

29



City of Costa Mesa, Treasury Management Division

APPLICATION FOR FIREWORKS PERMIT

Phone: (714) 754-5235

THIS DOCUMENT IS CONSIDERED A PUBLIC RECORD SUBJECT TO DISCLOSURE UNDER THE PUBLIC RECORDS REQUEST ACT.

PLEASE PRINT OR TYPE

ORGANIZATION:

Permit #: _____

Name: Kiwanis Club of Costa Mesa Date Organized: _____

Mailing Address: 1687 Labrador Dr Costa Mesa, CA 92626

Principal and Permanent Meeting Place: Costa Mesa Country Club

OFFICERS:

Name: Ken Dilley Home Address: 2482 Newport Blvd #10, CM 92626

Name: Rhea Leigh Graf Home Address: 2330 Vanguard Way #6203, CM 92626

Location of Fireworks Stand: Harbor Christian Fellowship- 740 W. Wilson St.

State Sales Tax Permit No.: 102-923973 State Fire Marshal's License No.: W002493

Wholesaler or Distributor from whom the retailer proposes to purchase fireworks for sale:

Name: TNT FIREWORKS

Address: 555 N. GILBERT ST., FULLERTON, CA 92833

The manner, method and times; and how applicant proposes to sell "safe and sane" fireworks:

RETAIL SALES OF SAFE AND SANE FIREWORKS

JUNE 30 - JULY 3 (10AM-10PM) AND JULY 4 (9AM-9PM)

Responsible adult who will deal with City in all matters for this permit:

Name: Harlan Andersen Phone: 714 333 5097

Address: 1687 Labrador Dr. Costa Mesa 92626

Email: harlan50@sbcglobal.net

I declare under penalty of perjury that, this organization is a bona fide non-profit organization, as recognized by the State of California that was formed to benefit the youth and students of the City of Costa Mesa, with its principal and permanent meeting place within the City of Costa Mesa. Permit applicants may be asked by the Director of Finance to submit information to verify statements made on the application form. ANY APPLICANT WHO IS UNABLE TO VERIFY SUCH STATEMENTS MAY BE DISQUALIFIED FROM OBTAINING A PERMIT.

Authorized Signature:  Date: 5/16/16

Title: _____

FOR TREASURY MANAGEMENT DIVISION USE ONLY

Date Received: _____ Receipt Number: _____

Public liability and property insurance certificate required in a minimum amount of \$1,000,000 combined single limit, naming the City of Costa Mesa as additional insured.

Policy Number: _____

**City of Costa Mesa, Treasury Management Division
FIREWORK STAND APPLICATION REQUIREMENTS**

The Costa Mesa Municipal Code contains regulations governing the issuance of fireworks permits and the discharge of fireworks. These regulations are found in Sections 9-179 through 9-190. The City Council has also adopted Council Policy 400-2 (revised 02/19/13), which imposes additional regulations governing the sale and discharge of fireworks (copy attached).

Applications must be filed before **June 1** of the calendar year for which permit is sought. The following requirements must also be met:

SCHOOL APPLICANTS

1. High School applicants must attach a letter from the school's Principal certifying the applicant is a recognized organization supporting school activities and must certify that the organization is a tax exempt charity or non-profit organization under state and federal law in good standing or approved Newport Mesa Unified School District entity under direct control of the school.
2. Copy of temporary Seller's Permit from the State Board of Equalization
3. Copy of State Fire Marshal Retail Fireworks License
4. Original insurance certification naming the City of Costa Mesa as additional insured
5. Copy of site plan which must be approved by Building & Safety, Traffic Engineering and the Fire Department

NON-SCHOOL APPLICANTS

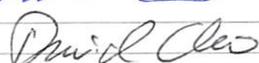
1. Copy of Articles of Incorporation (including amendments)
2. Copy of By-Laws
3. Current roster of officers/directors which includes name, address, and telephone number
4. Current roster of members which includes name, address, and age
5. Copies of tax exempt status from the Internal Revenue Service and the State Franchise Tax Board
6. Copy of temporary Seller's Permit from the State Board of Equalization
7. Copy of State Fire Marshal Retail Fireworks License
8. Original insurance certification naming the City of Costa Mesa as additional insured
9. Copy of site plan which must be approved by Building & Safety, Traffic Engineering and the Fire Department

The United States Flag Code permits nighttime display of the American flag when the flag is illuminated. It is the responsibility of the firework stand operator and associated firework distributor to ensure that the flag is illuminated at night when displayed. As an alternative, the City suggests that the American flag be taken down at night.

FIRE DEPARTMENT (714) 327-7400: Each Fireworks Stand will be inspected for fire-safe conditions during the time of occupancy, and a final inspection will be conducted in order to release the deposit for clean-up. Fireworks Stands are to be cleaned up before midnight of Thursday, July 7th.

BUILDING & SAFETY DIVISION (714) 754-5273: An Electrical Permit must be obtained from the City of Costa Mesa prior to the performance of any electrical work.

TRAFFIC ENGINEERING (714) 754-5323: Site plan must be approved in relation to possible interruption of traffic.

APPROVED	
Fire Department:	Date:
Building & Safety: 	Date: 06/01/16
Transportation Services: 	Date: B-T-16

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

DEPARTMENT OF THE TREASURY

KIWANIS CLUB OF COSTA MESA

-2-

Date: **AUG -7 2008**

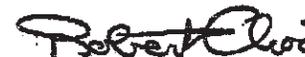
KIWANIS CLUB OF COSTA MESA
FOUNDATION
C/O RHEA LEIGH GRAF
PO BOX 1667
COSTA MESA, CA 92626

Employer Identification Number:
39-2071312
DLN:
17053150039038
Contact Person:
RONALD D BELL ID# 31185
Contact Telephone Number:
(877) 829-5500

Accounting Period Ending:
September 30
Public Charity Status:
170(b)(1)(A)(vi)
Form 990 Required:
Yes
Effective Date of Exemption:
November 7, 2007
Contribution Deductibility:
Yes
Advance Ruling Ending Date:
September 30, 2012
Addendum Applies:
No

Enclosures: Publication 4221-PC
Statute Extension

Sincerely,



Robert Choi
Director, Exempt Organizations
Rulings and Agreements

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. During your advance ruling period, you will be treated as a public charity. Your advance ruling period begins with the effective date of your exemption and ends with advance ruling ending date shown in the heading of the letter.

Shortly before the end of your advance ruling period, we will send you Form 8734, Support Schedule for Advance Ruling Period. You will have 90 days after the end of your advance ruling period to return the completed form. We will then notify you, in writing, about your public charity status.

Please see enclosed Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, for some helpful information about your responsibilities as an exempt organization.

Letter 1045 (DO/CG)

Letter 1045 (DO/CG)

Part X Public Charity Status (Continued)

- e 509(a)(4)—an organization organized and operated exclusively for testing for public safety.
 - f 509(a)(1) and 170(b)(1)(A)(iv)—an organization operated for the benefit of a college or university that is owned or operated by a governmental unit.
 - g 509(a)(1) and 170(b)(1)(A)(vi)—an organization that receives a substantial part of its financial support in the form of contributions from publicly supported organizations, from a governmental unit, or from the general public.
 - h 509(a)(2)—an organization that normally receives not more than one-third of its financial support from gross investment income and receives more than one-third of its financial support from contributions, membership fees, and gross receipts from activities related to its exempt functions (subject to certain exceptions).
 - i A publicly supported organization, but unsure if it is described in 5g or 5h. The organization would like the IRS to decide the correct status.
- 6** If you checked box g, h, or i in question 5 above, you must request either an advance or a definitive ruling by selecting one of the boxes below. Refer to the instructions to determine which type of ruling you are eligible to receive.
- a **Request for Advance Ruling:** By checking this box and signing the consent, pursuant to section 6501(c)(4) of the Code you request an advance ruling and agree to extend the statute of limitations on the assessment of excise tax under section 4940 of the Code. The tax will apply only if you do not establish public support status at the end of the 5-year advance ruling period. The assessment period will be extended for the 5 advance ruling years to 8 years, 4 months, and 15 days beyond the end of the first year. You have the right to refuse or limit the extension to a mutually agreed-upon period of time or issue(s). Publication 1035, *Extending the Tax Assessment Period*, provides a more detailed explanation of your rights and the consequences of the choices you make. You may obtain Publication 1035 free of charge from the IRS web site at www.irs.gov or by calling toll-free 1-800-829-3676. Signing this consent will not deprive you of any appeal rights to which you would otherwise be entitled. If you decide not to extend the statute of limitations, you are not eligible for an advance ruling.

