



BYLAWS
of
THE LAKE CLUB WOMEN'S GIVING CIRCLE
Adopted October 16, 2023

ARTICLE I
NAME

The name of the organization shall be "The Lake Club Women's Giving Circle" (the "Corporation").

ARTICLE II
MISSION, PURPOSE AND PHILOSOPHY

The Lake Club Women's Giving Circle is dedicated to supporting organizations that address the physical, emotional and educational needs of women, children and families in Sarasota and Manatee counties, and any other charitable purposes permitted by law.

ARTICLE III
OBJECTIVES

The primary objectives of the Corporation are to:

- Educate its members about the power of collective philanthropy.
- Raise funds to provide annual grants supporting our mission.
- Create an all-inclusive "One Lake Club" women's philanthropic organization.
- Engage in outreach to broaden awareness and to provide community service

ARTICLE IV
MEMBERSHIP



Fund One and Fund Two

The Corporation has two funds with the Manatee Community Foundation, i.e., Fund One and Fund Two. Fund One consists of an endowed fund, pursuant to the distribution policy of the Manatee Community Foundation, Inc. Manatee Community Foundation determines the amount of funds from Fund One that are available each year for the Corporation to transfer to the discretionary Fund Two for distribution in the form of grants to local 501(c)(3) non-profit organizations (SEE APPENDIX D). Fund Two is a discretionary fund that consists of fundraising amounts generated by the Corporation, together with Member contributions outside of the membership requirements. The Corporation has discretion annually to utilize the assets of Fund Two for grants.

1.1 Membership; Contributions. Membership in the Corporation is open to (i) all women residents of The Lake Club in Lakewood Ranch, Florida, (ii) previous residents of The Lake Club who are fully vested, who wish to further the mission and goals of the Corporation through financial and other means of support, and (iii) individuals otherwise admitted by the Board (each a “Member”), and (iv) all new members will be required to make a one-time contribution of \$1,025.00 (one thousand and twenty-five dollars) made payable to The Lake Club Women’s Giving Circle. The payment of \$1,000.00 (one thousand dollars) fulfills the legacy membership; the \$25.00 (twenty-five dollars) payment applies to the members annual administrative fee, and (v) alternative levels of membership and/or additional administrative fees may be established by the Board, which may be established and/or modified from time to time by the Board, and (vi) all members who joined prior to 2023 still owing their 5 (five) year \$1,000.00 (one thousand dollars) pledge are hereby referred to as Legacy Pledges and will be responsible for minimum annual contribution of \$200.00 (two hundred dollars) until they fulfill their pledge requirements upon which time they become Legacy Members and subject to terms of payment as described in 4.1. (SEE APPENDIX A)

1.1.1 Payment of Minimum Annual Contribution (MAC). All active members will be required to make a minimum annual contribution of \$200.00 (two hundred dollars) payable by January 31st.

1.1.2 Annual Administrative Fee. An annual administrative fee, to be determined by the board and subject to modification from time to time, will be required from each member payable by January 31st.



1.1.3. Nonpayment of Contribution. Minimum annual contributions shall be in arrears if not paid by the first day of February each year. The Board shall determine the continued membership status of any Member in arrears, including the suspension and/or termination of the membership of such Member. Upon receipt of a Member's accrued minimum annual contributions, the membership of such Member shall be immediately reinstated, unless otherwise determined by a majority vote of the Board.

1.2 Voting Member. Each Member whose minimum annual contributions and fees, if any, is not then in arrears (each a "Voting Member") shall be entitled to one vote, which such vote may be cast with respect to matters requiring the vote of the Members.

1.3 Responsibilities of Members. The self-managing responsibilities of Members include:

- Voting on matters regarding Corporation donations.
- Participating in activities to support the mission and goals of the Corporation.
- Honoring financial commitments to the Corporation.
- Serving on committee(s).
- Participating in the Corporation's chosen community outreach activities.

