



City of Apache Junction

300 East Superstition Blvd • Apache Junction, AZ 85119 • www.ajcity.net • (480) 982-8002



HEALTH & HUMAN SERVICES COMMISSION

Application for Financial Assistance

The City of Apache Junction Health and Human Services accepts applications requesting financial assistance for the support of health and human service needs within the City of Apache Junction serving city residents. The following provides instructions and eligibility information regarding the request for non-profit funding.

Information on this program may be found at <http://www.ajcity.net/995/Health-Human-Services-Commission>.

The commission was formed under city code Article § 2-11.

This program is made possible under city code Article § 2-14 Request for Financial Assistance.

The city code is available at <http://www.ajcity.net/614/Read-the-City-Code>.

Application Due Date: **January 31, 2021**

Per city code, the request for financial assistance must be submitted to the city clerk's office during the month of January to be considered for the following fiscal year. All funding is subject to the execution of an agreement with the city, the approval of a budget allocating funds to the program, and the city council's approval.

Á

Eligible Applicants: **501 c(3)**

A valid, non-profit organization as qualified by the Internal Revenue Service and as registered with the Arizona Secretary of State, Arizona Corporation Commission or other appropriate state office.

The applicant must provide a service or perform work on behalf of the city and its residents and demonstrate a presence within the community.



City of Apache Junction

300 East Superstition Blvd • Apache Junction, AZ 85119 • www.ajcity.net • (480) 982-8002



HEALTH & HUMAN SERVICES COMMISSION

Application for Financial Assistance

Required Documentation per Ordinance No. 659:

1. Most recent audit report (the City Clerk's office has discretion to accept a P&L report and IRS tax filings in lieu of an audit report for smaller nonprofits with an estimated \$250,000 or less gross revenue)
2. Most recent financial statement
3. Detailed expenditure statement to include detailed accounting for all previously received City funds (if applicable)
4. Source and amount of funding received from all other sources (non-governmental agencies; membership fees and dues; private contributions)
5. Client service information as applicable to City residents (may not apply in all cases)
6. Proof of non-profit status (IRS determination)
7. Proof of corporate status to include copies of by-laws and Articles of Incorporation
8. Source and amount of funding received from other governmental agencies
9. Names and addresses of all current board members of agency governing board

Eligible Activities:

Programs and services affording health, public health, and human services care to all people, especially, to individuals of underprivileged conditions.

Populations Served:

Elderly, handicapped, developmentally disabled, and other special populations.

Priority Projects:

The Commission reserves the right to identify priority projects for funding.



City of Apache Junction

300 East Superstition Blvd • Apache Junction, AZ 85119 • www.ajcity.net • (480) 982-8002



HEALTH & HUMAN SERVICES COMMISSION

Application for Financial Assistance

Agency Information:

Name of Agency

Address

Website

Phone Number

Name of Agency Director

Email Address

Direct Line

Project Manager

Email Address

Direct Line

Secondary Contact

Email Address

Direct Line



City of Apache Junction

300 East Superstition Blvd • Apache Junction, AZ 85119 • www.ajcity.net • (480) 982-8002



HEALTH & HUMAN SERVICES COMMISSION

Application for Financial Assistance

Organization Information:

Provide background information on your agency to include services currently being provided.

Provide target population and demographic information on your current clientele to include percentage located within the City of Apache Junction.



City of Apache Junction

300 East Superstition Blvd • Apache Junction, AZ 85119 • www.ajcity.net • (480) 982-8002



HEALTH & HUMAN SERVICES COMMISSION

Application for Financial Assistance

Provide an example of a previous project success similar to what is being proposed and/or one that was successful with Health and Human Services funding support. Include how it was determined to be successful.

| |
|--|
| |
|--|

Provide a detailed description of current partnerships within the community include the name of the project/activity and how your agency partnered to make it successful.

| | |
|--|--|
| | |
|--|--|



City of Apache Junction

300 East Superstition Blvd • Apache Junction, AZ 85119 • www.ajcity.net • (480) 982-8002



HEALTH & HUMAN SERVICES COMMISSION

Application for Financial Assistance

Does your agency have adequate capacity to complete the project being requested?

Is the execution of this project dependent upon new staff funded through this program?

Are your board members listed on your website?

Does your website include your mission and vision statements?

Do you have a strategic plan?

Are you listed on the www.211Arizona.org website?

Have you participated in a Project Connect event in the past?

Have you participated in a Health and Wellness Expo in the past?

Have you participated in the Apache Junction Community Resource Center in the past?