Consent: Fixing Period of Limitations Upon Assessment of Tax Under Section 4940 of the Internal Revenue Code

For Organization

James Bonar
 (Signature of Officer, Director, Trustee, or other authorized official)

JAMES BONAR
 (Type or print name of signer)
PRESIDENT
 (Type or print title or authority of signer)

5/22/08
 (Date)

For IRS Use Only

Robert Elvic

AUG -7 2008

IRS Director, Exempt Organizations

(Date)

- b Request for Definitive Ruling:** Check this box if you have completed one tax year of at least 8 full months and you are requesting a definitive ruling. To confirm your public support status, answer line 6b(i) if you checked box g in line 5 above, answer line 6b(ii) if you checked box h in line 5 above, if you checked box i in line 5 above, answer both lines 6b(i) and (ii).
 - (i) (a) Enter 2% of line 8, column (e) on Part IX-A, Statement of Revenues and Expenses.
 - (b) Attach a list showing the name and amount contributed by each person, company, or organization whose gifts totaled more than the 2% amount. If the answer is "None," check this box.
 - (ii) (a) For each year amounts are included on lines 1, 2, and 9 of Part IX-A, Statement of Revenues and Expenses, attach a list showing the name of and amount received from each disqualified person. If the answer is "None," check this box.
 - (b) For each year amounts are included on line 9 of Part IX-A, Statement of Revenues and Expenses, attach a list showing the name of and amount received from each payer, other than a disqualified person, whose payments were more than the larger of (1) 1% of line 10, Part IX-A, Statement of Revenues and Expenses, or (2) \$5,000. If the answer is "None," check this box.
- 7** Did you receive any unusual grants during any of the years shown on Part IX-A, Statement of Revenues and Expenses? If "Yes," attach a list including the name of the contributor, the date and amount of the grant, a brief description of the grant, and explain why it is unusual. Yes No

Registry of Charitable Trusts
 P.O. Box 903447
 Sacramento, CA 94203-4470
 Telephone: (916) 445-2021

WEBSITE ADDRESS:
<http://ag.ca.gov/charities/>

**INITIAL
 REGISTRATION FORM
 STATE OF CALIFORNIA
 OFFICE OF THE ATTORNEY GENERAL
 REGISTRY OF CHARITABLE TRUSTS**
 (Government Code Sections 12580-12599.7)



NOTE: REGISTRATION IS REQUIRED FOR ALL CHARITABLE TRUSTS. THE REGISTRATION FEE WILL BE \$500.00 PER TRUST. THE REGISTRATION FEE WILL BE \$500.00 PER TRUST. THE REGISTRATION FEE WILL BE \$500.00 PER TRUST.

Pursuant to Section 12585, registration is required of every trustee subject to the Supervision of Trustees and Fundraisers for Charitable Purposes Act within thirty days after receipt of assets (cash or other forms of property) for the charitable purposes for which organized.

Every charitable (public benefit) corporation, association and trustee holding assets for charitable purposes or doing business in the State of California must register with the Attorney General, except those exempted by California Government Code section 12583. Corporations that are organized primarily as a hospital, a school, or a religious organization are exempted by Section 12583.

Name of Organization: **KIWANIS CLUB OF COSTA MESA FOUNDATION**

Principal Office of Organization (Type or print name and address of principal office, including city, county, state, and ZIP Code)

Official Mailing Address for Organization:

Address: **P O BOX 1667**

City: **COSTA MESA**

State: **CA**

ZIP Code: **92626**

Organization's telephone number: **714-703-8281**

Organization's e-mail address:

Organization's fax number:

Organization's website:

Federal Employer Identification Number (FEIN) (Type or print FEIN)

Federal Employer Identification Number (FEIN):

39-2071312

Group Exemption FEIN (if applicable):

California State Charitable Trusts (Type or print name and address of principal office, including city, county, state, and ZIP Code)

Corporate or Organization Number: **C3029102**

Names and addresses of ALL trustees or directors and officers (attach a list if necessary):		
Name JONATHAN DILLEY	Position PRESIDENT	
Address 2482 NEWPORT BLVD.#10		
City COSTA MESA	State CA	ZIP Code 92627
Name JAMES BONAR	Position SECRETARY	
Address 21031 CHUBASCO LANE		
City HUNTINGTON BEACH	State CA	ZIP Code 92646
Name RHEA LEIGH GRAF	Position TREASURER	
Address 2330 VANGUARD WAY #G203		
City COSTA MESA	State CA	ZIP Code 92626
Name KENT MUELLER	Position PRESIDENT-ELECT	
Address 3030 MADEIRA AVE		
City COSTA MESA	State CA	ZIP Code 92626
Name		
Address		
City	State	ZIP Code
Describe the primary activity of the organization. (A copy of the material submitted with the application for federal or state tax exemption will normally provide this information.) If the organization is based outside California, comment fully on the extent of activities in California and how the California activities relate to total activities. In addition, list all funds, property, and other assets held or expected to be held in California. Indicate whether you are monitored in your home state, and if so, by whom. Attach additional sheets if necessary.		
SPONSOR AND SUPPORT CHILD SAFETY PROGRAMS, PROVIDE SCHOLARSHIPS FOR DESERVING STUDENTS, PROVIDE FINANCIAL SUPPORT FOR PEDIATRIC TRAUMA PREVENTION PROGRAMS, PROVIDE FINANCIAL SUPPORT FOR PROGRAMS FOR SENIORS, SUPPORT PROGRAMS FOR THE BENEFIT OF CHILDREN AND OTHER LOCAL YOUTH PROGRAMS, TO FUND COMMUNITY SERVICE PROGRAMS AND PROJECTS, AND TO PROVIDE RELIEF TO NEEDY FAMILIES.		
THE ORGANIZATION CONDUCTS ALL OF ITS ACTIVITIES IN THE STATE OF CALIFORNIA. THE ORGANIZATION HAS NO PROPERTY OTHER THAN CASH ON DEPOSIT OF APPROXIMATELY \$8,000.		
<small>The organization must be a California corporation, partnership, or other entity that is eligible for nonprofit status under California law. For more information on the requirements for nonprofit status, please refer to the California Corporations Code, the California Partnership Code, and the California Revenue and Taxation Code. For more information on the requirements for nonprofit status, please refer to the California Corporations Code, the California Partnership Code, and the California Revenue and Taxation Code.</small>		
If assets (funds, property, etc.) have been received, enter the date first received:		
Date assets first received: <u>9/25/08</u>		
What annual accounting period has the organization adopted?		
<input type="checkbox"/> Fiscal Year Ending <u>SEPTEMBER 30</u> <input type="checkbox"/> Calendar Year		

Attach your founding documents as follows:		
A) Corporations - Furnish a copy of the articles of incorporation and all amendments and current bylaws. If incorporated outside California, enter the date the corporation qualified through the California Secretary of State's Office to conduct activities in California.		
B) Associations - Furnish a copy of the instrument creating the organization (bylaws, constitution, and/or articles of association).		
C) Trusts - Furnish a copy of the trust instrument or will and decree of final distribution.		
D) Trustees for charitable purposes - Furnish a statement describing your operations and charitable purpose.		
Has the organization applied for or been granted IRS tax exempt status? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
Date of application for Federal tax exemption: <u>5/22/08</u>		
Date of exemption letter: <u>8/7/08</u> Exempt under Internal Revenue Code section 501(c) <u>3</u>		
If known, are contributions to the organization tax deductible? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
Attach a copy of the Application for Recognition of Exemption (IRS Form 1023) and the determination letter issued by the IRS.		
Does your organization contract with or otherwise engage the services of any commercial fundraiser for charitable purposes, fundraising counsel, or commercial coventurer? If yes, provide the name(s), address(es), and telephone number(s) of the provider(s):		
Commercial Fundraiser <input type="checkbox"/>	Fundraising Counsel <input type="checkbox"/>	Commercial Coventurer <input type="checkbox"/>
Name		
Address		
City	State	ZIP Code
Telephone Number		
Commercial Fundraiser <input type="checkbox"/>	Fundraising Counsel <input type="checkbox"/>	Commercial Coventurer <input type="checkbox"/>
Name		
Address		
City	State	ZIP Code
Telephone Number		
Commercial Fundraiser <input type="checkbox"/>	Fundraising Counsel <input type="checkbox"/>	Commercial Coventurer <input type="checkbox"/>
Name		
Address		
City	State	ZIP Code
Telephone Number		
I declare under penalty of perjury that I have examined this registration form, including accompanying documents, and to the best of my knowledge and belief, the form and each document are true, correct, and complete.		
Signature _____	Title <u>TREASURER</u>	Date <u>1/5/10</u>
<small>This form is required to be filed with the California Secretary of State and the California Franchise Tax Board. For more information on the requirements for nonprofit status, please refer to the California Corporations Code, the California Partnership Code, and the California Revenue and Taxation Code. For more information on the requirements for nonprofit status, please refer to the California Corporations Code, the California Partnership Code, and the California Revenue and Taxation Code.</small>		

3029102



State of California
Secretary of State

I, DEBRA BOWEN, Secretary of State of the State of California, hereby certify:

That the attached transcript of 2 page(s) has been compared with the record on file in this office, of which it purports to be a copy, and that it is full, true and correct.



IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this day of

NOV 09 2007

Debra Bowen

DEBRA BOWEN
Secretary of State

3029102

ARTICLES OF INCORPORATION
OF
KIWANIS CLUB OF COSTA MESA FOUNDATION

ENDORSED FILED
IN THE OFFICE OF THE
SECRETARY OF STATE
OF THE STATE OF CALIFORNIA

NOV - 7 2007

I

The name of the corporation is KIWANIS CLUB OF COSTA MESA FOUNDATION.

II

- A. This corporation is a nonprofit PUBLIC BENEFIT CORPORATION and is not organized for the private gain of any person. It is organized under the Nonprofit Public Benefit Corporation Law for charitable purposes.
- B. The specific purposes for which this corporation is formed is to sponsor and support child safety events, provide scholarships for deserving students, provide financial support for pediatric trauma prevention programs, provide financial support for programs for seniors, support programs for the benefit of children and other local youth programs, to fund specific community service programs and projects, and to provide relief to needy families.

III

The name and address in California of the corporation's initial agent for service of process is Rhea Leigh Graf, 12443 Lewis Street, Suite 102, Garden Grove, CA 92840.

IV

- A. This corporation is organized exclusively for charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986 or the corresponding provision of any future United States internal revenue law.
- B. Notwithstanding any other provision of these articles, this corporation shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the purposes of this corporation and the corporation shall not carry on any other 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 of 1986 or the corresponding provision of any future United States internal revenue law, or (b) by a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1986 or the corresponding provision of any future United States internal revenue law.

V

- A. No substantial part of the activities of this corporation shall consist of lobbying or propaganda, or otherwise attempting to influence legislation, except as provided in Section 501(h) of the Internal Revenue Code of 1986, and this corporation shall not participate in or intervene in (including publishing or distributing statements) any political campaign on behalf of any candidate for public office.

- B. The property of this corporation is irrevocably dedicated to charitable purposes and no part of the net income or assets of this corporation shall ever inure to the benefit of any director, officer, or member thereof, or to the benefit of any private person.
- C. Upon the dissolution or winding up of this corporation, after paying or adequately providing for the debts, obligations, and liabilities of the corporation, the remaining assets of this corporation shall be distributed to a nonprofit fund, foundation or corporation which is organized and operated exclusively for charitable purposes, and which has established its tax-exempt status under Section 501(c)(3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States internal revenue law) and which has established its tax-exempt status under Section 22701(d) of the California Revenue and Taxation Code (or the corresponding section of any future California revenue and tax law).

VI

- A. The corporation and its members will at all times abide and be governed and controlled by the Bylaws and Policies of Kiwanis International now in force or hereafter from time to time adopted, insofar as any provision of such Bylaws and Policies may be applicable.
- B. The corporation will comply with all such conditions and requirements as Kiwanis International may prescribe.
- C. Whenever requested by the Board of Trustees of Kiwanis International, the corporation shall dissolve or change its form of organization, as may from time to time be requested by said Board.
- D. No amendments to these Articles of Incorporation or corporate bylaws or change in the purpose of the corporation shall be made without the consent of Kiwanis International.

DATED: October 25, 2007.

Rhea Leigh Graf
Rhea Leigh Graf
Incorporator

DECLARATION

Rhea Leigh Graf declares under penalty of perjury under the laws of the State of California that he is the person who executed the foregoing Articles of Incorporation which execution is my act and deed.

EXECUTED at Costa Mesa, California, on October 25, 2007.



Rhea Leigh Graf
Rhea Leigh Graf

 State of California Secretary of State		N
STATEMENT OF INFORMATION (Domestic Nonprofit Corporation)		
Filing Fee \$20.00. If amendment, see instructions.		
IMPORTANT — READ INSTRUCTIONS BEFORE COMPLETING THIS FORM		
1. CORPORATE NAME (Please do not alter if name is preprinted.)		3029102
KIWANIS CLUB OF COSTA MESA FOUNDATION		
This Space For Filing Use Only		
DUE DATE:		FEB 7 2008
COMPLETE PRINCIPAL OFFICE ADDRESS (Do not abbreviate the name of the city. Item 2 cannot be a P.O. Box.)		
2. STREET ADDRESS OF PRINCIPAL OFFICE IN CALIFORNIA, IF ANY.	CITY	STATE ZIP CODE
<i>12443 Lewis St. #102</i>	<i>GARDEN GROVE</i>	CA <i>92840</i>
NAMES AND COMPLETE ADDRESSES OF THE FOLLOWING OFFICERS (The corporation must have these three officers. A comparable title for the specific officer may be added; however, the preprinted titles on this form must not be altered.)		
3. CHIEF EXECUTIVE OFFICER/	ADDRESS	CITY AND STATE ZIP CODE
<i>JAMES BONAR</i>	<i>21031 CHUBASCO LN.</i>	<i>HUNTINGTON BEACH, CA 92646</i>
4. SECRETARY/	ADDRESS	CITY AND STATE ZIP CODE
<i>KENT MUELLER</i>	<i>3030 MADRISA AVE</i>	<i>COSTA MESA, CA 92626</i>
5. CHIEF FINANCIAL OFFICER/	ADDRESS	CITY AND STATE ZIP CODE
<i>RHEA LEIGH GRAF</i>	<i>2335 VANGUARD WAY GRAS</i>	<i>COSTA MESA, CA 92626</i>
AGENT FOR SERVICE OF PROCESS (If the agent is an individual, the agent must reside in California and Item 7 must be completed with a California address. If the agent is another corporation, the agent must have on file with the California Secretary of State a certificate pursuant to Corporations Code section 1505 and Item 7 must be left blank.)		
6. NAME OF AGENT FOR SERVICE OF PROCESS		
<i>RHEA LEIGH GRAF</i>		
7. ADDRESS OF AGENT FOR SERVICE OF PROCESS IN CALIFORNIA, IF AN INDIVIDUAL		CITY STATE ZIP CODE
<i>12443 Lewis St. #102</i>		<i>GARDEN GROVE CA 92840</i>
DAVIS-STIRLING COMMON INTEREST DEVELOPMENT ACT (California Civil Code section 1250, et seq.)		
8. <input type="checkbox"/> Check here if the corporation is an association formed to manage a common interest development under the Davis-Stirling Common Interest Development Act and proceed to Items 9, 10 and 11.		
NOTE: Corporations formed to manage a common interest development must also file a Statement by Common Interest Development Association (Form SI-CID) as required by California Civil Code section 1383.6. Please see instructions on the reverse side of this form.		
9. ADDRESS OF BUSINESS OR CORPORATE OFFICE OF THE ASSOCIATION, IF ANY		CITY STATE ZIP CODE
10. FRONT STREET AND NEAREST CROSS STREET FOR THE PHYSICAL LOCATION OF THE COMMON INTEREST DEVELOPMENT (Complete if the business or corporate office is not on the site of the common interest development.)		9-DIGIT ZIP CODE
11. NAME AND ADDRESS OF ASSOCIATION'S MANAGING AGENT, IF ANY		CITY STATE ZIP CODE
12. THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT.		
<i>RHEA LEIGH GRAF</i>		<i>Rhea Leigh Graf</i>
TYPE OR PRINT NAME OF PERSON COMPLETING THE FORM		SIGNATURE
		<i>Treasurer</i>
		<i>1/28/08</i>
		DATE
		APPROVED BY SECRETARY OF STATE
SI-100 (REV 08/2007)		



STATE OF CALIFORNIA
FRANCHISE TAX BOARD
PO BOX 942857
SACRAMENTO CA 94267-0500

ADDRESS VERIFICATION NOTICE

DATE: 12/03/07
ENTITY ID:
CORP 3029102

NOTICE NUMBER: 6748254071127 1
KIWANIS CLUB OF COSTA MESA FOUNDATION
JONATHAN BILLEY
2482 NEWPORT BLVD
COSTA MESA CA 92627-5167

Mailed 12/12/07

We have been advised that the above business entity will be receiving returns or other documents from the Franchise Tax Board. Our records indicate that the mailing address shown above is current. If the address is incorrect, please provide the correct information below and mail this form to: Franchise Tax Board, PO Box 942857, Sacramento CA 94257-0500. If applicable, please provide any additional identification numbers.