1.4 Benefits of Membership. Benefits of membership of the Corporation may include:

- Being part of a dynamic, philanthropic, collective women's organization
- Providing input to the Corporation's annual goals
- Nominating organizations to receive grants from the Corporation
- Giving of time, talent and treasure
- Gain deeper understanding about non-profit organizations and the needs in the community
- Experiencing leadership positions within the Corporation
- Connecting with like-minded women

ARTICLE V **MEETING OF MEMBERS**



2.1 Annual Meeting. The Annual Meeting of the Members shall be held each calendar year on a date and at a location as determined by the Board with notice provided by the Secretary by email to the then-current Members thirty (30) days in advance of such meeting. The notice shall specify the date, time and location of the Annual Meeting and shall provide an agenda for the meeting and proxy forms (SEE APPENDIX B). At the Annual Meeting, the Vice-Chair who is the Nominations Committee chair shall present a slate of nominations for the following officers of the Board: Vice-Chair, Secretary, and Treasurer for the Calendar Year; shall accept nominations from the floor; and shall manage the election process. Members may vote in person, by electronic device or by written proxy (SEE APPENDIX B).

2.2 Meetings, Voting Notifications and Action Without Meetings. Regular meetings and special meetings may be called by the Secretary by email at least five (5) days in advance of such meeting and shall specify the date, time and location as well as provide an agenda for the meeting. Members may vote in person, by electronic device or by written proxy (SEE APPENDIX B). For action without meetings, the secretary will email at least 5 (five) days in advance notification of purpose and actionable items.

2.3 Quorum and Voting. Any number of members present by any means shall constitute a quorum to transact business of the Members. A majority vote of those present may exercise its power.

2.3.1 If a quorum exists, action on a matter shall be approved by upon the affirmative votes of a majority of the Members represented and then-entitled to vote upon the subject matter, unless a greater number of affirmative votes is required by federal or state law, the Articles of Incorporation, or by these Bylaws.

2.3.2 Voting by members maybe conducted electronically, in person, or by proxy (SEE APPENDIX B).

2.4 Electronic Meetings. Meetings of Members may be convened electronically so that all Members participating in the meeting can hear each other (including by telephone or video conference), in person, or a hybrid thereof.



ARTICLE VI **GOVERNANCE**

3.1 Governance Board. The Governance Board, hereafter referred to as 'the Board', is responsible for the Corporation's management and operations. The Board must act consistently with federal and state law, the Articles of Incorporation and these Bylaws.

3.2 Board Members. The Board shall consist of no less than the Chair, Vice-Chair, Secretary and Treasurer hereby known as the officers of the Corporation and shall also include the chairs of the following standing committees: Finance, Grants, Membership, Outreach and other any Standing Committees that may be established by amendment to these Bylaws.

3.3 Vacancies. if any vacancy is caused by death, resignation or removal of a Board Member, the remaining Board Members, by majority vote, will elect a successor to hold office. In the event the number of Board Members is increased as provided in these Bylaws, the current Board Members, by majority vote, will elect the appropriate number of additional Board Members to hold office.

3.4 Resignation. Any Board Member may resign by giving written notice to the Secretary of the Governing Board. The resignation will be effective when notice is received by the Secretary unless the notice specifies that the resignation will be effective on a later date.

3.5 Removal of Board Member. Any Board Member may be removed, with or without cause, at any time by the majority vote of all Board Members then in office. Such removal shall be taken at a regular meeting of the Board or at a special meeting called for that purpose. Any such proposed removal shall be announced in the notice for such meeting and sent to the Board Members at least ten (10) days prior to the meeting. If a Board Member is removed, a successor shall be named.

3.6 Meetings of the Board. Meetings of the Board shall occur in accordance with the following:

3.6.1 Annual Meeting. The Board shall meet at least one (1) time(s) per year. The Board will hold its annual meeting in on a date and at a location, as determined by the Board, to transact other business that may properly be brought before the Board.



3.6.2 Meetings. The Board may hold meetings as determined by majority resolution of the Board. The resolution may authorize the Chair of the Board to fix the date and location of each regular meeting, in which case notice of such meeting date and location must be given in the manner provided in these Bylaws. Neither the business to be transacted at, nor the purpose of, the meeting need be specified in the notice unless specifically required by law or these Bylaws.