Provide your 501c3 Identification number and renewal date.*

Do you have current By Laws signed by the Board of Directors?*

Do you have current Articles of Incorporation signed by the Board of Directors?*

Are you filed with the Arizona Secretary of State or Arizona Corporation Commission?*

*These items shall be submitted every five years to be held on file at the city. Should any document change or be updated, a new copy shall be submitted to the city within 10 working days.



City of Apache Junction

300 East Superstition Blvd • Apache Junction, AZ 85119 • www.ajcity.net • (480) 982-8002



HEALTH & HUMAN SERVICES COMMISSION

Application for Financial Assistance

Problem Statement:

What is the nature and extent of the problem to which you are trying to address?

To whom is this happening?

Why is this happening? What are the reasons or causes for the problem?



City of Apache Junction

300 East Superstition Blvd • Apache Junction, AZ 85119 • www.ajcity.net • (480) 982-8002



HEALTH & HUMAN SERVICES COMMISSION

Application for Financial Assistance

How do you know this is a problem? Provide statistics that support your claim. If available, please use statistics collected from your agency data and/or local documentation.

What will happen if the problem is not addressed?

What are the gaps between what exists and the solution?



City of Apache Junction

300 East Superstition Blvd • Apache Junction, AZ 85119 • www.ajcity.net • (480) 982-8002



HEALTH & HUMAN SERVICES COMMISSION

Application for Financial Assistance

Is there local documentation which identifies this as a problem?

Has the city or the commission identified this as a problem?



City of Apache Junction

300 East Superstition Blvd • Apache Junction, AZ 85119 • www.ajcity.net • (480) 982-8002



HEALTH & HUMAN SERVICES COMMISSION

Application for Financial Assistance

Project Proposal:

What is the proposed project to address the problem identified above? Please address the who, what, when, where, why, and how.

Is this a best practice or has it been proven successful in other places?

Is this a new or continuing project?

Why is this a need to be addressed?



City of Apache Junction

300 East Superstition Blvd • Apache Junction, AZ 85119 • www.ajcity.net • (480) 982-8002



HEALTH & HUMAN SERVICES COMMISSION

Application for Financial Assistance

Who will you serve with this project?

How and will you sustain this project after the agreement has ended?

Are there any community partners on this project? If so, please list.



City of Apache Junction

300 East Superstition Blvd • Apache Junction, AZ 85119 • www.ajcity.net • (480) 982-8002



HEALTH & HUMAN SERVICES COMMISSION

Application for Financial Assistance

Please complete the chart below to answer the following questions for each component of your project.

Approach: What are you going to do?

Inputs/Resources: What resources do you have to complete the project?

Activities: What specific actions will take place?

Outputs: What is the direct product of the activities?

Outcomes: What is the benefit or change as a result of the project?

Goals: What is the overall goal of the project?

| Project Component | Approach | Input | Activities | Outputs | Outcomes | Goals |
|-------------------|----------|-------|------------|---------|----------|-------|
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |



City of Apache Junction

300 East Superstition Blvd • Apache Junction, AZ 85119 • www.ajcity.net • (480) 982-8002



HEALTH & HUMAN SERVICES COMMISSION

Application for Financial Assistance

Financial Information:

What is your Tax ID number?

What is your Arizona Tax Privilege License number?

Does your agency have internal financial controls in place to track, report, and account for all funds which promotes transparency?

Is a certified public accountant responsible for your daily financials?

Is a certified public accountant responsible for creating your monthly financial statements? Please provide most recent report.

Is a certified public accountant responsible for your filing your taxes?

When was your last 990 reported?

Where can it be found?

Have you had an audit completed and when?*

Do you have an annual agency budget? Please provide.

Who is responsible for creating your annual budget?

| |
|--|
| |
| |
| |
| |
| |
| |
| |
| |
| |
| |

*These items may be submitted every five years to be held on file at the city. Should any document change or be updated, a new copy shall be submitted to the city within 10 working days.

Provide a list of your annual fundraisers and average amount raised.

| |
|--|
| |
|--|

Provide a list of your funding sources and the average amount received, including membership dues and private contributions.

| |
|--|
| |
|--|



City of Apache Junction

300 East Superstition Blvd • Apache Junction, AZ 85119 • www.ajcity.net • (480) 982-8002



HEALTH & HUMAN SERVICES COMMISSION

Application for Financial Assistance

Project Budget:

Please provide a detailed budget by quarter for each itemized expense.

| | Quarter 1 | Quarter 2 | Quarter 3 | Quarter 4 | Total |
|-------|-----------|-----------|-----------|-----------|-------|
| 1 | | | | | \$ |
| 2 | | | | | \$ |
| 3 | | | | | \$ |
| 4 | | | | | \$ |
| 5 | | | | | \$ |
| 6 | | | | | \$ |
| 7 | | | | | \$ |
| 8 | | | | | \$ |
| 9 | | | | | \$ |
| 10 | | | | | \$ |
| Total | | | | | |

