

Inside the city

Information on latest happenings, items of interest.

To see events posted on the city wide calendar please visit our [website](#).

Council follow-up

Resolution of action items or requests from previous meetings.

City Council inquired about the possibility of including an additional document at residential closings for individual purchases near the Refuge and Dick's Sporting Goods Park.

The attached letter was mailed to Forest City Stapleton July 7, 2016.

City Council requested an update regarding Mile High Market Place traffic management.

Please see the attached memo outlining staff follow-up, which will involve coordination between the police and public works departments.

Councilwoman Carson requested a copy of the Quality Community Foundation bylaws.

A copy of the document is attached.

City Council requested contact with the City of Thornton to see if they are acquiring land in order to extend 96th Ave. to connect with the US-85 interchange.

According to Thornton staff, they were moving toward acquiring right-of-way (ROW) to extend 96th Avenue to the intersection of 96th Avenue and Highway 85, but have decided not to pursue it further at this time. They indicated that this connection is important to Thornton and, as such, the City is interested in an IGA with Commerce City and Adams County that would preserve ROW for 96th Avenue as development occurs along the proposed route. Staff from Commerce City, Thornton and Adams County will be meeting in the next couple of weeks to discuss the IGA and continuity & consistency between the three transportation plans.

Councilman Douglas commented about excessive right-of-way signs along 104th and Chambers.

A Neighborhood Services inspector visited the area of East 104th Avenue and Chambers Road, checking the area for illegal signs both during the week and during the weekend. The inspector pulled a few signs that were observed, and reached out to the contact listed on the signs and advised they can pick up their signs, and they are advised of the city's sign regulations prohibiting off-premise and signs in the ROW. All inspectors remove illegal signs as part of their regular, daily duties and generally signs are removed from various parts of the city on a daily basis.



FROM THE CITY MANAGER'S OFFICE

For the week of July 11, 2016

Councilman Douglas inquired about the validity of rumors that Kroene Sports & Entertainment is considering moving Elitch Gardens to Commerce City.

The Kroenke contact responded with an email indicating that nothing has changed since the original press release from the acquisition of Elitch Gardens.

New Tobacco Free Campaign in city

Funded by Amendment 35, the tobacco prevention campaign is designed and led by youth within Tri-County Health Department's jurisdiction. The Tobacco Free 303 program allows each youth group to identify a unique cause that they want to address in their community, providing funding for a public awareness/ media campaign with billboards and public events. The Boys & Girls Club is leading the Commerce City & Brighton campaigns; the Suncor club has identified electronic cigarette use in public spaces as their focus.

The ultimate goal is for youth to engage city council in a policy discussion to address the use of electronic cigarette use in places where there are existing smoke-free ordinance this winter or next spring, depending on community input received the fall. The City Manager's Office is working with Tri-County Health and the Boys & Girls Club to facilitate future study session and discussion. More information is available at www.tobaccofree303.org.

Council requested information regarding food truck regulations be included in the city newsletter.

Information on food truck regulations and proposed changes will be included in the September issue of the *Connected* newsletter.

Development Report

Attached please find the monthly development report.

Correspondence

- Rep. Perlmutter's District Update – July 2016

City Council Work Schedule

Attached please find the current city council meeting schedule.



July 6, 2016

James D. Chrisman
Senior Vice President
Forest City Stapleton, Inc.
7351 E. 29th Ave.
Denver, CO 80238

Re: Request for Disclosure of Stadium & Wildlife Refuge

Dear Mr. Chrisman:

As Mayor of the City of Commerce City, I am contacting you to request the assistance of Forest City Stapleton. The City has received several complaints from residents of the new Stapleton development about noise from events at Dick's Sporting Goods Park and animals residing at the Rocky Mountain Arsenal National Wildlife Refuge.

The City requests that, as the new neighborhoods are developed, Forest City Stapleton or its homebuilders provide the following closing disclosure to homebuyers:

Your property is located in close proximity to: (1) an outdoor sports and concert venue in Commerce City, Colorado, currently known as Dick's Sporting Goods Park; and (2) the Rocky Mountain Arsenal National Wildlife Refuge, a federal wildlife refuge that is home to more than 330 species of wildlife. You may experience features common to such facilities, including event and concert noise, traffic congestion, and interaction with wild animals.

I appreciate your assistance and look forward to your reply.

Sincerely,

Mayor Sean Ford

cc: Commerce City Council
Brian McBroom, City Manager

MEMMO

To: D. Moon, I/Deputy Chief

From: R. Rentfrow, Sergeant

Subject: Meeting with Mile High Flea Market ref. Traffic Complaints

Date: July 1, 2016

On July 1, 2016, Commander Evans and I met with Trevor Roper, Director of Operations for the Mile High Flea Market, to discuss their traffic plan for normal operations. I informed Mr. Roper that our request for the meeting was in response to a complaint(s) to the police department that was received by the City Council. The complaint stated that residents on Laurel Drive and from Wikiup Trailer Park were unable to enter 88th Avenue because of flea market traffic.

Laurel Drive is a no-outlet roadway that accesses E. 88th Avenue, just west of the south entrance to the flea market, but between the south entrance and exit. The main entrance to Wikiup is directly across from the south exit to the market. The secondary entrance to Wikiup is on Brighton Boulevard, south of E. 88th Avenue. For eastbound traffic, there are signs posted prior to each location directing traffic not to block the intersection. The sign at Laurel Drive is partially obscured by trees. There are no roadway markings providing any direction about not blocking the intersection.

At the onset of our meeting, Mr. Roper informed me that on Saturday, June 18th, there was a serious traffic accident on E. 88th Avenue, in front of Wikiup, and E. 88th Avenue was closed for about an hour. Mr. Roper was unsure if this traffic incident contributed to the complaint.