3.6.3 Quorum. A majority of the Board Members, present in person, by electronic device, or by written proxy (SEE APPENDIX B) (as established by the Secretary), shall constitute a quorum to transact business at all meetings of the Board. If less than a majority of the Board Members are represented at a meeting, a majority of the Board Members so represented may adjourn the meeting without further notice. If a quorum exists, action on a matter shall be approved by upon the affirmative votes of a majority of the Board Members represented at the meeting and then-entitled to vote upon the subject matter, unless a greater number of affirmative votes is required by the Articles of Incorporation and/or these Bylaws.

3.6.4 Action without Meeting by Written Consents. If all of the Board Members severally or collectively consent in writing to any action taken by the Corporation, whether before or after the action is taken, those consents will have the same force and effect as the unanimous vote of the Board at a duly called meeting. The Secretary shall file such consents with the minutes of the Board.

3.7 Manner of Acting. The act of the majority of the Board Members present at a meeting at which a quorum is present shall be the act of the Board, except as may be otherwise provided by the Articles of Incorporation, by these Bylaws, or by law.

3.8 Compensation. No stated salaries will be paid to the Board Members for their services, but each Board Member is entitled to receive reimbursement from the Corporation for any expenses incurred in attending any annual, regular or special meeting of the Governing Board.

3.9 Conflict of Interest. The Board shall establish and revise from time to time, rules governing conflicts of interests (e.g., contracts and other transactions between the Corporation and one or more of the Board Members or any other corporation, firm, association or entity in which one or more of the Board Members are directors, officers or financially interested) and shall provide Conflict of Interest forms which shall be signed annually and maintained by the Secretary.



3.10 *Ad Hoc* Committees. The Board may appoint Members and non-members to various *Ad Hoc* Committees as needed. Such *Ad Hoc* Committees shall report to the Board and shall not have representation on the Board, unless otherwise determined by majority vote of the Board Members. The duties and responsibilities of each *Ad Hoc* Committee shall be determined by each *Ad Hoc* Committee.

3.11 Periodic Reports. The Board shall cause any annual or periodic report required under applicable law to be prepared and delivered to the applicable federal and state governmental authorities, or to the members of the Corporation, to be so prepared and delivered within the time limits set by law.

ARTICLE VII **COMMITTEES**

4.1 Committees of the Board. The Board may, by majority vote, designate one or more committees. The designation of committees and delegation of authority to the committees will not operate to relieve the Board, or any individual Board Member of any responsibility imposed on the Board or any individual members by law.

4.2 Vacancies. Vacancies of any committee may be filled by appointments in the same manner as the original appointments were made.

4.3 Rules. Each committee may adopt rules for its own governance not inconsistent with the Articles of Incorporation and these Bylaws.

ARTICLE VIII **LIABILITY AND INDEMNIFICATION**

5.1 Personal Liability; Indemnification. Except for conduct resulting from criminal or intentional tortious conduct, no Board Member, director, officer, employee or agent of the Corporation, or in such capacity at the request of the Corporation, will be personally liable for the payment the Corporation's debts and liabilities. Relief from liability for the Corporation's debts will not, however, apply in any instance where that relief is inconsistent with any provisions of the Internal Revenue Code applicable to organizations described in Section 501(c)(3).



5.2 Indemnification. Except for conduct resulting from criminal or intentional tortious conduct, any person who serves or has served as a Board Member, director, officer, employee or agent of the Corporation, or in such capacity at the request of the Corporation, shall have a right to be indemnified by the Corporation to the fullest extent permitted by law against (i) reasonable expenses, including attorneys' fees, actually and necessarily incurred by such person in connection with any threatened pending or completed action, suit, or proceedings, whether civil, criminal, administrative, or investigative, and whether or not brought by or on behalf of the Corporation, seeking to hold such person liable by reason of the fact that such person is or was acting in such capacity, and (ii) reasonable payments made by such person in satisfaction of any judgment, money decree, fine, penalty or settlement for which such person may have become liable in any such action, suit, or proceeding.

The Board shall take all such action as may be necessary and appropriate to authorize the Corporation to pay the indemnification required by this section, including without limitation, to the extent needed, making a good faith evaluation of the manner in which the claimant for indemnity acted and of the reasonable amount of indemnity due such person. The Corporation may pay for the costs of defense in advance of final disposition of the proceeding.