What percentage of the project budget is being requested? \$ _____

What percentage of your budget is the requested funding? \$ _____



City of Apache Junction

300 East Superstition Blvd • Apache Junction, AZ 85119 • www.ajcity.net • (480) 982-8002



HEALTH & HUMAN SERVICES COMMISSION

Application for Financial Assistance

Narrative:

Please provide a detailed budget narrative for each itemized expense.

| | |
|----|--|
| 1 | |
| 2 | |
| 3 | |
| 4 | |
| 5 | |
| 6 | |
| 7 | |
| 8 | |
| 9 | |
| 10 | |



City of Apache Junction

300 East Superstition Blvd • Apache Junction, AZ 85119 • www.ajcity.net • (480) 982-8002



HEALTH & HUMAN SERVICES COMMISSION

Application for Financial Assistance

Project Evaluation:

How will you determine your project was successful in reaching your goals and what methods will you use?

Project a minimum of two SMART Objectives by completing the chart below.

| | Direction of change | What is changing | Target population | Degree of change | Timeframe | Measure |
|---|---------------------|------------------|-------------------|------------------|-----------|---------|
| 1 | | | | | | |
| 2 | | | | | | |
| 3 | | | | | | |
| 4 | | | | | | |

Completed applications and documents can be submitted in person to the City Clerk's Office or via e-mail to Jennifer Pena (jpena@apachejunctionaz.gov) and to Jill Bright (jbright@apachejunctionaz.gov).



City of Apache Junction

300 East Superstition Blvd • Apache Junction, AZ 85119 • www.ajcity.net • (480) 982-8002



HEALTH & HUMAN SERVICES COMMISSION

Application for Financial Assistance

Scoring Rubric for Commissioners:

Eligibility Questions

Y/N

Application was submitted by the required due date.

Application was complete and provided adequate detail.

Applicant meets eligibility requirements.

Serves AJ residents

Has a presence in the community

Is a 501 c(3) non-profit

Provides a health and human services need

Proposal Review

1 to 5

Organization Review - 25 points total

Provided information on residents served

Demonstration of successful projects

Demonstration of agency partnerships

Demonstration of agency capacity

Provided all required documentation per Ordinance No. 659

Problem Statement Review - 15 points total

Adequately identified the problem

Adequately identified the gaps

Identified a documented problem

Proposal Review - 20 points total

Provided detailed project information

Demonstration of need

Demonstration of community partners

Provided a detailed project scope

Financial Review - 15 points total

Provided required documentation

Demonstrated a financial need

Provided detailed and eligible budget

Evaluation Review - 10 points total

Comprehensive evaluation plan

Provided a minimum of two SMART objectives

85 points total

0

1 = Did not address adequately

2 = Addressed somewhat

3 = Addressed

4 = Adequately addressed

5 = Exceeded expectation

Apache Junction CDC

Period of December 2020

| | | | | |
|--|---------------------------|----------------------------|-----------------------------|-----------------------|
| Checking Balance Carried Forward July 1 , 2020 | CDC Checking \$ 540.66 | Focal Point \$ 2,486.87 | Savings Acct \$ 1,205.99 | Median \$ 3,372.61 |
|--|---------------------------|----------------------------|-----------------------------|-----------------------|

| Summary | Revenue | | | |
|--------------------------|--------------------|-------------------|--------------------|--------------|
| | .1 CDC checking | .2 Focal Point | .3 Savings Acct | .4 Median |
| July | \$ 193.90 | \$ - | \$ 0.15 | \$ - |
| August | \$ - | \$ - | \$ - | \$ - |
| September | \$ 892.25 | \$ - | \$ 0.14 | \$ - |
| October | \$ - | \$ - | \$ - | \$ - |
| November | \$ 689.26 | \$ - | \$ - | \$ - |
| December | \$ 1,742.15 | \$ 96.50 | \$ - | \$ - |
| January | \$ - | \$ - | \$ - | \$ - |
| February | \$ - | \$ - | \$ - | \$ - |
| March | \$ - | \$ - | \$ - | \$ - |
| April | \$ - | \$ - | \$ - | \$ - |
| May | \$ - | \$ - | \$ - | \$ - |
| June | \$ - | \$ - | \$ - | \$ - |
| Revenue YTD | \$ 3,517.56 | \$ 96.50 | \$ 0.29 | \$ - |
| Total Revenue YTD | \$ 3,614.35 | | | |