MEMO CONTINUED

Mr. Roper explained that attendance at the market is actually down this season and they have not had enough sustained traffic to require that they open their 7th ticket gate at the south entrance for the past several weeks. Mr. Roper said their highest load times for ingress are between 1130 hrs and 1400 hrs. When this occurs, the left turn lane for eastbound E. 88th Avenue backs up, as well as westbound E. 88th Avenue traffic turning right into the market. An off-duty officer is assigned to the intersection to facilitate moving vehicles into the ticket queue in an effort to relieve both directions of travel. That said, the eastbound lanes on E. 88th Avenue are not backed up and are moving freely. When vehicles are exiting, as well as entering, the traffic lights at Brighton Boulevard and the I-76 ramp both cause westbound congestion. Mr. Roper noted that he believes that when CDOT changed the lighting, they changed timing of the lights. Therefore, there are periods during egress that eastbound left turning traffic into the market and westbound traffic are blocking those wishing to exit Wikiup to go westbound. Mr. Roper has contacted CDOT asking for assistance or feedback about any traffic control changes and they have not replied. Mr. Roper added that when an officer is conducting traffic control at the market exit, the officers often assist vehicles exiting Wikiup to go westbound.

Mr. Roper said they paid for and conducted a traffic study about 4 to 5 years ago and they continue to follow those recommendations in order to have the least amount of impact on the

MEMO CONTINUED

surrounding areas. Although traffic flow is, at times, affected by the market, traffic congestion on E. 88th Avenue in that area on work days, during morning and afternoon rush hours, is more significant than the impact they are having on the weekends.

From the meeting, it is apparent that flea market management is very conscious of their impact on the surrounding community and is very willing to make changes, if needed; however, they have a solid traffic plan, which they consistently monitor each week, and execute their plan, which does mitigate unnecessary traffic congestion.

Recommendations:

It may be more informative for drivers to paint roadway markings in front of Laurel Drive and Wikiup indicating to drivers not to block the intersections, in addition to the signs that are already posted. The sign at Laurel Drive should be evaluated to see if it is too close the intersection and to have the trees cut back that are obstructing the sign.

For residences leaving Laurel Drive during high volume times, they should consider turning right and taking an alternate route instead of trying to make a left turn to go westbound. For residences leaving Wikiup, there is a second entrance/exit on Brighton Boulevard that can be used.

It may be helpful to have City traffic engineers contact CDOT to ensure the traffic control programming is configured best to accommodate ingress/egress flea market traffic on the weekends.

In the long term, widening E. 88th Avenue to four lanes from Rosemary Street to I-76 would achieve the most significant improvement of traffic congestion in that area, both during the work week and weekend.

**BYLAWS
OF
QUALITY COMMUNITY FOUNDATION
(A Colorado Nonprofit Corporation)**

Effective: October 18, 2011

BYLAWS

OF

QUALITY COMMUNITY FOUNDATION

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**BYLAWS
OF
QUALITY COMMUNITY FOUNDATION
(a Colorado Nonprofit Corporation)**

ARTICLE I.

Offices

1. Business Offices. The principal office of the corporation in the State of Colorado shall be located at 7887 East 60th Avenue, Commerce City, Colorado 80022-3203. The corporation may have such other offices, either within or without the State of Colorado, as the board of directors may determine or as the affairs of the corporation may require from time to time.

2. Registered Office. The corporation shall have and continuously maintain in the State of Colorado a registered office, and a registered agent whose office is identical with such registered office, as required by the Colorado Revised Nonprofit Corporation Act (hereinafter “the Act”). The registered office may be, but need not be, identical with the principal office if the principal office is in the State of Colorado. The address of the registered office may be changed from time to time by the corporation as long as the proper filings are made with the Secretary of State of Colorado.

ARTICLE II.

Objectives

The corporation’s objectives shall be to fulfill its “charitable purposes” within the meaning of Section 501 (c)(3) of the Internal Revenue Code of 1986, as amended (“the Code”), and as described in the corporation’s articles of incorporation, as well as such other objectives as may be established by the board of directors which are not inconsistent therewith or with Colorado law.

ARTICLE III.

Members

The corporation shall have no members.

ARTICLE IV.

Board of Directors

1. General Powers. The affairs of the corporation shall be managed by its board of directors. Directors shall consist of the Director of Finance of the City of Commerce City and such other individuals as appointed by the City Council of the City of Commerce City. The members of the board of directors shall in all cases act as a board, and may adopt such rules and regulations for the conduct of their meetings and the management of the corporation as they may deem proper, provided that such rules and regulations are not inconsistent with the articles of incorporation, these bylaws, the Code and Colorado law.

2. Number of Directors. The number of directors of the corporation shall be not less than five nor more than eleven, as may be fixed from time to time by resolution of the board of directors. No decrease in the number of directors shall have the effect of shortening the term of any incumbent director.

(a) **Initial and Additional Directors; Terms of Office.** The initial board of directors shall consist of those individuals named as initial directors in the Organizational Consent Minutes of the corporation effective April 25, 2006. Such directors shall serve until their terms indicated in such Minutes or until their removal or resignation as provided herein. With the exception of the Director of Finance of the City of Commerce City, any additional or replacement directors shall be determined by majority vote of the City Council of the City of Commerce City. The Director of Finance shall serve as director until his or her resignation, dismissal or retirement from his or her position with the City of Commerce City. All other directors shall serve three year terms.

(b) **Removal of Directors.** With the exception the Director of Finance of the City of Commerce City, any member of the board of directors may be removed at any time,

without cause by a majority vote of the City Council of the City of Commerce City.