RHEA LEIGH GRAF
CARE OF NAME (if Applicable)
12443 LEWIS ST. #102
STREET
GARDEN GROVE CA 92846
CITY STATE ZIP

Federal Employer Identification Number

Employment Development Department Account Number

Board of Equalization Account Number

NOTICE TO INCORPORATING ATTORNEY

If you are the incorporating attorney, please provide us with the current address for the above business entity. If you no longer represent the business entity, please forward this request. If we cannot establish and maintain contact with the business entity, it may be subject to penalties for failing to comply with the law.

TAXPAYER SERVICES

TELEPHONE AND INTERNET ASSISTANCE

From within the United States, call (800) 852-5711
From outside the United States, call (not toll-free) (916) 845-6500
Website www.ftb.ca.gov

Assistance for persons with disabilities: We comply with the Americans with Disabilities Act. Persons with hearing or speech impairments please call TTY/TDD (800) 822-6268.

BYLAWS

OF

KIWANIS CLUB OF COSTA MESA FOUNDATION
A California Nonprofit Public Benefit Corporation

ARTICLE I

Name of the Corporation

The name of this corporation is **KIWANIS CLUB OF COSTA MESA FOUNDATION**.

ARTICLE II

Offices of the Corporation

The principal office for the transaction of the activities and affairs of the corporation (principal office) is located at 12443 Lewis Street, Suite 102, in Orange County, California 92840. The board of directors (board) may change the principal office from one location to another. Any change of location of the principal office shall be noted by the secretary on these bylaws opposite this Section, or this Section may be amended to state the new location.

ARTICLE III

Purposes and Limitations

A. General Purposes

This corporation is a nonprofit public benefit corporation and is not organized for the private gain of any person. It is organized under the Nonprofit Public Benefit Corporation Law for charitable purposes.

B. Specific Purposes

Within the context of the general purposes stated above, this corporation is formed to sponsor and support child safety events, provide scholarships for deserving students, provide financial support for pediatric trauma prevention programs, provide financial support for programs for seniors, support programs benefiting children and other local youth programs, to fund specific community service programs and projects, and to provide relief to needy families.

C. Limitations

1. No substantial part of the activities of this corporation shall consist of lobbying or propaganda, or otherwise attempting to influence legislation, except as provided in section 501(h) of the Internal Revenue Code of 1986, and this corporation shall not participate in or intervene in (including publishing or distributing statements) any political campaign on behalf of or in opposition to any candidate

for public office.

2. No part of the net earnings of this corporation shall inure to the benefit of any of its directors, trustees, officers, private shareholders or members, or to individuals.

3. On the winding up and dissolution of this corporation, after paying or adequately providing for the debts, obligations, and liabilities of the corporation, the remaining assets of this corporation shall be distributed to such organization (or organizations) organized and operated exclusively for charitable, religious, scientific, testing for public safety, literary, or educational purposes, fostering national or international amateur sports competition (but only if no part of its activities involve the provision of athletic facilities or equipment), or for the prevention of cruelty to children or animals, and which has established its tax-exempt status under section 501 (c)(3) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States internal revenue law) and which has established its tax-exempt status under section 23701d of the California Revenue and Taxation Code (or the corresponding section of any future California revenue and tax law).

4. Notwithstanding any other provisions of these bylaws, this corporation shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the purposes of this corporation and the corporation shall not carry on any other 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 of 1986 or the corresponding provision of any future United States Internal Revenue law, or (b) by a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1986 or the corresponding provision of any future United States Internal Revenue law.

ARTICLE IV Members

The membership in this foundation shall be limited to, and shall consist of, all the active, privileged and senior members in good standing of the Kiwanis Club of Costa Mesa in the State of California.

ARTICLE V Directors

A. General and Specific Powers of Board

1. General Corporate Powers

Subject to the provisions and limitations of the California Nonprofit Public Benefit Corporation Law and any other applicable laws, and subject to any limitations of the articles of incorporation or bylaws, the corporation's activities and affairs shall be managed, and all corporate powers shall be exercised, by or under the direction of the board.

2. Specific Powers

Without prejudice to the general powers set forth in Section A1 of this Article V of these bylaws, but subject to the same limitations, the directors shall have the power to:

(a) Appoint and remove, at the pleasure of the board, all the corporation's officers, agents, and employees; prescribe powers and duties for them that are consistent with law, with the articles of incorporation, and with these bylaws; and fix their compensation and require from them security for faithful performance of their duties.

(b) Change the principal office or the principal business office in California from one location to another; cause the corporation to be qualified to conduct its activities in any other state, territory, dependency, or country and conduct its activities within or outside California; and designate any place within or outside California for holding any meeting of the board.

(c) Adopt and use a corporate seal and alter the form of the seal.

(d) Borrow money and incur indebtedness on behalf of the corporation and cause to be executed and delivered for the corporation's purposes, in the corporate name, promissory notes, bonds, debentures, deeds of trust, mortgages, pledges, hypothecations and other evidences of debt and securities.

B. Number and Qualification of Directors

1. Authorized Number and Qualifications

Subject to the restrictions set forth in Section 2 below, the board of directors shall consist of the same persons who serve as directors of the Kiwanis Club of Costa Mesa, and they shall serve for as long as they are directors of said Kiwanis Club.

2. Restriction on Interested Persons as Directors

No more than forty-nine percent (49%) of the persons serving on the board may be interested persons. An interested person is (a) any person compensated by the corporation for services rendered to it within the previous 12 months, whether as a full-time or part-time employee, independent contractor, or otherwise, excluding any reasonable compensation paid to a director as director; and (b) any brother, sister, ancestor, descendant, spouse, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, or father-in-law of such person. However, any violation of the provisions of this paragraph shall not affect the validity or enforceability of any transaction entered into by the corporation.

C. Election

If it is necessary to disqualify some directors by reason of the restrictions set forth in Section 2 above, then the members shall determine which directors are disqualified and elect replacement directors to serve the balance of those terms. The directors shall serve as directors of this corporation so long as such directors are directors of the Kiwanis Club of Costa Mesa.

D. Vacancies on Board

1. Events Causing Vacancy

A vacancy or vacancies on the board shall exist when a director no longer serves as a director of the Kiwanis Club of Costa Mesa. When the Kiwanis Club of Costa Mesa shall fill the vacancy on its board of directors the person named to fill said vacancy shall become a director of this corporation.

2. Resignations

Except as provided below, any director may resign by giving written notice to the president or the secretary of the board. The resignation shall be effective when the notice is given unless it specifies a later time for the resignation to become effective. If a director's resignation is effective at a later time, the Kiwanis Club of Costa Mesa may elect a successor to take office as of the date when the resignation becomes effective. Except on notice to the Attorney General of California, no director may resign if the corporation would be left without a duly elected director or directors.

3. No Vacancy On Reduction of Number of Directors

No reduction of the authorized number of directors shall have the effect of removing any director before that director's term of office expires.

E. Directors' Meetings

1. Place of Meetings

Meetings of the board shall be held at any place within California that has been designated by resolution of the board or in the notice of the meeting or, if not so designated, at the principal office of the corporation.

2. Meetings by Telephone

Any meeting may be held by conference telephone or similar communication equipment, as long as all directors participating in the meeting can hear one another. All such directors shall be deemed to be present in person at such a meeting.

