

## Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION <input type="checkbox"/> CHECK IF POINT OF CONTACT FOR FEE PAYMENT***		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION <input type="checkbox"/> CHECK IF POINT OF CONTACT FOR FEE PAYMENT***	
Property Owner Name		Representative Name	
Address		Address	
City, State, Zip		City, State, Zip	
Telephone		Telephone	
Email		Email	
*All standard zone map amendment applications must be initiated by owners (or authorized representatives) of at least 51% of the total area of the zone lots subject to the rezoning. See page 4.		**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.  ***If contact for fee payment is other than above, please provide contact name and contact information on an attachment.	
SUBJECT PROPERTY INFORMATION			
Location (address):			
Assessor's Parcel Numbers:			
Area in Acres or Square Feet:			
Current Zone District(s):			
PROPOSAL			
Proposed Zone District:			
PRE-APPLICATION INFORMATION			
In addition to the required pre-application meeting with Planning Services, did you have a concept or a pre-application meeting with Development Services?		<input type="checkbox"/> <b>Yes - State the contact name &amp; meeting date</b> <u>Multiple Meetings with CPD and HOST</u> <input type="checkbox"/> <b>No - Describe why not (in outreach attachment, see page 3)</b>	
Did you contact the City Council District Office, applicable Registered Neighborhood Organization, and adjacent property owners and tenants regarding this application?		<input type="checkbox"/> <b>Yes - State date below and describe method in outreach attachment, see page 3</b> _____	

## REZONING REVIEW CRITERIA (ACKNOWLEDGE EACH SECTION)

<p>General Review Criteria DZC Sec. 12.4.10.7.A</p> <p>Check box to affirm <b>and</b> include sections in the review criteria narrative attachment</p>	<p><input type="checkbox"/> <b>Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans.</b></p> <p>Please provide a review criteria narrative attachment describing <b>how</b> the requested zone district is consistent with the policies and recommendations found in <b>each</b> of the adopted plans below. Each plan should have its own section.</p> <p><b>1. Denver Comprehensive Plan 2040</b></p> <p>In this section of the attachment, describe <b>how</b> the proposed map amendment is consistent with <i>Denver Comprehensive Plan 2040's</i> a) equity goals, b) climate goals, and c) any other applicable goals/strategies.</p> <p><b>2. Blueprint Denver</b></p> <p>In this section of the attachment, describe <b>how</b> the proposed map amendment is consistent with: a) the neighborhood context, b) the future place, c) the growth strategy, d) adjacent street types, e) plan policies and strategies, and f) equity concepts contained in <i>Blueprint Denver</i>.</p> <p><b>3. Neighborhood/ Small Area Plan and Other Plans (List all from pre-application meeting, if applicable):</b></p> <p>_____</p>
<p>General Review Criteria DZC Sec. 12.4.10.7.A.1</p> <p><b>Only check this box if your application is not consistent with 12.4.10.7.A</b></p>	<p><input type="checkbox"/> <b>Community Need Exception: The City Council may approve an official map amendment that does not comply with subsection 12.4.10.7.A if the proposed official map amendment is necessary to provide for an extraordinary community need that was not anticipated at the time of the adoption of the city's plans.</b></p> <p>Please provide a narrative attachment describing <b>how</b> the requested zone district is <b>necessary</b> to provide for an extraordinary community need that was not anticipated at the time of the adoption of the city's plans.</p>
<p>General Review Criteria: DZC Sec. 12.4.10.7. B &amp; C</p> <p>Check boxes to the right to affirm <b>and</b> include a section in the review criteria for the public interest narrative attachment and for consistency with the neighborhood context and the stated purpose and intent of the proposed zone district.</p>	<p><input type="checkbox"/> <b>Public Interest: The proposed official map amendment is in the Public Interest.</b></p> <p>In the review criteria narrative attachment, please provide an additional section describing <b>how</b> the requested rezoning is in the public interest of the city.</p> <p><input type="checkbox"/> <b>The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District.</b></p> <p>In the review criteria narrative attachment, please provide a separate section describing <b>how</b> the rezoning aligns with a) the proposed district neighborhood context description, b) the general purpose statement, and c) the specific intent statement found in the Denver Zoning Code.</p>