5.3 Insurance. In addition to the foregoing provisions of this Article VII, the Board shall have the right and power to purchase and maintain insurance on behalf of any person who is or was a Board Member, director, officer, employee or agent of the Corporation, or in such capacity at the request of the Corporation, against any liability asserted against and incurred by such person in any such capacity, or arising out of such person's status as such, whether or not the Corporation would have the power to indemnify such person against such liability.

ARTICLE IX **EMERGENCY FUND**

6.1 Emergency Fund. The Board is authorized to disburse Fund 2 contributions for emergency needs (e.g., resulting from a fire, natural disaster, etc.), determined by majority vote of the Board Members, subject, however, to the criteria set forth in Fund One and Fund Two section of Article IV Membership. Such disbursement may be made without a vote of the Members, but the Members shall be promptly advised of the nature and extent of any such disbursement.



ARTICLE X **CALENDAR YEAR**

7.1 Calendar Year. The “Calendar Year” of the Corporation shall be January 1 to December 31.

ARTICLE XI **GENERAL PROVISIONS**

8.1 Notices. Any and all notices, designations and other communications required to under federal or state law, the Articles of Incorporation, and/or these Bylaws shall be given in writing with the preferred means of transmission being email. Such communications shall be sufficient in all respects if: (i) personally delivered; (ii) sent by telecopier, facsimile transmission or other electronic means of transmitting written document, such as email; or sent by U.S. Postal Service or by private overnight mail courier service. If personally delivered, such communications shall be deemed delivered upon actual receipt; if electronically transmitted pursuant to this section, such communications shall be deemed delivered the next business day after transmission; if sent by overnight courier, such communications shall be deemed delivered upon receipt; and if sent by U.S. Postal Service, such communications shall be deemed delivered two (2) business days after they are deposited in the U.S. Postal Service with postage thereon prepaid.

8.1.1 Waiver of Notices. Whenever any notice is required to be given under federal or state law, the Articles of Incorporation, and/or these Bylaws, a waiver of the notice in writing signed by the person or person entitled to the notice, whether before or after the time stated in the notice, will be treated as the equivalent to the giving of the required notice.

8.2 Amendments. These Bylaws may be amended, restated, repealed or otherwise modified, in whole or in part, and such modified Bylaws, in whole or in part, may be adopted by the affirmative vote of a majority of the Members casting a vote, provided that prior notice of the proposed changes shall have been provided to each Member at least thirty (30) days prior to the meeting of the Members held for the purpose of adoption of such modified Bylaws. Amendments may be considered at any meeting of



the Members. The method of voting shall be determined by the Secretary, as Parliamentarian.

8.3 Parliamentary Procedure. The parliamentary authority of the Corporation's meetings shall be "Roberts Rules of Order Newly Revised" (most current edition) in all cases to which they are applicable and in which they are not inconsistent with these Bylaws.

8.4 Records. The Corporation shall keep correct and complete books and records as required by federal and state law and shall also keep minutes of the proceedings of the Board and committees having any of the authority of the Board. All records of the Corporation shall be maintained in a centralized electronic system specified by the Chair or Vice Chair of the Board. The responsibility for depositing documents into the system falls, generally, to the Chair or Vice Chair of the Board, or other officer as specified herein. The books, records and papers of the Corporation shall be at all times, during reasonable business hours, be subject to inspection by any Board Member upon prior written request. The Articles of Incorporation and these Bylaws shall be available for inspection by any Member upon prior written request through our website www.tlcwomensgivingcircle.org or on our website.

8.4.1 Reliance on Records. Any person dealing with the Corporation may rely upon a copy of the records of the proceedings, resolutions, or votes of the Board or Members, when certified by the Chair, Vice-Chair, Secretary or Treasurer of the Corporation.

8.4.2 Accountings. Not later than four (4) months after the end of each Calendar, or in any event, prior to the Annual Meeting of Members, the Corporation shall prepare a balance sheet and income statement in accordance with federal and state law.

8.5 Corporate Seal. The Corporation will not have a seal. If a seal is required for any corporate transactions, the word "Corporate Seal" followed by the signature of one or more Chair, Vice-Chair, Secretary or Treasurer of the Corporation on behalf of the Corporation shall constitute a proper affixing of the seal.