3. Annual Meeting

The board shall hold an annual meeting for purposes of organization, election of officers, and transaction of other business. Notice of this meeting is not required.

4. Other Regular Meetings

Other regular meetings of the board may be held without notice at such time and place as the board may fix from time to time.

5. Special Meetings

a. Authority To Call

Special meetings of the board for any purpose may be called at any time by the chair of the board, if any, the president or any vice president, or the secretary or any two directors.

b. Notice

(1) Manner of Giving Notice

Notice of the time and place of special meetings shall be given to each director by one of the following methods: (a) by personal delivery of written notice; (b) by first-class mail, postage prepaid; (c) by telephone, either directly to the director or to a person at the director's office who would reasonably be expected to communicate that notice promptly to the director; or (d) by any other written notice, including facsimile or any other electronic mail message method. All such notices shall be given or sent to the director's address, telephone number or electronic mail address as shown on the records of the corporation.

(2) Time Requirements

Notices sent by first-class mail shall be deposited in the United States mails at least four days before the time set for the meeting. Notices given by personal delivery, telephone, or electronic mail message shall be delivered, telephoned, or transmitted by the person giving the notice by electronic means to the recipient at least 48 hours before the time set for the meeting.

(3) Notice Contents

The notice shall state the time of the meeting, and the place if the place is other than the principal office of the corporation. It need not specify the purpose of the meeting.

6. Quorum

A majority of the authorized number of directors shall constitute a quorum for the transaction of business, except to adjourn. Every action taken or decision made by a majority of the directors present at a duly held meeting at which a quorum is present shall be the act of the board, subject to the more stringent provisions of the California Nonprofit Public Benefit Corporation Law, including, without limitation, those provisions relating to (a) approval of contracts or transactions in which a director has a direct or indirect material financial interest, (b) approval of certain transactions between corporations having common directorships, (c) creation of and appointments to committees of the board, and (d) indemnification of directors. A meeting at which a quorum is initially present may continue to transact business, despite the withdrawal of directors, if any action taken or decision made is approved by at least a majority of the required quorum for that meeting.

7. Waiver of Notice

Notice of a meeting need not be given to any director who, either before or after the meeting, signs a waiver of notice, a written consent to the holding of the meeting, or an approval of the minutes of the meeting. The waiver of notice or consent need not specify the purpose of the meeting. All such waivers, consents, and approvals shall be filed with the corporate records or made a part of the minutes of the meetings. Notice of a meeting need not be given to any director who attends the meeting and does not protest, before or at the commencement of the meeting, the lack of notice to him or her.

8. Adjournment

A majority of the directors present, whether or not a quorum is present, may adjourn any meeting to another time and place.

9. Notice of Adjourned Meeting

Notice of the time and place of holding an adjourned meeting need not be given unless the original meeting is adjourned for more than twenty-four (24) hours. If the original meeting is adjourned for more

than twenty-four (24) hours, notice of any adjournment to another time and place shall be given, before the time of the adjourned meeting, to the directors who were not present at the time of the adjournment.

F. Action Without a Meeting

Any action that the board is required or permitted to take may be taken without a meeting if all members of the board consent in writing to the action; provided, however, that the consent of any director who has a material financial interest in a transaction to which the corporation is a party and who is an "interested director" as defined in section 5233 of the California Corporations Code shall not be required for approval of that transaction. Such action by written consent shall have the same force and effect as any other validly approved action of the board. All such consents shall be filed with the minutes of the proceedings of the board.

G. Compensation and Reimbursement

Directors may not receive any compensation for their services as directors or officers, but shall receive such reimbursement of expenses as the board may determine by resolution to be just and reasonable as to the corporation at the time that the resolution is adopted.

H. Committees

1. Committees of the Board

The board, by resolution adopted by a majority of the directors then in office, provided a quorum is present, may create one or more committees each consisting of two or more directors and no persons who are not directors to serve at the pleasure of the board. Appointments to committees of the board shall be by majority vote of the directors then in office. The board may appoint one or more directors as alternate members of any such committee, who may replace any absent member at any meeting. Any such committee, to the extent provided in the board resolution, shall have all the authority of the board, except that no committee, regardless of board resolution, may:

- (1) Take any final action on any matter that, under the California Nonprofit Public Benefit Corporation Law, also requires approval of the board or approval of a majority of the board;
- (2) Fill vacancies on the board or on any committee that has the authority of the board;
- (3) Fix compensation of the directors for serving on the board or on any committee;
- (4) Amend or repeal bylaws or adopt new bylaws;
- (5) Amend or repeal any resolution of the board that by its express terms is not so amendable or repealable;
- (6) Create any other committees of the board or appoint the members of committees of the board;
- (7) Expend corporate funds to support a nominee for director after more people have been nominated for director than can be elected; or
- (8) Approve any contract or transaction to which the corporation is a party and in which one or

more of its directors has a material financial interest, except as special approval is provided for in Section 5233(d)(3) of the California Corporations Code.

2. Meetings and Actions of Committees

Meetings and actions of committees of the board shall be governed by, held, and taken in accordance with the provisions of these bylaws concerning meetings and other board actions, except that the time for regular meetings of such committees and the calling of special meetings of such committees may be determined either by board resolution or, if there is none, by resolution of the committee of the board. Minutes of each meeting of any committee of the board shall be kept and shall be filed with the corporate records. The board may adopt rules for the government of any committee, provided they are consistent with these bylaws or, in the absence of rules adopted by the board, the committee may adopt such rules.

ARTICLE VI Officers

A. Officers of the Corporation

The officers of the corporation shall be the president, immediate past president, president-elect, vice-president, secretary, and treasurer (chief financial officer) of the Kiwanis Club of Costa Mesa. The corporation may also have, at the board's discretion, one or more vice presidents, one or more assistant secretaries, one or more assistant treasurers, and such other officers as may be appointed in accordance with Section C of this Article VI of these bylaws. Any number of offices may be held by the same person, except that neither the secretary nor the chief financial officer may serve concurrently as the president.

B. Election of Officers

Inasmuch as the officers of this corporation are the officers of the Kiwanis Club of Costa Mesa, said officers shall be elected in the manner prescribed in the bylaws of the Kiwanis Club of Costa Mesa.

1. President

The president of the corporation shall be the immediate past president of the Kiwanis Club of Costa Mesa. Should that person be unable to serve, the most recent immediate past president who is a member in, active status, of the Kiwanis Club of Costa Mesa shall become the president of the corporation.

1. President-elect

The president-elect of the corporation shall be the president of the Kiwanis Club of Costa Mesa.

2. Vice President

The vice president of the corporation shall be the president-elect of the Kiwanis Club of Costa Mesa.

3. Treasurer

The treasurer of the corporation shall be the treasurer of the Kiwanis Club of Costa Mesa.

4. Secretary

The secretary of the corporation shall be the secretary of the Kiwanis Club of Costa Mesa.

C. Resignation of Officers

Any officer may resign at any time by giving written notice to the corporation. The resignation shall take effect as of the date the notice is received or at any later time specified in the notice and, unless otherwise specified in the notice, the resignation need not be accepted to be effective.

D. Responsibilities of Officers

2. President

The president shall preside at all meetings and at all board meetings. The president shall have such other powers and duties as the board or the bylaws may prescribe.

3. President-Elect

If the president is absent or disabled, the president-elect shall perform all duties of the president. When so acting, the president-elect shall have all powers of and be subject to all restrictions on the president. The president-elect shall have such other powers and perform such other duties as the board or the bylaws may prescribe.

4. Vice Presidents

If the president and president-elect are both absent or disabled, the vice presidents, if any, in order of their rank as fixed by the board, or, if not ranked, a vice president designated by the board, shall perform all duties of the president. When so acting, a vice president shall have all powers of and be subject to all restrictions on the president. The vice presidents shall have such other powers and perform such other duties as the board or the bylaws may prescribe.