(c) **Absences.** In the event that a member of the board of directors is absent from three consecutive meetings without good cause, the board may by an affirmative vote of the majority present at a meeting request the City Council to remove said board member.

3. Regular Meetings. The board of directors may provide by resolution the time and place, either within or without the State of Colorado, for the holding of the annual meeting and other regular meetings of the board without other notice than such resolution.

4. Special Meetings. Special meetings of the board of directors may be called by or at the request of the president or any two directors. The person or persons authorized to call special meetings of the board may fix any place, either within or without the State of Colorado, as the place for holding any special meeting of the board called by them.

5. Notice of Meetings. Notice of each meeting of directors, whether annual, regular or special, shall be given to each director. If such notice is given either by personally delivering written notice to a director or by personally telephoning such director, it shall be so given at least two (2) days prior to the meeting. If such notice is given either by depositing a written notice in the United States mail, postage prepaid, or by transmitting a cable or telegram, in all cases directed to such director at his or her residence or place of business, it shall be so given at least four (4) days prior to the meeting. The notice of all meetings shall state the place, date and hour thereof, but need not, unless otherwise required by law or these bylaws, state the purpose or purposes thereof.

6. Quorum. A majority of the board of directors shall constitute a quorum for the transaction of business at any meeting of the board; but if less than a majority of the directors are present at said meeting, a majority of the directors present may adjourn the meeting from time to time without further notice.

7. Manner of Acting. Except as otherwise provided by law or these bylaws, the act of a majority of the directors present at a meeting at which a quorum is present shall be the act of the board of directors.

8. Actions with Respect to Charitable Lead Trusts. Notwithstanding the above, no director who contributes property to a charitable lead trust (within the meaning of Sections 2055 and 2522 of the Code) which includes the corporation as a charitable beneficiary, shall participate in or vote on the selection of any recipients of grants from the corporation involving funds transferred to the corporation from such trust.

9. Vacancies. Any vacancy occurring in the board of directors, including any vacancy resulting from an increase in the number of directors, may be filled as provided in paragraph 3. of Article IV.

10. Compensation. Directors shall not be compensated for their services as directors. However, by resolution of the board of directors, a fixed sum to cover the expenses of attendance, if any, may be allowed for attendance at each regular or special meeting of the board. Nothing herein shall be construed to preclude any director from serving the corporation in some other capacity and receiving compensation therefore.

11. Financial Commitment of Board Members. Members of the board of directors are expected to financially contribute to the Quality Community Foundation each calendar year during membership on the Board of Directors.

12. Informal Action by Directors. Any action required by law to be taken at a meeting of directors, or any action which may be taken at a meeting of directors, may be taken without a meeting if each director in writing either (a) votes for such action; or (b) (I) votes against such action or abstains from voting; and (II) waives the right to demand that action not be taken without a meeting. Action is taken under this section only if the affirmative vote for such action equals or exceeds the minimum number of votes that would be necessary to take such action at a meeting at which all of the directors then in office were present and voted.

13. Meetings by Telephone. Members of the board of directors or any committee designated thereby may hold or participate in a meeting of the board of directors or such committee by means of conference telephone or similar communications equipment provided that all such persons so participating in such meeting can hear each other at the same

time.

ARTICLE V.

Officers

1. Officers. The officers of the corporation shall be a president, a vice president, a secretary, a treasurer, and such other officers as may be elected in accordance with the provisions of this article. The board of directors may elect or appoint such other officers, including assistant secretaries and one or more assistant treasurers, as it shall deem desirable, such officers to have the authority and perform the duties prescribed, from time to time, by the board of directors. Any two or more offices may be held by the same person. The officers must be natural persons who are at least eighteen years of age.

2. Election and Term of Office. Unless otherwise provided herein, the officers of the corporation shall be elected annually by the board of directors at the next regular meeting of the board of directors following the annual meeting of the board of directors. If the election of officers shall not be held at such meeting, such election shall be held as soon thereafter as conveniently may be. New offices may be created and filled at any meeting of the board of directors. Each officer shall hold office until his or her successor shall have been duly elected and shall have qualified.

3. Removal. Any officer elected or appointed by the board of directors may be removed by the board of directors at any time with or without cause, but such removal shall be without prejudice to the contract rights, if any, of the officer so removed.

4. Vacancies. A vacancy in any office because of death, resignation, removal, disqualification or otherwise, may be filled by the board of directors for the unexpired portion of the term.

5. President. The president shall be elected by the board of directors and shall serve as the principal executive officer of the corporation and shall, in general, supervise

and control all of the business and affairs of the corporation. The president shall preside at all meetings of the board of directors. The president may sign, with the secretary or any other proper officer of the corporation, contracts or other instruments which the board of directors has authorized to be executed, except in the cases where signing and execution thereof shall be expressly delegated by the board of directors, by these bylaws or by statute to some other officer or agent of the corporation. In general, the president shall perform all duties incident to the office of president and such other duties as may be prescribed by the board of directors from time to time.

5. Vice President. In the absence of the president or in event of the president's inability or refusal to act, the vice president (or in the event that there be more than one vice president, the vice presidents in the order of their election) shall perform the duties of the president, and when so acting, shall have all the powers of and be subject to all the restrictions upon the president. Any vice president shall perform such other duties as, from time to time, may be assigned to him or her by the president or by the board of directors.