8.6 Distributions Upon Dissolution. Upon the dissolution of the Corporation, its assets remaining after payment, or provision for payment, of all debts and liabilities of this Corporation, shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code or shall be distributed as



determined by the majority vote of Chair, Vice Chair and Treasurer. If a vote of the quorum results in a tie, then the vote cast by the Chair shall count double, resolving the tie in favor of the Chair's vote. In all events, such distributions upon dissolution of the Corporation shall be made in accordance with all applicable laws.

8.7 Limitations on Activities. In all events, no substantial part of the activities of the Corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation (except as otherwise provided by Section 501(h) of the Internal Revenue Code), and the Corporation shall not participate in, or intervene in (including the publishing or distribution of statements), any political campaign on behalf of, or in opposition to, any candidate for public office.

Notwithstanding any other provisions of these Bylaws, the Corporation shall not carry on any activities not permitted to be carried on (i) by a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code, or (ii) by a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code.

8.8 Prohibition Against Private Inurement. In all events, no part of the net earnings of the Corporation shall inure to the benefit of, or be distributable to, its Members, Board Members, directors, officers, or other private persons, except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes of the Corporation.

8.9 Reference to Laws. Any general or specific references to the state law are to refer to the laws of the State of Florida, as now in force or hereafter amended.

8.10 Right To Amend. In accordance with the organization's governing principles, the Board hereby reserve the right to amend these bylaws at any time, provided that such amendments are made in the best interests of the organization and are in compliance with applicable laws and regulations.



APPENDIX A

The Lake Club Women's Giving Circle – Funds and Contribution Definitions

Here are a few fund and financial-related terms/descriptions you will see used throughout The Lake Club Women's Giving Circle (TLCWGC).

Manatee Community Foundation (MCF)

- Women's Giving Circles (including ours) are under their 501c3 umbrella.
- MCF manages all transactions related to our Endowment and Annual Grant funds. They provide us with record keeping and set the policy that invests/controls our funds.
- Being a part of MCF and having established these funds makes us a part of "Founder's 50," the first 50 endowed funds in Lakewood Ranch.

TLC Women's Giving Circle Fund 1 (Endowment Fund)

- This is an endowed fund, established for the long term. We cannot access the principal of the fund so it cannot be used directly for granting purposes.
- The fund is invested in the market. Each year, up to 4.5% of the fund is transferred to the Annual Grant Fund (Fund 2) based on the 12 trailing quarters. This is the current "spending policy," voted on and approved by MCF's board of directors. It has been in place for many years now.
- Members and others can add to this fund with donations that are 100% tax-deductible, with no goods or services received as a result of the gift.
- *Why have an endowment fund?* This endowment demonstrates our ongoing commitment to Manatee County. It allows TLCWGC to support our community beyond us as individuals and our tenure here and this longevity extends our spirit of philanthropy and our resources into Manatee County's future.

TLC Women's Giving Circle Fund 2 (Annual Grant Fund)

- This is a non-endowed fund, meaning we award any amount from the fund to fully vetted 501c3 nonprofits. This is where 100% of your tax-deductible \$1,000 initial pledge and all your Minimum Annual Contribution (MAC) payments of \$200 go.



- We can accept gifts into this fund that are 100% tax-deductible. Donors cannot receive any goods/services as a result of the gift. All fund-raising events, sponsorships/raffles/donations go directly to this fund.
- *Why have an Annual Grant Fund in addition to the Endowment Fund?* While the Endowment Fund invests in the future, the Annual Grant Fund lives in the present. We can adjust to current issues (like hurricane relief) or ongoing concerns like giving children a better start to their school-life. Your pledges and our fund-raising efforts grow this fund and grant-making allows us to make an immediate impact to any qualified organization.

Annual Grant Fund (Fund 2) Contributions and Cycles

- After the Initial pledge of \$1,000, a Minimum Annual Contribution (MAC) of \$200 is required for membership. MAC payments are accounted for and due in January.
- We send out annual statements in December. These statements show past payments (MAC and Admin Fee) and the payments currently due.
- If a member falls behind on either the MAC or the Admin fee there is a temporary suspension of rights. If she falls behind for 2 years, her status is changed to “Inactive”.
- The Grant committee asks for suggested organizations from all active members as well as receives online requests from 501c3 organizations. Only active members vote on the full list, selecting organization(s) to which the fund’s money is granted.