5. Secretary

a. Book of Minutes

The secretary shall keep or cause to be kept, at the corporation's principal office or such other place as the board may direct, a book of minutes of all meetings of the members, proceedings, and actions of the board, and of all committees of the board. The minutes of meetings shall include the time and place that the meeting was held, whether the meeting was annual, regular, or special, and, if special, how authorized, the notice given, and the names of those present at board and committee meetings. The secretary shall keep or cause to be kept, at the principal office in California, a copy of the articles of incorporation and bylaws, as amended to date.

b. Membership Records

The secretary shall keep or cause to be kept, at the corporation's principal office or at a place determined by resolution of the board, a record of the corporation's members, if any, showing each

member's name, address, and class of membership.

c. Notices, Seal, and Other Duties

The secretary shall give, or cause to be given, notice of all meetings of the board and of committees of the board required by these bylaws to be given. The secretary shall keep the corporate seal in safe custody and shall have such other powers and perform such other duties as the board or the bylaws may prescribe.

6. Chief Financial Officer

a. Books of Account

The chief financial officer (treasurer) shall keep and maintain, or cause to be kept and maintained, adequate and correct books and accounts of the corporation's assets and transactions. The chief financial officer shall send or cause to be given to the directors such financial statements and reports as are required to be given by law, by these bylaws, or by the board. The books of account shall be open to inspection by any director at all reasonable times.

b. Deposit and Disbursement of Money and Valuables

The chief financial officer shall deposit, or cause to be deposited, all money and other valuables in the name and to the credit of the corporation with such depositories as the board may designate, shall disburse the corporation's funds as the board may order, shall render to the president, and the board, when requested, an account of all transactions as chief financial officer and of the financial condition of the corporation, and shall have such other powers and perform such other duties as the board or the bylaws may prescribe.

ARTICLE VII Indemnification

A. Right of Indemnity

To the fullest extent permitted by law, this corporation shall indemnify its directors, officers, employees, and other persons described in section 5238(a) of the California Corporations Code, including persons formerly occupying any such position, against all expenses, judgments, fines, settlements and other amounts actually and reasonably incurred by them in connection with any "proceeding," as that term is used in that section, and including an action by or in the right of the corporation, by reason of the fact that the person is or was a person described in that section. "Expenses", as used in this bylaw, shall have the same meaning as in section 5238(a) of the California Corporations Code.

B. Approval of Indemnity

On written request to the board by any person seeking indemnification under section 5238(b) or section 5238(c) of the California Corporations Code, the board shall promptly determine under section 5238(e) of the California Corporations Code whether the applicable standard of conduct set forth in section 5238(b) or section 5238(c) has been met and, if so, the board shall authorize indemnification. If the board cannot authorize indemnification because the number of directors who are parties to the proceeding with respect to which indemnification is sought prevents the formation of a quorum of directors who are not

parties to that proceeding, the board shall promptly call a meeting of members. At that meeting, the members shall determine under section 5238(e) of the California Corporations Code whether the applicable standard of conduct set forth in section 5238(b) or section 5238(c) has been met and, if so, the members present at the meeting in person or by proxy shall authorize indemnification.

C. Advancement of Expenses

To the fullest extent permitted by law and except as otherwise determined by the board in a specific instance, expenses incurred by a person seeking indemnification under Sections A and B of this Article VII of these bylaws in defending any proceeding covered by those Sections shall be advanced by the corporation before final disposition of the proceeding, on receipt by the corporation of an undertaking by or on behalf of that person that the advance will be repaid unless it is ultimately determined that the person is entitled to be indemnified by the corporation for those expenses.

ARTICLE VIII Insurance

The corporation shall have the right to purchase and maintain insurance to the full extent permitted by law on behalf of its officers, directors, employees, and other agents, against any liability asserted against or incurred by any officer, director, employee, or agent in such capacity or arising out of the officer's, director's, employee's, or agent's status as such.

ARTICLE IX Records and Reports

A. Maintenance of Corporate Records

The corporation shall keep:

- (1) Adequate and correct books and records of account;
- (2) Written minutes of the proceedings of the members, board of directors, and committees of the board; and
- (3) A record of each member's name and address.

B. Maintenance and Inspection of Articles and Bylaws

The corporation shall keep at its principal office the original or a copy of the articles of incorporation and bylaws, as amended to date, which shall be open to inspection by the members at all reasonable times during office hours.

C. Inspection by Directors

Every director shall have the absolute right at any reasonable time to inspect the corporation's books, records, documents of every kind, and physical properties. The inspection may be made in person or by the director's agent or attorney. The right of inspection includes the right to copy and make extracts of

10

documents.

D. Annual Report

The board shall cause an annual report to be sent to the directors within 120 days after the end of the corporation's fiscal year. That report shall contain the following information, in appropriate detail, for the fiscal year:

- (1) The assets and liabilities, including the trust funds, of the corporation as of the end of the fiscal year.
- (2) The principal changes in assets and liabilities, including trust funds.
- (3) The revenue or receipts of the corporation, both unrestricted and restricted to particular purposes.
- (4) The expenses or disbursements of the corporation for both general and restricted purposes.
- (5) Any information required by Section E of this Article IX of these bylaws.

The annual report shall be accompanied by any report on it of independent accountants or, if there is no such report, by the certificate of an authorized officer of the corporation that such statements were prepared without audit from the corporation's books and records.

This requirement of an annual report shall not apply if the corporation receives less than \$25,000.00 in gross receipts during the fiscal year, provided, however, that the information specified above for inclusion in an annual report must be furnished annually to all directors and to any member who requests it in writing.

E. Annual Statement of Certain Transactions and Indemnifications

As part of the annual report to all directors, or as a separate document if no annual report is issued, the corporation shall annually prepare and mail or deliver to each director a statement of any transaction or indemnification of the following kind within 120 days after the end of the corporation's fiscal year:

- (1) Any transaction (i) in which the corporation, its parent, or its subsidiary was a party, (ii) in which an "interested person" had a direct or indirect material financial interest, and (iii) which involved more than \$50,000.00, or was one of a number of transactions with the same interested person involving, in the aggregate, more than \$50,000.00. For this purpose, an "interested person" is either of the following:

(a) Any director or officer of the corporation; or

(b) Any holder of more than ten percent (10%) of the voting power of the corporation. The statement shall include a brief description of the transaction, the names of interested persons involved, their relationship to the corporation, the nature of their interest in the transaction and, if practicable, the amount of that interest, provided that if the transaction was with a partnership in which the interested person is a partner, only the interest of the partnership need be stated.

(2) Any indemnifications or advances aggregating more than \$10,000 paid during the fiscal year to any officer or director of the corporation under Article VII of these bylaws, unless that indemnification has already been approved by the members under section 5238(e)(2) of the California Corporations Code.

F. Fiscal Year of Corporation

The fiscal year of this corporation shall be the accounting year beginning October 1 and ending September 30 of the following year.

ARTICLE X
Construction and Definitions

Unless the context requires otherwise, the general provisions, rules of construction, and definitions in the California Nonprofit Corporation Law shall govern the construction of these bylaws. Without limiting the generality of the preceding sentence, the masculine gender includes the feminine and neuter, the singular includes the plural, the plural includes the singular, and the term "person" includes both a legal entity and a natural person.

ARTICLE XI
Amendments

These bylaws may be amended by a two-thirds (2/3) vote of those members present at any regular meeting, or at any special meeting called for that purpose, provided written notice of such a meeting shall have been given the members at least two (2) weeks prior to the meeting. There shall be no voting by proxy or absentee ballot. Notwithstanding the foregoing, neither these bylaws or any amendments thereto shall become effective until approved by Kiwanis International.

ARTICLE XII
Policies of Kiwanis International

- A. The corporation and its members will at all times abide and be governed and controlled by the Bylaws and Policies of Kiwanis International now in force or hereafter from time to time adopted, insofar as any provision of such Bylaws and Policies may be applicable.
- B. The corporation will comply with all such conditions and requirements as Kiwanis International may prescribe.
- C. Whenever requested by the Board of Trustees of Kiwanis International, the corporation shall dissolve or change its form of organization, as may from time to time be requested by said Board.

CERTIFICATE OF PRESIDENT & SECRETARY

The undersigned certify that we are the duly elected and acting President and Secretary, respectively, of **KIWANIS CLUB OF COSTA MESA FOUNDATION**, a California nonprofit public benefit corporation, that the above bylaws, consisting of 11 pages, are the bylaws of this corporation as adopted by

12

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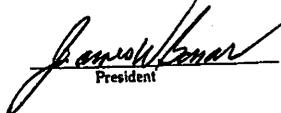
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CERTIFICATE OF PRESIDENT & SECRETARY

The undersigned certify that we are the duly elected and acting President and Secretary, respectively, of **KIWANIS CLUB OF COSTA MESA FOUNDATION**, a California nonprofit public benefit corporation, that the above bylaws, consisting of 11 pages, are the bylaws of this corporation as adopted by the incorporator and ratified by the board of directors on December 10, 2007, and that they have not been amended or modified since that date.