6. Treasurer. The treasurer shall be the Director of Finance of the City of Commerce City. If required by the board of directors, the treasurer shall give a bond for the faithful discharge of his or her duties in such sum and with such surety or sureties as the board of directors shall determine. The treasurer shall have charge and custody of and be responsible for all funds and securities of the corporation; receive and give receipts for moneys due and payable to the corporation from any source whatsoever, and deposit all such moneys in the name of the corporation in such banks, trust companies or other depositories as shall be selected in accordance with these bylaws; and, in general, perform all the duties incident to the office of treasurer and such other duties as from time to time may be assigned to him or her by the president or by the board of directors.

8. Secretary. The secretary shall keep the minutes of the meetings of the board of directors in one or more books provided for that purpose; see that all notices are duly given in accordance with the provisions of these bylaws or as required by law; be custodian of the corporate records and of the seal of the corporation and see that the seal of the corporation is

affixed to all documents, the execution of which on behalf of the corporation under its seal is duly authorized in accordance with the provisions of these bylaws; keep a register of the post-office address of each director which shall be furnished to the secretary by such director; and, in general, perform all duties incident to the office of secretary and such other duties as from time to time may be assigned to him or her by the president or by the board of directors.

9. Assistant Treasurers and Assistant Secretaries. If required by the board of directors, the assistant treasurers shall give bonds for the faithful discharge of their duties in such sums and with such sureties as the board of directors shall determine. The assistant treasurers and assistant secretaries, in general, shall perform such duties as shall be assigned to them by the treasurer or the secretary or by the president or the board of directors.

ARTICLE VI.

Committees

1. Committees of Directors. The board of directors may create one or more committees of the board and appoint one or more directors to serve on them, by vote of a majority of all directors then in office, which committees shall have and exercise the authority delegated to them by the board of directors in the management of the corporation, except that no such committee shall have the authority to make or authorize distributions; elect, appoint or remove any director; amend or repeal the articles of incorporation or bylaws of the corporation; or approve a plan of merger, sale, lease, exchange or other distribution of all or substantially all of the corporation's property, with or without goodwill, other than in the usual and regular course of business.

2. Other Committees. The corporation may have other committees similarly appointed which shall not have the authority of the board of directors in the management of the corporation.

3. Term of Office. Each member of a committee shall continue as such until the next annual meeting of the board of directors of the corporation and until his or her successor is appointed, unless the board of directors shall sooner terminate such committee or remove such

member, or unless such member shall cease to qualify as a member thereof.

4. Chair. One member of each committee shall be appointed chair by the person or persons authorized to appoint the members thereof.

5. Vacancies. Vacancies in the membership of any committee may be filled by appointments made in the same manner as provided in the case of the original appointments.

6. Quorum. Unless otherwise provided in the resolution of the board of directors designating a committee, a majority of the whole committee shall constitute a quorum and the act of a majority of the members present at a meeting at which a quorum is present shall be the act of the committee.

7. Rules. The same rules described herein regarding meetings, action without meeting, notice, waiver of notice and quorum and voting requirements of the board of directors similarly apply to the committees of the board and their members.

ARTICLE VII.

Standards of Conduct for Officers and Directors

Each director and officer with discretionary authority shall discharge his or her duties in good faith, with the care an ordinarily prudent person in a like position would exercise under similar circumstances, and in a manner the director or officer reasonably believes to be in the best interests of the corporation. In discharging duties, a director or officer is entitled to rely on information, opinions, reports, or statements, including financial statements and other financial data, if prepared or presented by: (a) one or more officers or employees of the corporation whom the director or officer reasonably believes to be reliable and competent in the matters presented; (b) legal counsel, a public accountant, or another person as to matters the director or officer reasonably believes are within such person's professional or expert competence; or (c) in the case of a director, a committee of the board of directors of which the director is not a member if the director reasonably believes the committee merits confidence.

A director or officer is not acting in good faith if he or she has knowledge concerning the

matter in question that makes reliance otherwise permitted by the above unwarranted. A director or officer is not liable as such to the corporation for any action taken or omitted to be taken as a director or officer, as the case may be, if, in connection with such action or omission, the director or officer performed the duties of the position in compliance with this article.

ARTICLE VIII.

Directors' Conflicting Interest Transactions

1. Conflicting Interest Transactions. As used in this article, “conflicting interest transaction” means a contract, transaction, or other financial relationship between the corporation and a director of the corporation, or between the corporation and a party related to a director, or between the corporation and an entity in which a director of the corporation is a director or officer or has a financial interest.

2. Prohibition Against Loans to Directors or Officers. No loans shall be made by the corporation to its directors or officers. Any director or officer who assents to or participates in the making of any such loan shall be liable to the corporation for the amount of such loan until the repayment thereof.

3. Voidability of Conflicting Interest Transactions. No conflicting interest transaction shall be void or voidable or be enjoined, set aside, or give rise to an award of damages or other sanctions solely because the director is present at or participates in the meeting of the corporation’s board of directors or of the committee of the board of directors that authorizes, approves, or ratifies the conflicting interest transaction or solely because the director’s vote is counted for such purpose if:

(a) The material facts as to the director’s relationship or interest as to the transaction are disclosed or are known to the board of directors or the committee, and the board of directors or committee in good faith authorizes, approves or ratifies the transaction by the affirmative vote of a majority of the disinterested directors, even though the disinterested directors are less than a quorum; or

(b) The transaction is fair to the corporation.

4. Approval of Conflicting Interest Transactions. Common or interested directors may be counted in determining the presence of a quorum at a meeting of the board of directors or of a committee which authorizes, approves, or ratifies the conflicting interest transaction.

5. Party Related to Director. For purposes of this article, a “party related to a director” shall mean a spouse, descendent, ancestor, or sibling of a director; the spouse of a descendent, ancestor or sibling of a director; an estate or trust in which the director or a party related to a director has a beneficial interest; or an entity in which a party related to a director is a director or officer, or has a financial interest.