| Summary | Expenditures | | | |
|-------------------------------|--------------------|-------------------|--------------------|--------------|
| | .1 CDC Checking | .2 Focal Point | .3 Savings Acct | .4 Median |
| July | \$ - | \$ - | \$ - | \$ - |
| August | \$ 149.99 | \$ - | \$ - | \$ - |
| September | \$ 235.00 | \$ - | \$ 844.00 | \$ - |
| October | \$ 841.00 | \$ - | \$ - | \$ - |
| November | \$ - | \$ - | \$ - | \$ - |
| December | \$ 1,240.00 | \$ - | \$ - | \$ - |
| January | \$ - | \$ - | \$ - | \$ - |
| February | \$ - | \$ - | \$ - | \$ - |
| March | \$ - | \$ - | \$ - | \$ - |
| April | \$ - | \$ - | \$ - | \$ - |
| May | \$ - | \$ - | \$ - | \$ - |
| June | \$ - | \$ - | \$ - | \$ - |
| Expenditure YTD | \$ 2,465.99 | \$ - | \$ 844.00 | \$ - |
| Total Expenditures YTD | \$ 3,309.99 | | | |

Accounts At A Glance

| | |
|---|-------------|
| Account balances (checking) carried forward on 7-1-2020 | \$ 540.66 |
| Revenue YTD (checking) | \$ 3,517.56 |
| Expenditures YTD (checking) | \$ 2,465.99 |
| Balance (checking) | \$ 1,592.23 |

* Checking Account balances = Balance carried forward from 2020 + revenue YTD-expenditures YTD

Balance Focal Point \$ 2,583.37

Balance Savings \$ 362.28

Balance Median \$ 3,372.61

Total Checking \$ 7,548.21

INTERNAL REVENUE SERVICE -
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date:

SEP 28 ?W

APACHE JUNCTION COMMUNITY
DEVELOPMENT CORPORATION
567 W APACHE TRAIL
APACHE JUNCTION, AZ 85220-0000

Employer Identification Number:
74-3043614

DLN:
17053210712066

Contact Person:
BENJAMIN L DAVIS ID# 31465

Contact Telephone Number:
(877) 829-5500

Public Charity Status:
170 (b) (1) (A) (vi)

Dear Applicant:

Our letter dated November 2002, stated you would be exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code, and you would be treated as a public charity, rather than as a private foundation, during an advance ruling period.

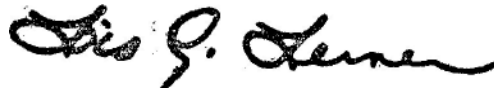
Based on the information you submitted, you are classified as a public charity under the Code section listed in the heading of this letter. Since your exempt status was not under consideration, you continue to be classified as an organization exempt from Federal income tax under section 501(c)(3) of the Code.

Publication 557, Tax-Exempt Status for Your Organization, provides detailed information about your rights and responsibilities as an exempt organization. You may request a copy by calling the toll-free number for forms, (800) 829-3676. Information is also available on our Internet Web Site at www.irs.gov.

If you have general questions about exempt organizations, please call our toll-free number shown in the heading.

Please keep this letter in your permanent records.

Sincerely yours,



Lois G. Lerner
Director, Exempt Organizations
Rulings and Agreements

Letter 1050 (DO/CG)

AMENDED AND RESTATED BYLAWS
OF
THE APACHE JUNCTION COMMUNITY DEVELOPMENT CORPORATION

ARTICLE I

PURPOSES

SECTION 1. NAME OF ORGANIZATION.

This non-profit corporation shall be known as The Apache Junction Community Development Corporation. The principal offices shall be determined from time to time by the Board of Directors.

SECTION 2. NONPROFIT PURPOSES.

The purposes for which the Corporation is formed are a) to support and improve the long-term health and quality of life of individuals and communities by 1) lessening the burdens of government through cooperation with, and activities on behalf of local units of government; 2) combating community deterioration through the redevelopment and rehabilitation of blighted properties and structures, development of vacant properties, provision of economic development activities, including creation of jobs, particularly for low and moderate income persons, resource planning and enforcement activities on behalf of local units of government for the purposes of neighborhood improvement and historic preservation and 3) constructing and maintaining public works in cooperation with and on behalf of local units of government and b) transact any and all lawful business for which the Corporation may be incorporated including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under Section 501(c)(3) of the Internal Revenue Code, provided such business is not inconsistent with the Corporation's being organized and operated exclusively for charitable purposes under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or corresponding provisions of any subsequent federal tax laws.

SECTION 3. POWER AND AUTHORITY.

Except as otherwise provided by law, all of the authority of the Corporation shall vest in and be exercised by the Board of Directors.