Administrative Fee Purpose and Payments

- Each member pays a yearly admin fee from which costs to run the WGC are reimbursed. Examples are accounting services, website fees, postage, marketing materials, etc. Expenses that are specific to a fund-raising event (e.g., venue rental) would be reimbursed from the monies raised from the event.
- The Administrative Fees are deposited in TLCWGC checking account so as not to mingle them with Endowment or Annual Grant funds.
- The admin fee is paid along with the Initial pledge of \$1,000. Members who join in October – December will have the fee applied to the next calendar year. Those joining in other months will have it credited to the current calendar year.



APPENDIX B

PROXY FORM

THE LAKE CLUB WOMEN'S GIVING CIRCLE

I, the undersigned, do hereby appoint _____
(proxy name), a member of The Lake Club Giving Circle, to vote on my behalf at the
TLC WGC meeting of _____ (date) for the purpose(s) of:

1. _____
2. _____
3. _____
4. _____

Signed: _____

Print Name: _____

Date: _____

Note: You must sign this proxy form to ensure that it will be accepted as valid. When you sign this proxy form, you authorize the proxy holder to act and vote on your behalf at the meeting and any adjournment, and to carry out your voting instructions.



APPENDIX C

BOARD MEMBER CONFLICT OF INTEREST DISCLOSURE FORM THE LAKE CLUB WOMEN'S GIVING CIRCLE

A potential, perceived or actual conflict of interest refers to a transaction between a charitable organization such as The Lake Club Women's Giving Circle which a board member represents, and another party or organization, in which the board member of the charitable organization has a direct or indirect financial interest which may be of benefit to that board member.

In order to avoid conflicts of interest, all board members are asked to disclose their potential conflicts including other nonprofit and for-profit boards that the board member and spouse sit on, any for profit businesses for which you or an immediate family member are an officer or director, or a majority shareholder, and the name of your employer and any businesses you or a family member own.

_____ I have no conflict of interest to report.

_____ I have the following conflict(s) of interest to report.

1. _____
2. _____
3. _____
4. _____



I hereby certify that the information set forth above is true and complete to the best of my knowledge.

Signed: _____

Print Name: _____

Date: _____



APPENDIX D



Lake Club TLC Giving Circle
Memo of Understanding

This Memo of Understanding, effective on day of 2/26/18, is made by and between the Lake Club TLC Giving Circle and the Manatee Community Foundation (MCF) a qualified 501(c)(3) nonprofit in the state of Florida.

The agreement shall remain in effect unless it is terminated by either party by giving 30 days written notice to the other party. Manatee Community Foundation reserves the right to terminate the agreement should the terms be violated or the conditions not be met.

Giving Circle participants shall not engage in any activities that could jeopardize the Foundation's tax-exempt status, that would result in legal proceedings against the Foundation, or that would damage the Foundation's good name in the community.

It is the intent of Manatee Community Foundation to support Giving Circle activities provided they support the Foundation's mission and are legal and ethical. The Giving Circle will actively work to further the mission of MCF.

In each of the designated areas below, specific duties and responsibilities will be outlined and assigned to either MCF or the Giving Circle during the life of the agreement.

Fiduciary/Financial

Manatee Community Foundation will:

- Provide the 501(c)(3) umbrella for the Giving Circle
- Invest and manage Giving Circle funds
- Collect gifts, deposits and post contributions
- Provide Quarterly reports on the fund
- Charge an annual investment fee of approximately 0.12% SUBJECT TO CHANGE and an annual administrative fee of 1% SUBJECT TO CHANGE.