ARTICLE IX.

Indemnification

1. Indemnification. To the extent permitted or required by the Act and any other applicable law, if any director or officer (as defined below in this paragraph 1.) of the corporation is made a party to or is involved in (for example, as a witness) any “proceeding” (as defined below in this paragraph 1.) because such person is or was a director or officer of the corporation, the corporation (a) shall indemnify such person from and against any judgments, penalties, fines (including, but not limited to, ERISA excise taxes), amounts paid in settlement and reasonable expenses (including, but not limited to, expenses of investigation and preparation, and fees and disbursements of counsel, accountants or other experts) incurred by such person in such proceeding, and (b) shall advance to such person expenses incurred in such proceeding. Furthermore, the corporation may in its discretion (but is not obligated in any way to) indemnify and advance expenses to an employee or agent of the corporation to the same extent as to a director or officer.

The foregoing provisions for indemnification and advancement of expenses are not exclusive and the corporation may, at its discretion, provide for indemnification or advancement of expenses in a resolution of its directors, in a contract or in its articles of incorporation. Any

repeal or modification of the foregoing provisions of this article for indemnification or advancement of expenses shall not affect adversely any right or protection stated in such provisions with respect to any act or omission occurring prior to the time of such repeal or modification. If any provision of this article or any part thereof shall be held to be prohibited by or invalid under applicable law, such provision or part thereof shall be deemed amended to accomplish the objectives of the provision or part thereof as originally written to the fullest extent permitted by law, and all other provisions or parts shall remain in full force and effect. In the case of any amendment of the Act after the date of adoption of this article, when used with reference to an act or omission occurring prior to effectiveness of such amendment, the term “Act” shall include such amendment only to the extent that the amendment permits a corporation to provide broader indemnification rights than the Act permitted prior to the amendment.

For purposes of this paragraph 1., the term “director” or “officer” means (a) a director or officer of the corporation and (b) while an individual is a director or officer of the corporation, the individuals serving at the corporation’s request as a director, officer, partner, member, manager, trustee, employee, fiduciary, or agent of another domestic or foreign corporation, nonprofit corporation, or other person or of an employee benefit plan, and (c) any other position (not with the corporation itself) in which a director or officer of the corporation is serving at the request of the corporation and for which indemnification by the corporation is permitted by the act. For purposes of this paragraph 1., the term “proceeding” means any threatened, pending or completed action, suit, or proceeding whether civil, criminal, administrative or investigative, and whether formal or informal.

2. Limitation. Notwithstanding any other provision of this article, during any period that the corporation is a “private foundation” within the meaning of Section 509 of the Code, or any corresponding provision of any future United States tax law, the corporation shall not indemnify any person from or against or advance to any person the cost of, such expenses, judgments, fines, or amounts paid or necessarily incurred, nor shall the corporation purchase or maintain such insurance, to the extent that any such indemnification, purchase, or maintenance would be determined to be an act of self-dealing within the meaning of Section 4941 of the Code, to be a taxable expenditure within the meaning of Section 4945 of the Code, or to be

otherwise prohibited under the Code, unless and to the extent (a) a court orders such indemnification, or (b) the purchase or maintenance of such insurance can be treated as reasonable compensation to such person.

ARTICLE X.

Contracts, Checks, Deposits, Gifts and Proxies

1. Contracts. The board of directors may authorize any officer or agent of the corporation, in addition to the officers so authorized by these bylaws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the corporation, and such authority may be general or limited to specific instances.

2. Checks, Drafts, and Other Evidences of Indebtedness. All checks, drafts or orders for the payment of money, notes or other evidences of indebtedness issued in the name of the corporation, shall be signed by such officer or officers, agent or agents of the corporation and in such manner as shall from time to time be determined by resolution of the board of directors. In the absence of such determination by the board of directors, such instruments shall be signed by the treasurer or an assistant treasurer and countersigned by the president or a vice president of the corporation.

3. Deposits. All funds of the corporation shall be deposited from time to time to the credit of the corporation in such banks, trust companies or other depositories as the board of directors may select.

4. Gifts. The board of directors may accept on behalf of the corporation any contribution, gift, bequest or devise for the general purposes or for any special purpose of the corporation.

5. Proxies. Unless otherwise provided by resolution adopted by the board of directors, the president or any vice president may from time to time appoint one or more agents or attorneys in fact of the corporation, in the name and on behalf of the corporation: (a) to cast the votes which the corporation may be entitled to cast as the holder of stock or other securities

in any other corporation, association or other entity any of whose stock or other securities may be held by the corporation, at meetings of the holders of the stock or other securities of such other corporation, association or other entity; (b) to consent in writing, in the name of the corporation as such holder, to any action by such other corporation, association or other entity; (c) to instruct the person or persons so appointed as to the manner of casting such votes or giving such consent; and (d) to execute or cause to be executed, in the name and on behalf of the corporation and under its corporate seal or otherwise, all such written proxies or other instruments as he may deem necessary or appropriate.

ARTICLE XI.

Books and Records

The corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its board of directors and committees having any of the authority of the board of directors, and shall keep at its registered or principal office a record giving the names and addresses of the directors. All books and records of the corporation may be inspected by any director or his or her agent or attorney for any proper purpose at any reasonable time.

ARTICLE XII.

Corporate Seal

The corporate seal shall be in such form as shall be approved by resolution of the board of directors. Said seal may be used by causing it or a facsimile thereof to be impressed or affixed or reproduced or otherwise. The impression of the seal may be made and attested by either the secretary or an assistant secretary for the authentication of contracts or other papers requiring the seal.

ARTICLE XIII.