ARTICLE II

NON PROFIT CORPORATION

The Corporation shall at all times be operated on a non-profit basis under the laws of the State of Arizona and in accordance with the provisions of a charitable organization under the IRC 501 (c)(3).

ARTICLE III

DIRECTORS

SECTION 1. BOARD OF DIRECTORS.

The number of voting directors of the corporation shall be nine (9).

In addition, the Mayor of Apache Junction Arizona may appoint an individual to serve as a non-voting ex officio member of the board.

The initial voting members of the Board of Directors shall serve a one year term. Upon the expiration of their then current terms, the Directors shall serve for staggered terms as provided below.

- (a) Three of the Directors shall be elected for a one year term, three of the Directors shall be elected for a two year term, and three of the Directors shall be elected for a three year term; however, upon the expiration of such Directors respective terms, their successors shall be elected for a three year term in each case.
- (b) No Director shall serve for more than two consecutive three year terms. However, a Director who is appointed to complete the term of a Director who has resigned or has been removed may serve two full three year terms in addition to the unexpired term of his or her predecessor. Further, a Director who has served two full three year terms may be reelected as a Director after an absence from the Board of Directors of at least one year.

SECTION 2. ELECTION OF THE BOARD OF DIRECTORS.

Election of Directors shall take place at the Annual Meeting of the Board.

SECTION 3. INTEREST OF DIRECTORS AND OFFICERS.

No Director or officer of the Corporation shall have any right, title or interest in or to any property or assets of the Corporation either prior to or at the time of any liquidation or dissolution of the Corporation.

SECTION 4. INDEMNIFICATION.

1. Indemnification in Actions by Third Parties.

The Corporation shall indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative, other than an action by or in the right of the Corporation, by reason of the fact that he or she is or was a Director, committee member, officer or employee of the Corporation as a member, director, Director, committee member, officer, or employee of another corporation, partnership, joint venture, trust or other enterprise, against expenses, including attorneys' fees, and against judgments, fines and amounts paid in settlement actually and reasonably incurred by him or her in connection with such action, suit or proceeding if he or she acted, or failed to act, in good faith and in a manner he or she reasonably believed to be in or not opposed to the best interests of the Corporation, and, with respect to any criminal action or proceeding, had no reasonable cause to believe his or her conduct was unlawful. The termination of any action, suit or proceeding by judgment, order, settlement, conviction or upon a plea of *nolo contendere* or its equivalent shall not of itself create a presumption that the person acted or failed to act other than in good faith and in a manner which he or she reasonably believed to be in or not opposed to the best interest of the Corporation and, with respect to any criminal action or proceeding, had reasonable cause to believe that his or her conduct was unlawful.

2. Indemnification in Actions by or in the Right of the Corporation.

The Corporation shall indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending or completed action or suit by or in the right of the Corporation to procure a judgment in its favor by reason of the fact that he or she is or was a Director, committee member, officer, employee or agent of the Corporation or is or was serving at the request of the Corporation as a director, Director, committee member, officer, employee or agent of another Corporation, partnership, joint venture, trust or other enterprise against expenses, including attorney fees, but excluding judgments and fines and, except as hereinafter set forth, amounts paid in settlement, actually and reasonably incurred by him or her in connection with the defense or settlement of such action or suit, if he or she acted, or failed to act, in good faith and in a manner he or she reasonably believed to be in or not opposed to the best interests of the Corporation and except that no indemnification may be made in respect of any claim, issue or matter as to which such person shall have been adjudged to be liable to the Corporation unless and only to the extent that the court in which such action or suit was brought shall determine upon application that, despite the adjudication of liability but in view of all circumstances of the case, such person is fairly and reasonably entitled to indemnify for such expenses which such court shall deem proper.

The court in which any such action or suit was brought may determine upon application that, in view of all circumstances of the case, indemnity for the amounts so paid in settlement is proper and may order indemnity for the amounts so paid in settlement and for the expenses, including attorneys' fees, actually and reasonably paid

in connection with such application, to the extent the court deems proper.

3. Indemnification Against Expenses.

To the extent that a Director, committee member, officer or employee of the Corporation has been successful on the merits or otherwise in defense of any action, suit or proceeding referred to in Subsections 1 or 2 of this Section, or in defense of any claim, issue or matter therein, he or she shall be indemnified against expenses, including attorney fees, actually and reasonably incurred by him or her in connection therewith.