**REZONING GUIDE**

Rezoning Application Page 3 of 4

**REQUIRED ATTACHMENTS**

Please check boxes below to affirm the following **required** attachments are submitted with this rezoning application:

- ☐ **Legal Description of subject property(s).** Submit as a **separate Microsoft Word document**. View guidelines at: <https://www.denvergov.org/content/denvergov/en/transportation-infrastructure/programs-services/right-of-way-survey/guidelines-for-land-descriptions.html>
- ☐ **Proof of ownership document** for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed, or (c) Title policy or commitment dated no earlier than 60 days prior to application date. If the owner is a corporate entity, proof of authorization for an individual to sign on behalf of the organization is required. This can include board resolutions authorizing the signer, bylaws, a Statement of Authority, or other legal documents as approved by the City Attorney's Office.
- ☐ **Review Criteria Narratives.** See page 2 for details.
- ☐ **Outreach documentation.** Pre-application outreach is required. The minimum requirement is outreach to the City Council District Office, Registered Neighborhood Organizations, and adjacent neighbors. Please describe all community outreach and engagement to these and any other community members or organizations. The outreach documentation must include the type of outreach, who was contacted or met with, the date of the outreach or engagement, and a description of feedback received, if any. If outreach was via email, please include a copy of the email. The outreach documentation attachment should be sent as a PDF or Word Doc, separate from other required attachments.

**ADDITIONAL ATTACHMENTS (IF APPLICABLE)**

Additional information may be needed and/or required. Please check boxes below identifying additional attachments provided with this application.

- ☐ **Written narrative explaining reason for the request** (optional)
- ☐ **Letters of Support.** If surrounding neighbors or community members have provided letters in support of the rezoning request, please include them with the application as an attachment (optional)
- ☐ **Written Authorization to Represent Property Owner(s)** (if applicable)
- ☐ **Individual Authorization to Sign on Behalf of a Corporate Entity** (e.g. if the deed of the subject property lists a corporate entity such as an LLC as the owner, this document is required.) (if applicable)
- ☐ **Affordable Housing Review Team Acceptance Letter** (if applicable)
- ☐ **Other Attachments.** Please describe below.




# REZONING GUIDE

Rezoning Application Page 4 of 4

## PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION

We, the undersigned represent that we are the owner(s) of the property described opposite our names, or have the authorization to sign on behalf of the owner as evidenced by a Power of Attorney or other authorization attached, and that we do hereby request initiation of this application. I hereby certify that, to the best of my knowledge and belief, all information supplied with this application is true and accurate. I understand that without such owner consent, the requested official map amendment action cannot lawfully be accomplished.

Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed, (C) title policy or commitment, or (D) other as approved	Has the owner authorized a representative in writing? (YES/NO)
<b>EXAMPLE</b> John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	John Alan Smith Josie Q. Smith	01/12/20	(A)	YES
						