Waiver of Notice

Whenever any notice is required to be given under the provisions of the Act or under the provisions of the articles of incorporation or the bylaws of the corporation, a director may waive any such notice: (a) whether before or after the date or time stated in the notice as the date or time when any action will occur, by delivering a written waiver to the corporation which is signed by the director entitled to the notice for inclusion in the minutes, but such delivery and filing shall not be conditions of the effectiveness of the waiver; or (b) by a director's attendance at the meeting whereby such director waives objection to lack of notice or defective notice, unless the director at the beginning of the meeting objects to the holding thereof or transacting business at the meeting because of lack of notice or defective notice and the director also does not vote for or assent to action taken at the meeting. Further, even if a director attends or participates in a meeting, the director does not waive any required notice if special notice was required of a particular purpose and the director objects to transacting business with respect to the purpose for which such special notice was required and does not thereafter vote for or assent to action taken at the meeting with respect to such purpose.

ARTICLE XIV.

Protection of Corporate Status

1. Earnings. No director, officer or agent of the corporation, or any other private individual, shall receive at any time any of the net earnings or pecuniary profit from the operations of the corporation. All directors of the corporation shall be deemed to have expressly consented and agreed that upon dissolution or winding up of the affairs of the corporation, whether voluntary or involuntary, the net assets of the corporation remaining in the hands of the board of directors shall be distributed, transferred, conveyed, delivered and paid over according to the provisions of the articles of incorporation, in such amounts as the board of directors may determine or as may be determined by a court of competent jurisdiction upon application of the board of directors, exclusively to organizations which would then qualify under the provisions of Section 501(c)(3) of the Code.

2. Prohibited Activities. Notwithstanding any other provisions of these bylaws, no director, officer or agent of the corporation shall take any action or carry on any

activity by or on behalf of the corporation which is not permitted to be taken or carried on by an organization exempt from taxation under Section 501 (c)(3) of the Code or by an organization contributions to which are deductible under Section 170(c)(2) of the Code.

3. Nondiscrimination. The directors, officers, and agents serving on behalf of, and persons served by, this corporation shall be selected entirely on a nondiscriminatory basis with respect to race, color, national or ethnic origin, religion, disability, sex, sexual orientation or age.

ARTICLE XV.

Amendments to Bylaws

The board of directors may amend these bylaws at any time.

CERTIFICATION

I hereby certify that the above and foregoing amended bylaws were duly adopted by resolution of the board of directors of QUALITY COMMUNITY FOUNDATION effective as of October 18, 2011.

QUALITY COMMUNITY FOUNDATION,
a Colorado nonprofit corporation

By: _____

Daniel Aire, President



City Development Report

June 2016

The following list outlines projects that have hit one of six milestones in the development cycle during the prior month. The project names used in this report do not represent the official case name, but rather are edited to make them more descriptive for the purposes of this report.

Submitted for Development Review	Approximate Location or Address
BNSF Transload Facility – 24,000 s.f. storage building on developed site	9101 Yosemite Street
CareNow Emergency facility - replat existing lot into 2 lots	SWC 104 th Avenue and Tower Road
Chartered Development – development plan for 3, 26-unit apartment buildings	Belle Creek Filing No. 3
Lakes at the Dunes LLLP – multi-family townhome project	11250 Florence Street
Development Plan Approved	Approximate Location or Address
SACFPD – new fire administration building	6050 Syracuse Street
Grading Permit Issued	Approximate Location or Address
Dion’s Restaurant - grading permit	15150 East 104 th Avenue
Old Dominion new maintenance building - grading permit	5601 Holly Street
Submitted for Building Review	Approximate Location or Address
Star Buds Retail Marijuana Dispensary 1,218 s.f. new building	5844 Dahlia Street
Tenant Finish/Marijuana Facility – 3,145 s.f.	9670 Dallas Street, Unit B
North Forest Office – 8,556 s.f. office building	13551 East 104 th Avenue
Building Permit Issued	Approximate Location or Address
Tenant Finish/Marijuana Extraction Booth – 1,926 s.f.	10001 East 102 nd Avenue, Unit C-106
Anderson Drilling – 17,430 s.f. tenant improvements	5775 Eudora Street
Smile 4 Life – 610 s.f. dental office expansion	12253 East 104 th Place, Unit 105
Old Dominion – 42,530 s.f. new maintenance building	5601 Holly Street
Marijuana Extraction Laboratory – 5,000 s.f.	9670 Dahlia Street, #3 & #4
Iglesia Apostolica Church – 7,382 s.f. addition	6707 East 80 th Avenue
Temporary Certificates of Occupancy Issued	Approximate Location or Address
SACFPD – 9,386 s.f. new fire station	8600 Rosemary Street
Certificates of Occupancy Issued	Approximate Location or Address
Tenant finish retail marijuana – 1,375 s.f.	5433 Quebec Street
Rush Truck Centers – 55,544 s.f. building. addition	6955 East 50 th Avenue
Rush Truck Centers – 11,086 s.f. new sales area/garage	6800 East 50 th Avenue
Rush Truck Centers – 24,251 s.f. new warehouse	6805 East 50 th Avenue
Apex Land Company – 2,100 s.f. office addition	9800 Alton Way

Please keep in mind that receipt of permit or submission for review is not a guarantee that a project will be built. There are numerous reasons, unrelated to the city process, for a project to be delayed or canceled.

Please see definitions on following page.

DEFINITIONS

Development Plan Approval:

Development approval usually is an administrative review of a development plan that covers the final details for site design, landscaping, architecture, and public improvements to ensure compliance with the development and design standards and provisions of the city's Land Development Code. A development plan should provide the character and layout of the lot or lots including the exact location; the use of each building and area; architectural elevations of buildings indicating height, materials, and color; detailed landscape plan; streets, curb cuts, lighting; utilities, drainage, and other easements.