4. Required Determination.

Any indemnifications under Subsections 1 or 2 of this Section, unless ordered by a court, shall be made by the Corporation only as authorized in the specific case upon a determination that indemnification of a Director, committee member, officer, agent or employee is proper in the circumstances because he or she has met the applicable standard of conduct set forth in Sections 1 or 2 of this Section. Such determination shall be made by any of the following:

- (a) By the Board of Directors by a majority vote of a quorum consisting of Directors who were not parties to the action, suit or proceeding;
- (b) If such quorum is not obtainable, in a written opinion of independent legal counsel appointed by a majority of the disinterested Directors for that purpose; or
- (c) If there are no disinterested Directors, by the court or other body before which the action, suit or proceeding was brought or any court of competent jurisdiction upon the approval of an application by any person seeking indemnification, in which case indemnification may include the expenses, including attorneys' fees, actually and reasonably paid in connection with such application.

5. Advance of Expenses.

Expenses, including attorneys' fees, incurred in defending a civil or criminal action, suit or proceeding may be paid by the Corporation in advance of the final disposition of the action, suit or proceeding upon receipt of an undertaking by or on behalf of the Director, committee member, officer, agent or employee to repay the amount unless it is ultimately determined that he or she is entitled to be indemnified by the Corporation as authorized in this Article.

6. Not Exclusive.

The indemnification and other benefits provided in this SECTION 4 are not exclusive of any other rights to which those benefited may be entitled under any bylaw, agreement, vote of disinterested Directors or otherwise, both as to action in his or her official capacity and as to action in another capacity while holding such office. The indemnification and other benefits provided by or granted pursuant to these Bylaws,

unless otherwise provided when authorized or ratified, shall continue to a person who has ceased to be a Director, committee member, officer, agent or employee and shall inure to the benefit of the heirs, executors and administrators of such a person.

7. Insurance.

The Corporation shall have power to purchase and maintain insurance on behalf of any person who is or was a Director, committee member, officer, agent or employee of the Corporation or is or was serving at the request of the Corporation as a director, committee member, officer, agent or employee, of another corporation, partnership, joint venture trust or other enterprise against any liability asserted against him or her and incurred by him or her in any such capacity or arising out of his or her status as such, whether or not the Corporation would have the power to indemnify him or her against such liability under this SECTION 4. As used in this Subsection 7, "insurance" includes retrospectively rated and self-insured programs to the extent permitted by law.

8. Transferability.

The rights to indemnification provided pursuant to this Section cannot be transferred or assigned to any person or entity including, without limitation, an insurance carrier and no person or entity may be subrogated to such rights.

SECTION 5. GENERAL POWERS.

The Board of Directors shall exercise full power to conduct, manage and direct the business and affairs of the corporation.

SECTION 6. ATTENDANCE.

Unexcused absence from three (3) consecutive Board meetings shall be construed as lack of interest in the work of the Board. A Board member who has failed to contact the Chairman of the Board about such absences and offered a bona fide reason for them may be asked to resign and such will be conveyed in writing to that Board member by the Board of Directors.

SECTION 7. COMPENSATION.

Neither directors, officers nor close relatives of a director or an officer shall receive any salary or other compensation for their services.

ARTICLE IV

OFFICERS

SECTION 1. NUMBER, QUALIFICATIONS AND TERMS.

The officers of the Corporation shall be Chairman, Vice Chairman, Secretary and Treasurer and such other officers as may be determined by the Board of Directors. All officers shall be a member of the Board of Directors of the Corporation and they shall perform such duties as may be designated by the Board of Directors. Their regular terms shall be two years except for the organizing Board of Directors where one or more Officers may choose to serve a one-year term. The Officers and others as shall be appointed from time to time by the Chairman constitute the Executive Committee of the Corporation.

SECTION 2. ELECTION.

The officers shall be elected by the Board of Directors at the regular annual meeting of the Board of Directors. Each officer shall hold office until his/her successor shall have been appointed and qualified. A vacancy in any office shall be filled by the Board of Directors for the unexpired portion of the term.

SECTION 3. DUTIES.

Chairman – shall serve as the chief elected officer of the Corporation and shall preside at all meetings of the Board of Directors and the Executive Committee.

Vice Chairman – The Vice Chairman is also the Chairman-elect. He/she shall exercise the powers and duties of the Chairman in his absence or disability. The duty of the Vice Chairman will be understood to include that of becoming the Chairman at the conclusion of the Chairman's designated year(s) of service.

President/CEO – shall be the Chief Administrative and Executive Officer. The President/CEO shall be a non-voting, ex-officio member of the Board of Directors and the Executive Committee. He/she may serve as Secretary to the Board of Directors but will serve ex officio as a non-voting member of the Executive Committee. He/she may cause to be prepared all documents and reports pertaining to the corporation and may be assigned responsibility for operations of the Corporation on behalf of the Board.