## Rezoning Waiver(s) and/or Condition(s) Request Form

PROPERTY OWNER/ APPLICANT INFORMATION			
Property Owner/ Applicant Name	Focus Points Family Resource Center		
SUBJECT PROPERTY INFORMATION			
Address of property to be rezoned that waiver is requested	2501 East 48th Ave, Denver CO.		
Current Zone District:	R-1 With Wavers		
Requested/Proposed Zone District:	CMP-EI2 With Wavers		
BACKGROUND AND INSTRUCTIONS			
<p>Section 12.4.10.6 of the Denver Zoning Code (DZC) authorizes the City Council to adopt waivers or reasonable conditions to an Official Map Amendment at the request of the applicant, provided the applicant approves such waivers in writing.</p> <p>In the first column of the table below, list the current code section (as it is today in the DZC) that is requested to be modified in the proposed zone district. In the second column, write the proposed alternative standard. In the third column, list the difference between the existing and proposed, if applicable. In the fourth column, provide justification or reasoning on why the current standard can't be met and a waiver/condition is necessary and justified.</p> <p>If requesting more than one waiver, repeat on the second page. Once completed, submit with your rezoning application or return to your case manager via email.</p> <p>Once the rezoning request with waivers is approved by City Council and adopted, the waivers cited below shall apply to all successors and assigns of the property, who along with the present owner(s), shall be deemed to have waived all objections as to the constitutionality of these provisions.</p>			
WAIVER REQUEST			
Current Standard	Proposed Waiver	Difference between current and proposed standard	Justification
<i>Example: DZC Sec. 3.3.4.5.A Detached accessory dwelling unit - minimum lot size 8,500 sq. ft.</i>	<i>Waive minimum lot size requirement from 8,500 sq ft to 7,000 sq ft for detached accessory unit in the S-SU-D1 zone district</i>	<i>A reduction of 1,500 sq. ft. to the minimum lot size in the S-SU-D1 zone district</i>	<i>There currently is not a zone district that allows for ADU's on parcels smaller than 8,500 sq. ft. in the Suburban Context. The subject parcel is 7,000 sq. ft. in size.</i>
DZC Section 9.2.4.3: Building Form Standards (Division 9.2) Maximum CMP-EI2 Building Height: 150'	Waive current allowed maximum building height from 150' to 75'  See attached for additional information	A reduction in allowed building height from 150' to 75'  See attached for additional information	To be responsive to community feedback and perspectives Focus Points would like to reduce the maximum allowed building height to 75' across the entire site.

# REZONING GUIDE



## Rezoning Waiver Request Form

### WAIVER REQUEST (CONTINUED, IF APPLICABLE)

Current Standard	Proposed Waiver	Difference between current and proposed standard	Justification

### PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION

We, the undersigned represent that we are the owner(s) of the property described opposite our names, or have the authorization to sign on behalf of the owner as evidenced by a Power of Attorney or other authorization provided and attached to the official map amendment application and that we do hereby request consideration of the following waivers as part of the associated application. I hereby certify that, to the best of my knowledge and belief, all information supplied with this application is true and accurate. I understand that without such owner consent, the requested official map amendment action cannot lawfully be accomplished.

Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Email	Signature
<b>EXAMPLE</b> John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 sample@sample.gov	
Will Wagenlander (representative)	RVi Planning + Landscape Architecture 3461 Ringsby Ct. Ste 420 • Denver, CO 80216 720.989.3010 Mobile • 303.462.1100 Main	
Jules Kelty	Focus Points Family Resource Center 2501 East 48th Avenue Denver, CO 80216	

## WAIVER AND CONDITION REQUEST FORM

**Rezoning Case Application No.:** \_\_\_\_\_

Applicant Name: Focus Points Family Resource Center

Section 12.4.10.6, Denver Zoning Code, authorizes the City Council to adopt waivers or reasonable conditions to an Official Map Amendment at the request of the applicant, provided the applicant approves such waivers or conditions in writing.

List each requested waiver and/or condition in the following tables. Include a justification for each waiver or condition.

### Waivers

Code Reference	Code Provision	Proposed Alternative	Justification
DZC Section 9.2.4.3: Building Form Standards (Division 9.2) Maximum CMP-EI2 Building Height: 150'	Building Heights	<u>Waiver for the property located at 2501 E 48<sup>th</sup> Avenue:</u> Per Denver Zoning Code Section 12.4.10.6, Waivers of Rights and Obligations and Approval of Reasonable Conditions, I, the undersigned applicant for the property under application for the rezoning referenced herein, request that the CMP-EI2 zoning classification of the land described herein include the following waiver: <ol style="list-style-type: none"><li>1. Waive the right to use or erect any primary structure with a maximum permitted building height of 150</li></ol>	Making change based on the GES communities desire to limit future development height.

		feet and 75 feet when within 175 feet of a protected district pursuant to Section 9.2.4.3.C.2 (General 2 Building form) DZC and instead comply with the following: No primary structure erected on the subject property according to the General primary building form standards shall exceed 75 feet in building height. Height exceptions shall be allowed in accordance with Section 9.2.7.1 (Height Exceptions) as applicable to the CMP-EI2 zone district	

### Conditions

Code Reference	Code Provision	Proposed Alternative	Justification

Once adopted, the waivers and/or conditions cited above shall apply to all successors and assigns, who along with the present owner(s), shall be deemed to have waived all objections as to the constitutionality of these provisions.