Giving Circle Members will:

- Track gifts to the Giving Circle and ensure members are paid in full: Chairperson will have access each members' gift amount
- Track donations to the Foundation
- Adhere to Foundation policies and procedures
- Nominate one member to be the liaison to MCF
- Update MCF of new giving circle members

Fund Administration and Support

Manatee Community Foundation will:

- Establish a Memorandum of Understanding (MOU) to accompany the Fund Agreement making explicit the arrangement for dispersal of the funds as well as how the funds will be managed by MCF
- Write and send acknowledgement letters to donors
- Be a resource to the Giving Circle
- Retain gift histories, grant making, and fund statement records of Giving Circle activity
- Provide meeting space for Giving Circle members
- Provide a MCF liaison between the Foundation and the Giving Circle



Giving Circle Members will:

- Develop and maintain group roster
- Develop a mission and operating policies
- Provide Giving Circle leadership
- Schedule meetings and set expectations for participation

Grantmaking

Manatee Community Foundation will:

- Through The Giving Partner, provide giving circle participants a resource to community needs and opportunities
- Provide guidelines for grant making
- Assist in the identification of potential grantees
- Prepare MCF approved grant disbursements based on grant requests advised by the Giving Circle
- Provide examples of grant guidelines, RFPs and grant applications
- Review grantee reports with Giving Circle members if single grant is over \$5000
- Answer grantee questions

Giving Circle Members will:

- Establish annual grant making schedule with input from MCF as needed
- Identify potential grantees
- Design grant guidelines, RFPs and grant applications with input from MCF as needed
- Review grantee reports
- Make photocopies for meetings
- Establish a decision making process
- Review grant proposals
- Make grant recommendations to MCF

Marketing and Communications

Manatee Community Foundation will:

- Include fund name in appropriate MCF materials

Giving Circle Members will:

- Include fund name in all materials consistent with MCF Donor-Initiated Fundraising Policy.
- Abide by Foundation fund raising policies (Gift Acceptance Policy & Donor-Initiated Fundraising Policy)
- Abide by Foundation's standards and policies for publicity and marketing. All published materials must be submitted to the Foundation for approval before publishing.

Agreed to by: Barbara Najmy Giving Circle Lead Contact

By: [Signature]

Date: 2/9/2018

Accepted by: Manatee Community Foundation

By: [Signature]
Susie Bowie, Executive Director

Date: 2/26/2018



Donor-Initiated Fundraising

Adopted by Board of Directors on October 26, 2016

Thank you for establishing a fund with the Manatee Community Foundation. We value your confidence in our organization. You have indicated that you would like to increase the visibility of your fund and raise additional funds for your fund by undertaking some form of marketing, promotion or fundraising. This might take the form of brochures, newsletter articles, posters, information sessions, requests of money through a solicitation letter to friends and associates, or hosting fundraising events such as golf tournaments, lunches, or dinners. The Foundation has developed the following donor-initiated fundraising policy and guidelines to help secure a successful outcome for both you and the Foundation, and to ensure that the Manatee Community Foundation meets all federal, state and local legal requirements with regard to your fund.

There are three (3) ways that you may promote your fund held by the Foundation:

1. Direct, Tax-Deductible Gifts to the Fund

You may promote your fund using various forms of "passive" marketing through newsletter articles, brochures, posters, information sessions, or a request of money through a solicitation letter to friends and associates. When you conduct solicitations on behalf of your fund held at the Foundation, it is important to keep in mind that for tax purposes such fundraising is being done on the Foundation's behalf. This raises a number of significant tax and accounting issues. For example, activities must be conducted under the Foundation's observation and fiscal guidance to ensure that donors to the fund are entitled to the appropriate tax deductions, to protect the fundraising groups from unintended tax consequences to themselves, and to determine that the Foundation is not exposed to penalties for failing to make required solicitation disclosures. Because of this the Foundation must approve *in advance* all written or spoken materials related to solicitations to promote your fund, including newsletter articles, letterhead, brochures, website content and media announcements.

Florida law *requires* the following standard disclosure in every solicitation, confirmation, receipt, or reminders of a contribution:



THE MANATEE COMMUNITY FOUNDATION, INC. IS A REGISTERED 501(C)(3) NON-PROFIT CORPORATION. A COPY OF THE OFFICIAL REGISTRATION AND FINANCIAL INFORMATION MAY BE OBTAINED FROM THE DIVISION OF CONSUMER SERVICES BY CALLING TOLL-FREE 1-800-435-7352 (or 1-800-352-9832 en Español) OR GOING ON THE DEPARTMENT'S WEBSITE WWW.800HELPFLA.COM. REGISTRATION DOES NOT IMPLY ENDORSEMENT, APPROVAL, OR RECOMMENDATION BY THE STATE. ONE HUNDRED PERCENT (100%) OF THE DONATION IS RECEIVED BY THE MANATEE COMMUNITY FOUNDATION, REGISTRATION #SC-10648.