Treasurer – shall be the custodian of all the funds of the organization and is responsible for their proper safekeeping, management and control by reviewing reports, providing the annual reports and supervising audits for the Corporation. The Treasurer shall present the Board with an annual budget each year at the Annual Meeting.

Secretary -- shall be responsible for maintaining the records of the Corporation including meeting minutes.

Staff Liaison - shall be the liaison between the Corporation and the City of Apache Junction; and shall be a non-voting, ex-officio member of the Board of Directors and the Executive Committee.

ARTICLE V

MEETINGS OF DIRECTORS

SECTION 1. ANNUAL MEETING.

The regular annual meeting of the Board of Directors shall be held the first Monday in July at a time and place as specified in the notice of the meeting or at a place, time and date to be determined by the Board of Directors as long as it is within three months of the above-stated annual meeting date.

SECTION 2. GENERAL MEETINGS OF THE BOARD.

The Chairman shall call general meetings of the organization at any time or upon request of three (3) or more board members. Notice of meetings shall be mailed to each member at least 7 days prior to such meetings; mailing may be done by electronic mail or fax as appropriate.

SECTION 3. QUORUM.

At all meetings of the Board of Directors, a majority of the Directors then serving and qualified in office in the manner provided by the Bylaws shall be necessary and sufficient to constitute a quorum for the transaction of business. Each Director shall have one (1) vote. There shall be no voting by proxy.

SECTION 4. PARTICIPATION IN MEETINGS BY CONFERENCE TELEPHONE.

Meetings of the Board of Directors, whether regular or special, may be held by means of conference telephone or similar communications equipment, by means of which all persons participating in the meeting can hear each other. Participation in a meeting pursuant to this section shall constitute presence in person at such meeting.

ARTICLE VI

REMOVAL FROM OFFICE/DIRECTORSHIP

Any officer or director may be removed from office as a result of failure to fulfill the duties of said office or from conduct detrimental to the best interests of The Apache Junction Community Development Corporation. Said removal must be approved by a two-thirds (2/3) vote of the sitting board of directors.

ARTICLE VII

VACANCY

Vacancies by resignation or otherwise on the Executive Committee or the Board of Directors shall be filled with the approval of the Board of Directors for the remaining term(s) of office.

ARTICLE VIII

LIMITATION OF AUTHORITY

No action by any member, committee, division, employee, director or officer shall be binding upon, or constitute an expression of, the policy of the corporation until it shall have been approved or ratified by the Board of Directors

ARTICLE IX

FISCAL YEAR

The fiscal year of The Apache Junction Community Development Corporation shall close June 30th.

ARTICLE X

PARLIAMENTARY AUTHORITY

The current edition of Robert's Rules of Order shall be the final source of authority in all questions of parliamentary procedure when such rules are not inconsistent with the Charter of Bylaws of the Organization.

ARTICLE XI

OTHER PROVISIONS

SECTION 1. LIMITATIONS ON ACTIVITIES.

No substantial part of the activities of this 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 this 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, this corporation shall not carry on any activities not permitted to be carried on (a) by a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code or (b) by a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code.

SECTION 2. PROHIBITION AGAINST PRIVATE INUREMENT.

No part of the net earnings of this corporation shall inure to the benefit of, or be distributable to, its members, Directors or trustees, 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 this corporation.

SECTION 3. DISTRIBUTION OF ASSETS.

Upon the dissolution of this 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 local government, for a public purpose. Such distribution shall be made in accordance with all applicable provisions of the laws of the State of Arizona.

SECTION 4. PROVISIONS FOR PRIVATE FOUNDATIONS.

The Board of Directors shall abide by the following provisions for private foundations:

- (a) The Corporation shall distribute its income for each taxable year at such time and in such manner as not to become subject to tax on undistributed income imposed by Code Section 4942;
- (b) The Corporation shall not engage in any act of self-dealing, as defined in Code Section 4941(d);
- (c) The Corporation shall not retain any excess business holdings as defined in Code Section 4943(c);
- (d) The Corporation shall not make any investments in such manner as to subject it to tax under Code Section 4944;
- (e) The Corporation shall not make any "taxable expenditures," as defined in Code Section 4945(d); and
- (f) The Corporation shall act or fail to act, as set forth in Sections A through E above, such that the Corporation, and any Corporation managers or other disqualified persons with respect thereto, shall not be liable for any of the taxes imposed by Code Sections 4941, 4942, 4943, 4944 and 4945.