## Introduction & Written Narrative Explaining the Reason for the Request:

Founded in 1995, Focus Points Family Resource Center (Focus Points) is 501c3 non-profit organization committed to serving low-income families in the northeast Denver area, providing families in need with the resources and tools to build their future by supporting both children and caregivers. The community program areas include:

- [Adult Education](#) *(Please click to visit)*
- [Early Childhood Education](#) *(Please click to visit)*
- [Family Assistance](#) *(Please click to visit)*
- [Economic Inclusion](#) *(Please click to visit)*
- [Health and Wellness](#) *(Please click to visit)*

In 2010, Focus Points Family Resource Center moved to its GES (Globeville and Elyria Swansea Neighborhoods) home at 48th & Columbine, the former Cross Community Coalition building. The move expanded Focus Points' community services to the Globeville and Elyria-Swansea (GES) neighborhoods. At the core of Focus Points programming is community voice- all of its programs were created in direct response to community need and interest. To meet GES community needs, Focus Points has collaborated with local healthcare providers such as Tepeyac Community Health Center, and with WellPower, to offer health supports, one:one counseling, and support groups focusing on various mental health topics. The organization also conducts bilingual workshops on community resources, parenting skills, and available resources such as transportation assistance. GES neighborhoods are designated food deserts (limited access to affordable and healthy food) and food swamps (accessible food is junk food). To address this barrier to community health, in 2019, in partnership with local community members, Focus Points launched a small urban farm program on its land, called Huerta Urbana. The program includes an on-site pay-what-you-can Farmers' Market (June-October), to provide locally grown fresh produce and other basic pantry items to the GES community. Focus Points is currently in the process of launching a hydroponic Farm Box in partnership with National Western Center that will eventually triple Huerta Urbana's production. (The Farm Box is located at National Western Center and managed by Focus Points.)

In 2025, Focus Points Family Resource Center seeks to perpetuate and cement the property's community-serving legacy by rezoning the campus to CMP-EI2 of the new Denver zoning code. Rezoning will result in several important and positive outcomes for the community, including:

- Allowing Focus Points to expand its current programs by facilitating improvements and infrastructure otherwise not allowed under Former Chapter 59 zoning. Expanded programming as a result of rezoning would allow Focus Points Family Resource Center to serve more families in need and more than they currently serve.
- Bringing the property out of Former Chapter 59 (R-1 designation) and aligning it with the new Denver Zoning Code.
- Establishing a 99-year community land trust (after rezoning) and permitting additional infrastructure projects on-site that would pair with the existing Family Resource Center, in order to more comprehensively serve the GES community. Projects could include permanently affordable housing, a childcare center, or other services that would address expressed community needs. These elements, when combined with the campus's immediate adjacency to Swansea Park, the Swansea Recreation Center, 48<sup>th</sup> Avenue bus transit, faith



centers, and Swansea Elementary would further contribute to a robust and accessible hub of important community services in an area that has experienced historical, systemic inequities.

Focus Points Family Resource Center will **not** be leaving the 48<sup>th</sup> and Columbine campus. Rather, the rezoning provides resources and opportunities to strengthen and expand Focus Points' existing community programs and preserve the campus's community-serving legacy through the implementation of a community land trust. With the resources made available through the land trust, Focus Points will be able to offer additional programming to GES families, sustain its services through economic ups and downs, and further formalize the organization's legacy of supporting the families and people of GES.

