article V - Board of Directors

Section 1.[5.] Between meetings of the membership, [board authority:] all authority and responsibilities of the [Alliance] FCASJC&ML shall be vested in the Board of Directors.

~~DELETE:[such limitations as imposed by these By Laws or by resolution adopted by a majority of the members at any regularly called meeting of the membership.]~~

Section 2.[1]. The Board of Directors shall consist of seven to eleven [nine] members, the number to be decided by mid-fiscal-year each year by the Board for the following year.

Section 3. Each [of whom] may serve two three-year terms (total of six years). Such persons shall be eligible for re-election after the lapse of one year. To maintain this pattern, whenever there are more than 3 vacancies, uncompleted terms will be filled for 1 or 2-year terms.

~~[DELETE: shall serve a term of three years and two or three of whom shall be elected to full terms at the Annual Meeting each year.]~~

Section 4. [Art. V,Sec.2.] For Board vacancies that occur between Annual Meetings, the majority of the remaining Directors shall elect a successor to serve until the next Annual Members Meeting. [at which time the Annual Meeting] members will then elect a successor to serve for the unexpired term. [of the Director whose place is vacant.]

Section 5.[6]. A Board quorum shall consist of a majority of the current members thereof.

Section 6. Board responsibilities:

- a. **Nominating process:** not later than the month of **May [July] each year**, the Board shall appoint a committee. [which shall consist] of three members. One continuing **Board member** shall serve as chairperson and **the other** two members shall be members at large.
The Committee shall [prepare] **present** a list of nominees equal to or greater than the number of Board vacancies **by August**. [which list shall] **to** be sent [by the Secretary] together with the notice of Annual **Member Meeting**.
- b. **Create strategies and committees as needed from the community to reach more of the general public with useful information.**
- c. **Notify members at least 15 days before any Members meetings and include an agenda. The Annual meeting notice, sent by the Board no less than 15 days prior to the meeting, shall include an agenda, Board yearly report, a proposed next-year Board plan and budget, and the Nominating Committee report to fill Board vacancies, for votes of members.**

[DELETE: During the course of the fiscal year, the Board of Directors may alter the amounts within the budget but not in total more than ten percent thereof, provided that the Board may not increase the total amount of such budget and provided further that the Board may not provide funds for staff personnel except as provided in the budget approved by the Annual Meeting.]

- d. [The Board shall] **Oversee** any hiring of employee(s) and contractors and [all other employee] related responsibilities within the current annual budget.
- e. **Oversee** Nonfinancial contracts between [this Alliance] **FCASJC&ML** and any funeral director, mortuary, crematory, or cemetery, and modification thereof, shall be effective after approval by a vote of the Board of Directors present [and voting] at a regularly called meeting.
- f. [Board members shall] **Serve** without pay and no Board member shall be a paid employee of or contractor with the [Alliance] **FCASJC&ML**.
- g. Each Director shall have one vote and all decisions of the Board shall be by majority vote of the Directors present and voting.
- h. The Board of Directors shall meet at least [quarterly] **bi-monthly**.

Article VI – Officers

Section 1. Elections: At its first meeting following the Annual Meeting **each year**, the Board of Directors shall elect from among its members a President, a Vice-President and a Board Secretary. [At the same time, the Board of Directors.] They shall also elect or appoint a Membership Secretary and a Treasurer, who may or may not be Directors.

Section 2. Officer terms: No Director shall serve as President or Vice-President more than three consecutive years. In the event of any vacancy in any office, a successor shall be promptly elected or appointed **by the Board** to serve the remainder of **the year**. [such term. Each such officer shall serve a term of one year. and until his successor in office is elected or appointed.]

Section 3. The President shall:

- a. **Preside** at all meetings of the membership and the Board of Directors,
- b. **Provide meeting agendas a week prior to Board meetings.**

- c. [and shall] Perform such other duties [as are specifically assigned to such office by these By-Laws and all other duties] usually associated with this office or delegated by the Board of Directors.
- d. [Art VIII, Sec. The President shall] Appoint two non-board persons to [audit] review the books of [the Alliance] FCASJC&ML, which audit report shall be [made, if possible, to the Annual Meeting and if not to the Annual Meeting] reviewed [following, [as well as to the] by the [first meeting of the] new Board of Directors [next] following the completed review.
- e. The President, with the approval of the Board of Directors may appoint [such] committees [as may be appropriate] to help the Board carry out the purposes and activities of [the Alliance] FCASJC&ML.

Section 4. The Vice-President shall:

- a. Serve in the place of the President whenever the President shall be absent and shall perform such other duties [as are specifically assigned to such office by these By-Laws and all other duties] usually associated with this office or delegated by the President or by the Board of Directors.
- b. If the office of President becomes vacant, the Vice-President shall serve as Acting President until a successor to the President has been elected.

Section 5. The Membership Secretary shall:

- a. Maintain a current roster of members and related communications and data
- b. Provide mail lists to mailing services as needed for members communications such as periodic newsletters and annual meeting notices.
- c. Record donations as received.
- d. Oversee mailing of a notice of any regular or special membership meeting to each member not less than fifteen days prior to the date of such meeting, specifying date, time and place, and including an agenda.[thereof,] Electronic communications may substitute for mail notification for all persons who have provided an e-mail address.
- e. Oversee e-mailings to members who have provided e-addresses.