Building Permit:

A building permit is the formal approval of building plans by Commerce City's building and safety division indicating they meet the requirements of prescribed codes. It is an authorization to proceed with the construction or reconfiguration of a specific structure at a particular site, in accordance with the approved drawings and specifications.

Certificate of Occupancy (CO)/Temporary Certificate of Occupancy (TCO):

A Certificate of Occupancy (CO) is a document issued by Commerce City's Building & Safety Division certifying a building's compliance with applicable building codes and other laws, and indicating it to be in a condition suitable for occupancy. This certificate is necessary to be able to occupy the structure for everyday use.

A Temporary Certificate of Occupancy (TCO) grants the same rights as a certificate of occupancy, however, it is only for a temporary period of time. Temporary certificate of occupancies are generally sought after and acquired when a building is still under minor construction, but there are certain areas that are deemed to be habitable, and, upon issuance of TCO, can legally be occupied or sold.

Grading Permit:

A grading permit is required for any excavation, fill, or other earthwork, unless the project is exempted by the Land Development Code. A grading permit may or may not be a precursor to additional construction activity.

Rep. Perlmutter's District Update – July 2016



Happy 4th of July! I hope everyone had a safe and happy holiday, and thank you to our active military personnel, veterans and their families who sacrificed for our country and our freedom.

This past week, my office hosted an **Innovation Roundtable with U.S. Secretary of Commerce Penny Pritzker** and more than 30 local business leaders, government

officials, and academics with interest in growing the workforce and competitiveness of local businesses. I heard about the challenges and opportunities facing local Colorado businesses and how to develop public policy at the federal level to help business grow and foster America's innovation and competitiveness.



I also joined Secretary Pritzker and others to celebrate the **second anniversary of the U.S. Patent and Trademark Office's (USPTO) Rocky Mountain Office**. The anniversary celebration underscored the office's efforts to promote innovation, economic growth, and human progress and the Department of Commerce's efforts to make its services even more accessible to communities, industries, and innovators across America by opening satellite offices across the country. The Rocky Mountain Regional Office is making great strides and contributions to creating new high-skilled jobs and working with the region's array of innovative industries to expedite the patent examination process to advance cutting-edge ideas to the marketplace and support entrepreneurs as they grow their business.



I also held a telephone town hall with about 4,700 constituents as part of the **National Day of Action for Commonsense Gun Violence Prevention** to discuss common sense gun violence prevention measures. The call served as follow up to the historic "sit-in" or filibuster I participated in with dozens of other Democratic members of the House of Representatives. I was joined on the call by Tom Mauser who lost his son, Daniel Mauser, in the shooting at Columbine High School and Lakewood Police Officer Dave Hoover who lost his nephew, A.J. Boik, during the Aurora Theater shooting.

After having felt these tragedies so close to home and in such a personal way, it is time to take action. It shouldn't take members of Congress holding a protest to get a vote on common sense gun violence prevention measures that are supported by the majority of the American people. As a lawmaker, I believe I have a responsibility to ensure my constituent's voices are heard and pass responsible gun violence prevention laws that respects the 2nd amendment but still protects our communities. I believe inaction and silence is no longer an option.

ICYMI: Our office launched a new and improved (and mobile-friendly) website. Check it out at www.perlmutter.house.gov.

[Click here](#) or call my office at (303) 274-7944 for more information about how my office can help you. You can also track my latest news and activities by following me on Facebook ([Congressman Ed Perlmutter](#)) and Twitter ([@RepPerlmutter](#)).

City Council Work Schedule				
Date	Item	Description	Dept.	Time
July 18, 2016		Call to Order; Pledge; Audience Intro; Citizen Comm; <u>Minutes</u> ; Reports		1:00
REGULAR				
PROC & RECOGNITION				
CONSENT	Res 2016-33	Approval of Contract for Construction of Highway 2	PW	0:05
	Res 2016-28	Contract Award Chambers Multi-use Trail and Bridge	PW	n/a
	Res 2016-57	Resolution approving settlement of Hammer Litigation	CA	n/a
	Res 2016-64	A resolution codifying the City of Commerce City's Healthy Eating and Active Living (HEAL) committee	CMO	n/a
	Res 2016-73	Easement Agreement with the South Adams County Water and Sanitation District; 96th Avenue	PW	n/a
	Res 2016-74	Historical Society Lease Agreement Amendment	CD	n/a
	Res 2016-81	Award of Contract for Slurry Seal	PW	n/a
	Res 2016-87	South Adams County Water and Sanitation District Payback Agreement for Tower Road	PW	n/a
	Res 2016-88	South Adams County Water and Sanitation District Payback Agreement for Highway 2	PW	n/a
	Res 2016-89	RESOLUTION APPROVING CONVEYANCE OF CITY PROPERTY TO BRIGHTON SCHOOL DISTRICT 27J	CD	n/a
	Res 2016-91	Resolution appointing Kendra Carberry as alternate for the Marijuana Licensing and Liquor Authority	CA	n/a
	Ord 2103	AN ORDINANCE AMENDING THE 2016 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE ADAMS COUNTY OPEN SPACE GRANT FUNDS IN THE AMOUNT OF \$90,000 FOR THE ACQUISITION OF A RESIDENTIAL LOT LOCATED AT 6023 FOREST (1st reading June 20)	PR&G	n/a
PUB HEARING				
RESOLUTION				
ORD 1ST READING	Ord 2104	Grant Recognition - POST Training - \$15,000 (2nd reading Aug 15)	FD	0:05
	Ord 2105	Grant Recognition - CDOT DUI - \$28,000 (2nd reading Aug 15)	FD	0:05
	Ord 2106	Grant Recognition - TGYS - \$79,119 (2nd reading Aug 15)	FD	0:05
PRESENTATION	Pres 16-370	Marijuana Licensing Update	CC	0:20
	Pres 16-368	Police Department Update	PD	0:45
	Pres 16-406	CDBG Consolidated Plan Draft Update	CD	0:15
EXECUTIVE SESSION	16-36	An executive session pursuant to C.R.S. 24-6-402(4)(b) for the purpose of receiving legal advice regarding public official liability issues	CA	1:00
ADMIN BUSINESS				0:15
			Total Meeting Time	3:55