Further, all materials and logos must clearly state that the fund is a "component fund of the Manatee Community Foundation, Inc." The Foundation will allow potential donors to use credit cards for payment. A statement indicating that "your credit card purchases will be listed on your statement as a charge by the Manatee Community Foundation, Inc." must be placed adjacent to the location for the credit card number and expiration date on such solicitation.

In response to the solicitation and/or marketing efforts, a donor may make a gift directly to your fund. In that case, he or she should make a check payable to the **Manatee Community Foundation** with the name of the fund in the "memo line", and send it to the **Manatee Community Foundation**, 2820 Manatee Avenue West, Bradenton FL 34205. Gifts of appreciated assets (i.e., stock) and credit card gifts made directly to the Foundation may also be accepted by the Foundation.

2. Independent Fundraising by an Exempt Organization

Organizations with their own federal tax-exempt status may sponsor a fundraising event or solicitation promoting their organization and deposit the net proceeds into a fund that has been established for their benefit at the Foundation. The exempt organization issues its own acknowledgment letters, and the donors receive a charitable tax deduction for their gifts because the sponsoring organization has its own charitable tax-exempt status. If publicly stating the net proceeds will be deposited into a fund at the Foundation, all printed and spoken material must clearly state that the fund is "a component fund of the Manatee Community Foundation, Inc."

3. Independent Fundraising by an Individual or Non-Exempt Organization



The Manatee Community Foundation is unable to assist with any kind of public fundraising event that relies upon the use of the Community Foundation's tax exempt status in order to offer contributors a charitable deduction for their participation. However, you may make a gift to your fund from the net proceeds of an event or solicitation for which donors were not offered a charitable tax deduction. Fundraising may be conducted by an individual, a group of people, or an organization without the endorsement or involvement of the Foundation. Generally, the person or group that plans and executes the fundraiser makes one lump sum donation of the net proceeds from the event to the component fund. Unless the event is sponsored by another tax-exempt nonprofit organization (501(c)(3) organization) which accepts and acknowledges the contributions/donations, the donor **may not** take a charitable tax deduction for the contribution.

Additional Guidelines Applicable to Non-tax-deductible Fundraising

- If publicly stating that the net proceeds will be deposited into a fund at the Foundation, all printed and spoken material must clearly state that the fund is a "component fund of Manatee Community Foundation."
- You may not use the Manatee Community Foundation's tax-exempt number in connection with the event. Contributions made as a result of your event/solicitation will not qualify as a tax-deductible charitable gift to the Foundation. It should be noted, that contributions to a fundraiser are only tax deductible when they are received and acknowledged directly by a qualified nonprofit organization.
- You are responsible for obtaining and paying for any necessary insurance, permits, licenses, approvals, etc. Event or activities that include raffles or drawings by chance are regulated under Florida law and must comply with Florida Statute § 849.0935.
- Fundraising events often require certificates of insurance or signed contracts. When events are sponsored independent of the Foundation, the name of the Foundation or the fund **must not** appear on any contract or agreement. Volunteers may not sign contracts obligating the Manatee Community Foundation.
- Individual participants in your event (ticket purchasers, sponsors, golf players, etc.) make their payments to the organizing individual or group, **not** to the Manatee Community Foundation or to the fund. You may record contributors' names and addresses and provide a courtesy acknowledgment. The acknowledgment letter must not include any language stating that the letter serves as an official receipt for IRS purposes or include any reference to tax deductibility or to the contribution being made to the Manatee Community Foundation or to the fund.
- You pay expenses and send the net proceeds of the fundraiser to the Manatee Community Foundation as a contribution to your fund. The Foundation records the gift as coming from you or your organization.



The Donor-Initiated Fundraising policy and guidelines are not a substitute for expert legal, tax or other professional advice tailored to your specific circumstances, and may not be relied upon for the purposes of avoiding any penalties that may be imposed under the Internal Revenue Code or Florida law. If you have any questions about this policy or these guidelines, please contact Betsy Pennewill, Corporate Counsel at (941) 955-3000 or betsy@cfsarasota.org.

Acknowledged and Agreed to by Donor

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