Executed on December 10, 2007, at Costa Mesa, California.


President


Secretary

**WAIVER OF NOTICE AND CONSENT TO HOLDING
OF FIRST MEETING OF BOARD OF DIRECTORS OF
KIWANIS CLUB OF COSTA MESA FOUNDATION
A California Non Profit Public Benefit Corporation**

We, the undersigned, being all of the directors of the **KIWANIS CLUB OF COSTA MESA FOUNDATION**, a California non-profit public benefit corporation, and desiring to hold a first meeting of the Board of Directors of said corporation for the purpose of organizing the affairs of said corporation:

Do hereby waive notice of said meeting and consent to the holding thereof at Costa Mesa, California, on the 10th day of December, 2007, at the hour of 1:00 P.M., for the purpose of electing officers and organizing the affairs of said corporation, review and confirmation of certain activities of the corporation, and for the transaction of such other business as may be brought before said meeting;

Do hereby agree that any business transacted at said meeting shall be as valid and legal and of the same force and effect as though said meeting were held after notice duly given.

WITNESS our signatures as of the 10th day of December, 2007.

Joseph A. Amador
Joe J. ...

Frank A. ...

...

...
Richard ...

Bruce ...

Ken ...

Donald ...

John ...

...
...
James ...

Kiwanis

Costa Mesa

2016 Board of Directors

Officers

President	Ken Dilley	2482 Newport Blvd. #10 CM 92626 949 631 1081
President Elect	N/A	
Immediate Past President	Harlan Andersen	1687 Labrador Dr. CM 92626 714 333 5097
Treasurer	Rhea Leigh Graf	2330 Vanguard Way #G203, CM 92626 714-751-1811
Secretary	Pete Nevins	3386 Wisteria Cr. CM 92626 714 342 8876

Board Members

Jeffrey Dimsdale	3337 S. Bristol St. #252, SA 92704	714-557-4031
Ray Davies	2321 La Linda NB 92660	949 633 0037
Adam Schuster	1545 Adarr ms Ave. CM 92626	714 397 1280
Fran Ursini	25 Cambria Dr., CDM 92625	949-720-0144
Charles Markel	2914 Pepertree Ln. #C CM 92626	949-642-6438
Kent Mueller	3030 Madeira Ave., CM 92626	714-754-4060



How We Help in Our Community

The mission of the **Kiwanis Club of Costa Mesa** is to make our community a better place for children and families. Following is a partial list of organizations we have supported in the past few years. Funding and service priorities are based on community needs and member interests.

In the Schools

- Circle K Club
- Community Science Night
- Eagle Pride
- Elementary School Science Fair
- Key Clubs
- Orange Coast College Scholarships
- Scholarships and Athletics at Costa Mesa, Estancia, and Orange Coast Middle College High Schools

"Through the efforts of the Costa Mesa Kiwanis Club we have a home for the Orange County Children's Book Festival and hundreds of adult and youth volunteers."

Barry Ackerman, Co-executive Director, Orange County Children's Book Festival

Youth Service Agencies

- American Youth Soccer (AYSO)
- Boy Scouts
- Boys and Girls Club of the Harbor Area
- Costa Mesa, United
- Explorer Scouts

- Girl Scouts
- Girls, Inc.
- K-Kids

"The Kiwanis Club of Costa Mesa plays an important role in many of the programs we offer to students and the public. When it comes to our finding support, the club makes a great difference."

Bob Dees, President, Orange Coast College

Serving Families in Need

- Adopt a Social Worker
- Costa Mesa Head Start
- Harry & Grace Steele Children's Center
- Human Options

"I would like to thank the dedicated Kiwanis Club members for all they have done to support the students, parents and schools through the Eagle Pride Program."

Judy Laakso, Principal, Victoria Elementary School

Human and Spiritual Values

- California Parks Ministry
- Orange County Interfaith Council
- Salvation Army

*"I enjoy all aspects of Kiwanis—giving, service, and most of all friendship."
Dr. Steve Grant, Member, Kiwanis Club of Costa Mesa*

Health Services

- Juvenile Diabetes Research Foundation
- Pediatric Trauma Prevention

"Through support of the Kiwanis Club of Costa Mesa, I have been able to provide hundreds of my welfare-to-work clients and thousands of their children with items they were going without..."

Marsha Medina, Social Worker, County of Orange

Miscellaneous Services

- California-Nevada-Hawaii Kiwanis Foundation
- Discovery Arts
- Kiwanis International Foundation
- Orange County Children's Book Festival





STATE OF CALIFORNIA
FRANCHISE TAX BOARD
PO BOX 942857
SACRAMENTO CA 94257-0540

Entity Status Letter

Date: 5/31/2016

ESL ID: 3994661330

According to our records, the following entity information is true and accurate as of the date of this letter.

Entity ID: 3029102

Entity Name: KIWANIS CLUB OF COSTA MESA FOUNDATION

- 1. The entity is in good standing with the Franchise Tax Board.
- 2. The entity is **not** in good standing with the Franchise Tax Board.
- 3. The entity is currently exempt from tax under Revenue and Taxation Code (R&TC) Section 23701 d.
- 4. We do not have current information about the entity.

The above information does not necessarily reflect:

- The entity's status with any other agency of the State of California, or other government agency.
- If the entity's powers, rights, and privileges were suspended or forfeited at any time in the past, or the entity did business in California at a time when it was not qualified or not registered to do business in California:
 - The status or voidability of any contracts made in California by the entity at a time when the entity was suspended or forfeited (R&TC Sections 23304.1, 23304.5, 23305a, 23305.1).
 - For entities revived under R&TC Section 23305b, any time limitations on the revivor or limitation of the functions that can be performed by the entity.

Internet and Telephone Assistance

Website: ftb.ca.gov

Telephone: 800.852.5711 from within the United States
916.845.6500 from outside the United States

TTY/TDD: 800.822.6268 for persons with hearing or speech impairments

DISPLAY CONSPICUOUSLY AT PLACE OF BUSINESS FOR WHICH ISSUED

CALIFORNIA STATE BOARD OF EQUALIZATION

TEMPORARY SELLER'S PERMIT

Valid 06/30/2016 through 07/04/2016



ACCOUNT NUMBER

SR EA 102-923973

KIWANIS CLUB OF COSTA MESA FOUNDATION
740 W WILSON ST
COSTA MESA, CA 92627-2915

NOTICE TO PERMITTEE:
You are required to obey all Federal and State laws that regulate or control your business. This permit does not allow you to do otherwise.

IS HEREBY AUTHORIZED PURSUANT TO SALES AND USE TAX LAW TO ENGAGE IN THE BUSINESS OF SELLING TANGIBLE PERSONAL PROPERTY AT THE ABOVE LOCATION. THIS PERMIT IS VALID FOR THE PERIODS SHOWN AND IS NOT TRANSFERABLE.

**For general tax questions, please call our Customer Service Center at 1-800-400-7115 (TTY:711).
For information on your rights, contact the Taxpayers' Rights Advocate office at 1-888-324-2798 or 1-916-324-2798.**

BOE-442-ST REV. 5 (11-14)

A MESSAGE TO OUR NEW PERMIT HOLDER

As a seller, you have rights and responsibilities under the Sales and Use Tax Law. In order to assist you in your endeavor and to better understand the law, we offer the following sources of help:

- Visiting our website at www.boe.ca.gov
- Visiting a field office
- Attending a Basic Sales and Use Tax Law class offered at one of our field offices
- Sending your questions in writing to any one of our offices
- Calling our toll-free Customer Service Center at 1-800-400-7115 (TTY:711)

As a seller, you have the right to issue resale certificates for merchandise that you intend to resell. You also have the responsibility of not misusing resale certificates. While the sales tax is imposed upon the retailer,

- You have the right to seek reimbursement of the tax from your customer
- You are responsible for filing and paying your sales and use tax returns timely
- You have the right to be treated in a fair and equitable manner by the employees of the California State Board of Equalization (BOE)
- You are responsible for following the regulations set forth by the BOE

As a seller, you are expected to maintain the normal books and records of a prudent businessperson. You are required to maintain these books and records for no less than four years, and make them available for inspection by a BOE representative when requested. You are also expected to notify us if you are buying, selling, adding a location, or discontinuing your business, adding or dropping a partner, officer, or member, or when you are moving any or all of your business locations. If it becomes necessary to surrender this permit, you should only do so by mailing it to a BOE office, or giving it to a BOE representative.