Section 6. The Board Secretary shall:

- a. [take and] Keep minutes of all meetings of the membership and of the Board of Directors;
- b. Respond to Board correspondence and report same to the Board as appropriate;
- c. Send out notices of all Board meetings together with Minutes of the previous Board meeting;
- d. Serve as custodian of corporate records and documents and of such other papers as directed by the Board of Directors;
- e. Fulfill other duties usual to the office of Board Secretary or assigned [to that office by these By-Laws or by the President or] by the Board of Directors.

Section 7. The Treasurer shall:

- a. Receive and expend all funds and monies of the Alliance or serve as liaison with a non-board Bookkeeper to maintaining such records thereof as are necessary and essential to the safeguarding and accounting of such funds.
- b. [The Treasurer shall] Provide a report of all [receipts] income and expenditures to the Board of Directors at each meeting [thereof] and prepare [shall make] an annual report [in the usually acceptable form to] for the Annual Meeting of the membership.
- c. [The Treasurer shall,] With the approval of the Board of Directors, maintain appropriate accounts in a Board-approved commercial bank and/or savings institution. [or otherwise invest the funds of the Alliance

in a safe and prudent manner. The Board of Directors may require that the Treasurer be bonded.]

d. Prepare a draft budget for the annual meeting related to the proposed next-year Board Plan.

[DELETE: Article VII - Committees Advisors, Staff

[Section 2. The President, with the approval of the Board of Directors, may appoint such special advisors as from time to time may be deemed necessary to effectuate the actions of the Board and of the Alliance.]

[Section 3. The Board of Directors may, within the limitations established in the budget adopted by the Annual Meeting, employ such staff, as it deems appropriate, including a Secretary and a Treasurer. Any such employees shall perform such tasks as designated in writing by the Board of Directors and shall be responsible to the Board for the faithful fulfillment of such tasks.

Salary, fringe benefits, working hours and conditions, vacations and other personnel concerns shall be determined by the Board of Directors, provided that no such arrangement shall exceed the amount appropriated therefor in the then current budget of the Alliance.]

[Section 4. The Board of Directors may, if it deems such useful, establish an Executive Committee consisting of such Officers and Directors as it may designate and may delegate to such Executive Committee such responsibilities and powers as it considers appropriate to effectuate the operations of the Alliance.]

[DELETE: Article VIII – Finances: (Sec.1. Fiscal year to Art. I,

Sec. 2. Budget to Art.V.7 Treasurer, Sec.3. Audit to Art.V.3.d

Article VII -Amendments

Section 1. These By-Laws and the Articles of Incorporation of [the Alliance] FCASJC&ML may be amended by a two-thirds vote of the members present and voting at any Annual or Special Meeting, provided that the text of such proposed amendment(s) be made available to members, upon request, fifteen (15) days prior to the Annual or Special Meeting.

Article VIII - Dissolution

In the event of the dissolution of [the Alliance] FCASJC&ML, and after payment of all debts legally due, all assets and property belonging to [the Alliance] FCASJC&ML shall be transferred to the Funeral Consumers Alliance (national organization), and/or the Funeral Consumers Alliance of California (state organization) to be used by said organization(s) or transferred by it to another tax-exempt organization sharing the purposes of [this Alliance] FCASJC&ML and which is [exempt under Section/ registered as a 501 (c) (4) of the Internal Revenue Code.

*Adopted 5/23/76
Amended 10/23/77
Amended 10/29/78
Amended 10/26/80
Amended 10/30/83
Amended 10/28/90*

*Amended 10/04/09
Amended 10/10/10
Amended 6/10/12
Amended 3/22/15
Amended 10/11/15
Amended 9/19/21*

Funeral Consumers Alliance
of San Joaquin County & Mother Lode
PO Box 4832, Stockton, CA 95204
Tel. 209-465-2741
RETURN SERVICE REQUESTED

**Many Thanks for
MEMBER
DONATIONS
since February 2021**

Maryella Allred
Rosemary Atkinson
Ruth A. Becker
Beverly Blum
Joan Briscoe
Mary Bullard
Mary and John Casey
Ceinwen June Church
Fred Dillemoth
Wendell Eggleston
Stephen Fidanque

Joyce Griffin
Harlan Hague
Judy Hong
Gladys Ikeda
Clara Kaiser
Gay King
Sharon Langston
Kathleen Moody & Mark Tennis
Edward Puulei
Marilyn and Robert Remenyi
Cindy Riddles
Steven Rykowski
Kathy Schick
Jacqueline Setser

Rena & Melvin Silveira
Mary Swift
Mary Lois and Syd Thompson
Linda Vieira
Myrna Walker
Leslie & Herman Washington
Donald Wedegaertner
Katherine White
Nishka Yudnich

*To support FCA's
education efforts we ask
ALL members to donate
yearly an amount you
choose. Thank you*