The following information illustrates how Focus Points' rezoning request meets the standards and merits of the evaluation categories the City and County of Denver uses to analyze these requests. We have addressed all of the potential benefits of the rezoning that could be realized, according to the various potential projects that Focus Points is exploring for the campus. This application also presents the results and feedback of collaborative meetings and engagement activities that were used to understand community perspectives related to the rezoning. Before moving forward with any major projects such as potential affordable housing or a childcare center, Focus Points will seek additional community input and engage community partners with relevant experience and expertise. Projects will also depend on a number of other factors, for example, the availability of financial capital and resources to sustain services in the long term, and environmental or structural factors on the land. Regardless of which projects move forward, we strongly believe that rezoning the campus will directly benefit the community.

**Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan.**

*Please provide a review criteria narrative attachment describing how the requested zone district is consistent with the policies and recommendations found in each of the adopted plans below. Each plan should have its own subsection.*

## **General Review Criteria DZC Sec. 12.4.10.7.A:**

### **1. Denver Comprehensive Plan 2040**

In this section of the attachment, describe **how** the proposed map amendment is consistent with *Denver Comprehensive Plan 2040's* a) equity goals, b) climate goals, and c) any other applicable goals/strategies.

The Denver Comprehensive Plan 2040 encompasses important overarching equity goals. The following presents applicable goals from the Denver Comprehensive Plan 2040 and how Focus Points Family Resources Center's rezoning will assist the City in meeting them.

#### **Equitable, Affordable, and Inclusive**

##### **Vision:**

*"In 2040, Denver is an equitable, inclusive community with a high quality of life for all residents, regardless of income level, race, ethnicity, gender, ability or age"*

##### **Goals:**

- 1) *"Ensure all Denver residents have safe, convenient, and affordable access to basic services and a variety of amenities."*
  - a. *"Increase development of housing units close to transit and mixed-use developments."*



Three of the primary benefits of Focus Points Family Resource Center's rezoning include:

- Focus Points Family Resource Center's rezoning request would allow for the expansion of existing programs by facilitating improvements and infrastructure otherwise not allowed under Former Chapter 59 zoning. Expanded programming as a result of rezoning would allow Focus Points to serve more families in need and more than they currently serve.
- Rezoning will allow Focus Points Family Resource Center to continue and expand the services they offer to GES families. Which, in combination with direct adjacencies to faith centers, the Swansea Recreation Center, Swansea Elementary, and Swansea Park creates a hub of community programs where multiple services can be accessed conveniently by some of the metro area's most vulnerable populations.
- Allow for an exploration of additional infrastructure projects on-site to address expressed community needs which may include permanently affordable housing, a childcare center or other services that could pair with the existing Focus Points Family Resource Center to create a comprehensive suite of community services at the 48<sup>th</sup> and Columbine campus. These elements, when combined with the campus's immediate adjacency to Swansea Park, the Swansea Recreation Center, 48<sup>th</sup> Avenue bus transit, faith centers, and Swansea Elementary will create a robust concentration of critical community services and amenities for GES families.

*b. Improve equitable access to resources that improve quality of life, including cultural and natural amenities, health care, education, parks, recreation, nutritious food, and the arts.*

Focus Points' mission is to build better community by strengthening families. That includes providing comprehensive services, education, and access to community resources and programs. Rezoning would allow for expansion of existing Focus Points programs, increasing participation and providing a suite of comprehensive services that, when accessed, work together to achieve the best possible outcomes for underserved families and individuals.

- Rezoning would allow Focus Points Family Resource Center to expand and enhance existing programs on its campus. Expanding their programmatic capacity and their ability to serve more people.
- The potential addition of permanently affordable housing, childcare or similar service infrastructure to Focus Points' campus would further the organization's ability to provide safe and convenient access to cultural, religious, recreational, educational, healthy food, and natural amenities to a wide range of future residents. Families using affordable housing or childcare on Focus Points' campus would have safe and convenient access to:
  - Focus Points' community garden and agricultural incubator (Huerta Urbana)



**Focus Points**  
FAMILY RESOURCE CENTER

- The entire range of existing and future Focus Points' community programs
- Swansea Elementary (1 block away), the Swansea Recreation Center and Park (next door), Our Lady of Grace Church (next door), and programming at nearby partners National Wester Center and CSU-Spur.