If you would like to know more about your rights as a taxpayer, or if you are unable to resolve an issue with the BOE, please contact the Taxpayers' Rights Advocate office for help by calling toll-free, 1-888-324-2798 or 1-916-324-2798. Their fax number is 1-916-323-3319.

Please post this permit at the address for which it was issued and at a location visible to your customers.

CALIFORNIA STATE BOARD OF EQUALIZATION
Sales and Use Tax Department



Index 5942
PCA 59420
Source Code 125700-06

**OFFICE OF THE STATE FIRE MARSHAL
RETAIL FIREWORKS LICENSE APPLICATION**
(Print or Type)

Complete and return all copies to the office nearest stand location with the required fee of \$50.00.
APPLICATIONS MUST BE RECEIVED PRIOR TO JUNE 15 OF THE CURRENT YEAR.

1131 S Street
Sacramento, CA 95811
(916) 445-8373

RETAIL FIREWORKS LICENSE

Licensesee	<u>KIWANIS CLUB OF COSTA MESA FOUNDATION</u>
Stand Location	<u>740 W. WILSON</u>
City, State & Zip	<u>COSTA MESA, CA</u>
County	<u>ORANGE</u>
LOCAL CONTACT PERSON	
Name	<u>LAURA LIRA</u>
Phone	<u>(714)-738-1002</u>

**-Notice-
COPY OF THIS NOTICE MUST BE POSTED AT STAND
WITH A COPY OF THE LOCAL PERMIT**

A validated license has been issued to this organization shown above for the sale of Safe and Sane fireworks at the location indicated. After a permit has been issued by the authority having jurisdiction this license allows the sale of only classified "Safe and Sane" fireworks at the approved location from NOON, JUNE 28 to NOON, JULY 6, of the year indicated. **NOTE:** Retail licensees are required to be at least 21 years of age, employees of fireworks stands must be at least 18 and fireworks may not be sold to anyone under the age of 16.

MAILING ADDRESS OF LICENSEE

Name	<u>TNT FIREWORKS</u>
Address	<u>555 N. GILBERT</u>
City, State & Zip	<u>FULLERTON, CA 92833</u>



[Handwritten Signature]
Signature of Applicant

FIRE AUTHORITY HAVING JURISDICTION

Fire Dept.	<u>COSTA MESA FIRE DEPT.</u>
Address	<u>P.O. BOX 1200</u>
City, State & Zip	<u>COSTA MESA, CA 92623</u>

Signature of Applicant
4/29/16
Date



CERTIFICATE OF LIABILITY INSURANCE

11/1/2016

DATE (MM/DD/YYYY)

3/1/2016

29

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Lockton Companies 3280 Peachtree Road NE, Suite #250 Atlanta GA 30305 (404) 460-3600	CONTACT NAME: _____	
	PHONE (A/C, No, Ext): _____	FAX (A/C, No): _____
E-MAIL ADDRESS: _____		
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A : Everest Indemnity Insurance Company		10851
INSURER B : Maxum Indemnity Company		26743
INSURER C : Berkshire Hathaway Homestate Ins Co		20044
INSURER D : Continental Divide Insurance Company		35939
INSURER E : Cypress Insurance Company (CA)		10855
INSURER F :		

COVERAGES **CERTIFICATE NUMBER:** 12250760 **REVISION NUMBER:** XXXXXXXX

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC OTHER: _____	Y	N	SI8GL00242-151	11/1/2015	11/1/2016	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS			NOT APPLICABLE			COMBINED SINGLE LIMIT (Ea accident) \$ XXXXXXXX BODILY INJURY (Per person) \$ XXXXXXXX BODILY INJURY (Per accident) \$ XXXXXXXX PROPERTY DAMAGE (Per accident) \$ XXXXXXXX \$ XXXXXXXX
B	<input type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED \$ _____ RETENTION \$ _____	Y	N	EXC6023470-03	11/1/2015	11/1/2016	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000 \$ XXXXXXXX
C D E	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input checked="" type="checkbox"/> N	N/A	AMWC605740 (AOS) AMWC606356 (OR) AMWC607196 (CA)	11/1/2015 11/1/2015 11/1/2015	11/1/2016 11/1/2016 11/1/2016	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 THIS CERTIFICATE SUPERSEDES ALL PREVIOUSLY ISSUED CERTIFICATES FOR THIS HOLDER, APPLICABLE TO THE CARRIERS LISTED AND THE POLICY TERM(S) REFERENCED.
 Additional Insured: Property located at 740 W. Wilson, Costa Mesa, CA 92626 (XXX0342) Certificate holder is an additional insured on the General Liability as required by written contract subject to policy terms, conditions, and exclusions.

CERTIFICATE HOLDER**CANCELLATION****12250760**

Kiwanis Club of Costa Mesa & the City of Costa Mesa
 their officers, agents and employees when acting
 in their official capacities as such
 77 Fair Drive
 Costa Mesa CA 92626

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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PLEASE DO NOT SET UP OR TAKE DOWN ON A SUNDAY!

INSPECTION DATE 6/29

TNT FIREWORKS

SALES ASSOCIATE LAURA

CITY COSTA MESA

LOCATION# XXX0342 ORGANIZATION KIWANIS CLUB OF COSTA MESA

SIZE 8 X 24 TYPE NNM BACK DOORS 0 A-FRAMES 2

SET-UP 6/22 DOWN 7/6 LIGHTS MCGILLS

ADDRESS 740 W. WILSON STREET (IGLESIA HARBOR/ PALM HARVEST CHURCH)

INTERSECTION EAST OF PLACENTIA

THOMAS GUIDE — COUNTY OC PAGE 888 GRID H1

SPECIAL INSTRUCTIONS FACE STAND TO STREET, 10 FEET BACK FROM GRASS CENTER ON FLAG POLE



2016
CITY OF COSTA MESA
Fire Prevention Bureau
Telephone: 714.327.7400

SITING OF FIREWORKS STANDS

PURPOSE

To ensure fireworks stands are located and installed in compliance with codes governing their installation and with the authority of the property owner. Property owners who approve their location and installation must be totally aware of the consequences of fireworks stands could have on vehicle parking. This standard ensures the siting of fireworks stands is in conformance with the Costa Mesa Municipal Code before being set in place and is authorized by the person (s) having control of the property.

REQUIREMENTS

A minimum of 100 feet from any gasoline dispenser or room in which vehicles containing gasoline are repaired; a minimum distance of 35 feet to any structure; a minimum distance of 5 feet to any sidewalk or 10 feet from curbing where no sidewalk exists; no parking within 10 feet of fireworks stand; provide adult night watchperson.

REQUIRED SUBMITTAL

A site map shall be provided to the Fire Prevention Bureau prior to siting fireworks stands in the City of Costa Mesa (deliver with application to the Finance Department). The site plan shall be drawn to scale and show the following at a minimum: all property lines; surrounding streets and sidewalks with distance to stand indicated; all buildings within 100 feet of the stand with distance to buildings and occupancy use of buildings indicated; all parking spaces within 100 feet of stand; location of adult night watchperson; location and type of power source; a written statement of how **NO PARKING** within 10 feet will be enforced.

*Placement, setback requirements and property owners/agents authorization for fireworks stand is as follows:

LOCATION

Vacant lots on which stands are erected and maintained shall be free of all weeds and combustible material before the erection of any fireworks stand. It shall be the responsibility of the stand operator to see that this procedure is carried out.

The minimum placement requirements: 1) 100 feet from any gasoline dispenser or storage; 2) 35 feet from any structure; 3) 5 feet from sidewalks or 10 feet from curbing if no sidewalks; 4) location of power source if any (existing source "ES" or generator "G"). *Also note on site plan the location of the adult night watchperson (noted on site plan as "WP").

PROPERTY OWNER/Agent

Authorized by:


_____ Date 10/1/15
Christian Parra
Print Name

Check the applicable box: Owner Agent

740 W. WILSON ST.
Loc# **XXX0342**