City Council Work Schedule				
Date	Item	Description	Dept.	Time
July 25, 2016		Reports	CMO	0:15
STUDY SESSION				
DISCUSSION	Pres 16-421	Municipal Court mid-year update	FD	0:30
	Pres 16-376	Presentation of the 2015 Comprehensive Annual Financial Report (CAFR)	FD	0:30
	Pres 16-367	New Recreation Center Design Development Wrap-up	CMO	1:00
	Pres 16-193	Preliminary Budget Session: Overview, Revenue & CIPP Discussion	FD	0:30
	Pres 16-317	Overview of Bond Issuance Process	FD	0:20
		Total Meeting Time		3:05
August 1, 2016		Call to Order; Pledge; Audience Intro; Citizen Comm; Minutes; Reports		1:00
REGULAR				
EXECUTIVE SESSION	16-03	An executive session pursuant to C.R.S. 24-6-402(4)(e) for the purpose of instructing negotiators regarding DIA noise mitigation property acquisition	CD	0:30
PROC & RECOGNITION				
CONSENT	Res 2016-86	Award of Contract for Mill and Overlay	PW	0:05
PUB HEARING				
	Res 2016-80	Approval of CDBG Consolidated Plan	CD	0:45
RESOLUTION	Res 2016-82	Resolution setting public hearing date for AN-237-16	CD	0:05
	Res 2016-83	Resolution setting public hearing date for AN-238-16	CD	0:05
ORD 1ST READING				
PRESENTATION	Pres 16-431	Service Dogs and the Americans with Disabilities Act	COMM	0:45
	Pres 16-97	Capital Program Update	CMO	
	Pres 16-98	2016 1st Quarter Work Plan Update	CMO	
ADMIN BUSINESS				0:15
		Total Meeting Time		3:30
August 8, 2016		Reports	CMO	0:15
STUDY SESSION				
DISCUSSION	Pres 16-194	Budget Presentation - City Manager's Proposals	FD	0:30
	Pres 16-195	Budget Presentations: CMO, ED, CD, IT, Legal, PW, FD	FD	2:00
	Pres 16-196	Budget Presentations: PR/GOLF, HR, City Clerk, Communications, PD, CIPP Discussion	FD	2:00
	Pres 16-371	Board & Commission Program Update	CC	0:20
		Total Meeting Time		4:50
August 15, 2016		Call to Order; Pledge; Audience Intro; Citizen Comm; Minutes; Reports		1:00
REGULAR				
PROC & RECOGNITION				
CONSENT	Res 2016-34	Approval of Contract for East 72nd Avenue (SRTS)	PW	0:05
	Ord 2104	Grant Recognition - POST Training - \$15,000 (1st reading July 18)	FD	n/a
	Ord 2105	Grant Recognition - CDOT DUI - \$28,000 (1st reading July 18)	FD	n/a
	Ord 2106	Grant Recognition - TGYS - \$79,119 (1st reading July 18)	FD	n/a
PUB HEARING				
RESOLUTION				
ORD 1ST READING				
PRESENTATION	Pres 16-43	2016 HEAL Workplan	COMM	0:45
	Pres 16-429	Rocky Mountain Arsenal National Wildlife Refuge Five Year Review	COMM	1:00
ADMIN BUSINESS				0:15
EXECUTIVE SESSION		City Attorney recruitment	HR	2:00
		Total Meeting Time		5:05
August 22, 2016		Reports	CMO	0:15
STUDY SESSION				
DISCUSSION	Pres 16-197	Budget Presentation - City Manager's Proposals	FD	6:00
		Total Meeting Time		6:15

City Council Work Schedule				
Date	Item	Description	Dept.	Time
September 5, 2016		HOLIDAY - NO MEETING		
September 12, 2016		Reports	CMO	0:15
STUDY SESSION				
DISCUSSION				
			Total Meeting Time	0:15
September 19, 2016		Call to Order; Pledge; Audience Intro; Citizen Comm; Minutes; Reports		1:00
REGULAR				
PROC & RECOGNITION				
CONSENT				0:05
PUB HEARING	Z-934-16	The City of Commerce City is reuquesting to rezone from Adams County A-3 to Commerce City Public for the property located north of E. 112th Avenue between Potomac Street and Chambers Road (PIN: 172306000013 and PIN 172306200001) (2nd reading October 17)	CD	0:15
RESOLUTION	Res 2016-84	Resolution making findings of fact for AN-237-16	CD	0:05
	Res 2016-85	Resolution making findings of fact for AN-238-16	CD	0:05
ORD 1ST READING				
PRESENTATION				
ADMIN BUSINESS				0:15
			Total Meeting Time	1:45
September 26, 2016		Reports	CMO	0:15
STUDY SESSION				
DISCUSSION	Pres 16-399	Snow and Ice Control Presntation	PW	0:30
	Pres 16-419	Building Permit Process Review	CD	0:30
	Pres 16-432	Food Truck Changes	CD	0:20
			Total Meeting Time	1:35