*c. Improve equitable access to city resources and city meetings through proactive and transparent communications, easy-to-access information, and materials available in more than one language.*

Focus Points Family Resource Center primarily serves low-income immigrants, refugees, and the Latine community. As a part of providing culturally responsive programming, Focus Points' services are implemented in both English and Spanish. For refugee services, materials are also translated into Dari, Russian, Haitian Creole, and Arabic. Nearly all of Focus Points' staff are bi-lingual including Spanish, Russian, French, Ukrainian, Dari, Wolof, and Arabic. Communications related to, and coming from any new site infrastructure such as affordable housing, childcare will be multilingual to meet the needs of future residents. Expanded community services (because of the rezoning) will also be bilingual, ensuring equitable communication and access to non-native English speakers. Through the rezoning process, Focus Points has provided communications in both English and Spanish, facilitating equal access to information. Presentations and meetings have always included a Spanish interpreter to ensure that non-native English speakers have a voice and understand the context of each conversation.

*2) Build housing as a continuum to serve residents across a range of incomes, ages, and needs.*

*a. Create a greater mix of housing options in every neighborhood for all individuals and families.*

Focus Points Family Resource Center's long presence in the community has allowed the organization to understand the GES community's needs and, in collaboration with community, develop solutions to address them. Rezoning would allow for the expansion of existing community programs and for new programs desired by the community, like childcare. It would also allow for the potential development of permanently affordable, 2- and 3-bedroom units that can accommodate families in need. This is especially important in the GES community, where Focus Points' programs fill critical needs and where displacement has forced many multigenerational families to move out of the neighborhood.

Focus Points has actuated an agreement with CCD HOST regarding standards and expectations for any potential income-restricted affordable residential units that could be built on its land. The agreement stipulates that:

*"When future residential development occurs, a minimum of 18% of all units will be income-restricted to an AMI level of 70%."*

This agreement has also been referenced in a MOU that Focus Points signed with the GES Coalition in March of 2025.



- b. Foster communities of opportunity by aligning housing strategies and investments to improve economic mobility and access to transit and services.*

As mentioned previously, Focus Points Family Resource Center is conveniently located adjacent to two RTD bus lines, creating transportation alternatives for current and future program users. Access to transit further enhanced the reach by programs offered by Focus Points (Huerta Urbana Urban Farm and Adult English language programs). Focus Points' existing and expanded community programs, when combined with the areas transit access and potential affordable housing and/or childcare will facilitate economic and physical mobility for program participants, families, and residents.

- c. Increase the development of senior-friendly and family friendly housing, including units with multiple bedrooms in multifamily developments.*

Any potential housing built on Focus Points' land would be senior- and/or family-friendly. Explorations have identified 2- and 3-bedroom units as an area of need in the community, providing multigenerational housing for seniors and children and allowing families to stay together and within one household.

*3) Develop housing that is affordable to residents of all income levels.*

- b. Use land-use regulations to enable and encourage the private development of affordable, missing middle and mixed-income housing, especially where close to transit.*

Explorations for potential development of permanently affordable housing on Focus Points' privately-owned campus have identified 2- and 3-bedroom units as a need. These unit sizes would be well-equipped to provide multigenerational housing for seniors and children, allowing families to stay together and within one household. Multigenerational families are supported by Focus Points' wraparound service model, an important element in a family-oriented community such as GES. Focus Points is also located adjacent to two RTD bus lines that offer connectivity to many other parts of metro Denver.

Focus Points has actuated an agreement with CCD HOST regarding standards and expectations for any potential income-restricted affordable residential units that could be built on its land. The agreement stipulates that:

*"When future residential development occurs, a minimum of 18% of all units will be income-restricted to an AMI level of 70%."*

This agreement has also been referenced in a MOU that Focus Points signed with the GES Coalition in March of 2025.