ARTICLE XII

AMENDMENTS

These bylaws, or any of them, may be amended, altered or repealed and new Bylaws adopted by the Board of Directors. Bylaws matters shall be decided by a majority vote of the members of the Board at any regular or special meeting, providing the notice for the meeting includes the proposals for amendments. Any proposed amendments or alterations shall be submitted to the membership in writing, at least seven (7) days in advance of the meeting at which they are to be acted upon.

ARTICLE XIII

CONSTRUCTION AND TERMS

If there is any conflict between the provisions of these Bylaws and the Articles of Incorporation of this corporation, the provisions of the Articles of Incorporation shall govern. Should any of the provisions of portions of these Bylaws be held unenforceable or invalid for any reason, the remaining provisions and portions of these Bylaws shall be unaffected by such holding. All references in these Bylaws to the Articles of Incorporation shall be to the Articles of Incorporation filed with the State of Arizona Corporations Commission used to establish the legal existence of this corporation. All references in these Bylaws to a section or sections of the Internal Revenue Code shall be to such sections of the Code of 1986 as amended from time to time, or to corresponding provision of any future federal tax code.

ARTICLE XIV

CONFLICT OF INTEREST

Directors shall not vote on matters in which they have a conflict of interest. However, no contract or other transaction between the Corporation and its Directors, officers or any other corporation, firm, association or entity in which its Directors or officers are Directors or officers or are financially interested is either void or voidable because of the relationship or interest or because a Director or officer is present at the meeting of the Board of Directors or a committee of the Board of Directors which authorizes, approves or ratifies such contract or transaction or because his, her or its votes are counted for such purpose, if any of the following apply:

- (a) The fact of such relationship or interest is disclosed or known to the Board of Directors or committee, which authorizes, approves or ratifies the contract or transaction;
- (b) The contract or transaction is fair and reasonable to the Corporation at the time the contract or transaction is authorized, approved and ratified in the light of

circumstances known to those entitled to vote on the matter at that time; and, in all cases; and

- (c) Common or interested Directors or officers may be counted in determining the presence of a quorum at a meeting of the Board of Directors or of a committee of Directors which authorizes, approves or ratifies the contract or transaction.

ADOPTION OF BYLAWS

We, the undersigned, are all of the Directors of this corporation, and we consent to, and hereby do, adopt the foregoing Amended and Restated Bylaws, consisting of the preceding pages, as the Bylaws of The Apache Junction Community Development Corporation this 27 day of July, 2016.

The Apache Junction Community Development Corporation, an Arizona non-profit corporation

By: David Hvalby
Chairman of the Board

Jim Duran
Vice-Chairman of the Board

James C. Winton
Secretary

[Signature]
Treasurer

Apache Junction Community Development Corporation

"Building community pride one brick at a time"

apachejunctioncdc.com

2021/2022 - Board of Directors

Dave Waldron - Chairman

PO Box 4284

Apache Junction, AZ, 85178

Jim Duncan – Vice Chairman

2745 E Smoketree St.

Apache Junction, AZ, 85119

Chad Heywood - Secretary

288 N. Ironwood Dr., Suite 102

Apache Junction, AZ 85120

Heidi Geldis-Young - Treasurer

4949 E Shiprock St.

Apache Junction, AZ, 85119

Johnny Austin

PO Box 7740

Apache Junction, AZ, 85178

Jim Humphries

1428 W 14th Ave

Apache Junction, AZ 85120

Robin Barker

860 S. Saguaro

Apache Junction, AZ 85120

Our Vision

Through community involvement, having a common and unified purpose to **"Make a Difference"** while providing conduits and assistance that enable a strong and sustainable community.

Our Mission

Working together to maintain and create safe affordable housing, support economic opportunities, instill a sense of community pride and commitment, and enhance the physical image of Apache Junction.

Apache Junction Community Development Corporation

“Building community pride one brick at a time”

apachejunctioncdc.com

2021-2022

➤ Community Revitalization Projects

- Work with various groups to coordinate community projects, provide assistance and material as we can.

➤ Household Hazardous Waste Transport Assistance

- Provide pick up service for citizens who can't bring these items to the drop off location.

➤ “Make A Difference Day”

- Multiple Projects and locations through-out the City – Annual Event.

➤ Playground Revitalization Project

- Work with the Boys and Girls Club on revitalizing their Playground.

➤ Focal Point Brick Memorial

- Revitalization and Support.

➤ Residential Address Identifiers

- Website sign-up requests, project may include placing and or painting home address numbers for homes in need.

Our Vision

Through community involvement, having a common and unified purpose to **“Make a Difference”** while providing conduits and assistance that enable a strong and sustainable community.

Our Mission

Working together to maintain and create safe affordable housing, support economic opportunities, instill a sense of community pride and commitment, and enhance the physical image of Apache Junction.