- c. Develop and promote programs to help individuals and families, especially those most vulnerable to displacement, access affordable housing.*

Focus Points' rezoning request would allow for the expansion of current and existing programs by facilitating improvements and infrastructure otherwise not allowed under Former Chapter 59 zoning. Expanded programming would allow Focus Points to expand services to provide for more of those who need it.



The potential addition of permanently affordable housing on Focus Points' land would assist GES residents who are most vulnerable to displacement. Another potential project on the land, a childcare center, would also fill a critical need for residents in the community. Helping a community that has been deeply impacted by displacement retains residents and families. Displacement has been particularly pronounced in the GES community, creating vulnerability to evictions, forced relocation, or homelessness:

- Given the choice, 80% of residents want to remain in the community.
- 51% of renters have no lease.
- 61% of renter-residents earn less than \$25,000 / year.
- 50% of GES renters have 3 or more adult family members.
- 64% of GES renters have 2 or more children.
- 52% of GES residents earn less than \$25,000 / year and 76% earn less than \$35,000 / year.
- 37% Unemployment

Focus Points Family Resource Center seeks to help residents through a combination of community service programming and affordable housing and/or childcare to mitigate and address these existential threats to the GES community and its citizens.

Focus Points has actuated an agreement with CCD HOST regarding standards and expectations for any potential income-restricted affordable residential units that could be built on its land. The agreement stipulates that:

*“When future residential development occurs, a minimum of 18% of all units will be income-restricted to an AMI level of 70%.”*

This agreement has also been referenced in a MOU that Focus Points signed with the GES Coalition in March of 2025.

**5) Reduce the involuntary displacement of residents and businesses.**

- b. Stabilize residents and businesses at risk of displacement through programs and policies that help them to stay in their existing community.**

Existing Focus Points programs and resources already assist in helping support GES families. The expansion of programs enabled by rezoning would provide for increased participation in early childhood education, adult education, health and wellness, and workforce readiness programs. These programs help mitigate the economic and social pressures that often lead to gentrification and displacement. The potential addition of affordable housing and/or a childcare center would complement existing and new Focus Points services, creating a more complete community servicing campus that can meet multiple community needs.

**7) Increase housing options for Denver's most vulnerable populations.**

- d. Expand the supply of housing accessible to seniors and people with disabilities, including more housing choices for seniors to age in place.**

Affordable housing unit sizes would allow multigenerational households to live together in permanently attainable homes. This would be especially important in Latino and Hispanic



communities, where multigenerational households are often the norm. For seniors who do not live in multigenerational housing, potential affordable housing could allow them the opportunity to stay in the GES community where critical social and familial connections can be maintained and where they can access important community programs at the Focus Points Family Resource Center.

Focus Points has actuated an agreement with CCD HOST regarding standards and expectations for any potential income-restricted affordable residential units that could be built on its land. The agreement stipulates that:

*“When future residential development occurs, a minimum of 18% of all units will be income-restricted to an AMI level of 70%.”*

This agreement has also been referenced in a MOU that Focus Points signed with the GES Coalition in March of 2025.

- 8) *Improve equitable access to quality education and lifelong learning opportunities.*
- a. *Improve the quality, availability and affordability of early childhood care, education, and child development services.*

Focus Points Family Resource Center is a leader in the GES community in providing early childhood education and child development programming. Rezoning would allow for an expansion of infrastructure to support these programs, leading to a longer reach and the capacity to serve even more people. Last year, Focus Points Family Resource Center:

- Supported and provided services to over 2,940 individuals.
- Conducted 4,155 Early Childhood Home visits across two different early childhood programs offered.
- Worked with 327 adults as part of English Language Acquisition programs.
- Distributed backpacks to over 450 children in the community.
- Supported 311 families with critical services.
- Worked with 15 Social Enterprise Workforce Training Participants
- Produced 8,050 lbs. of fresh produce as part of the Huerta Urbana program
- Employed 54 people, many from the GES community

As part of Focus Points’ stakeholder engagement process, a survey of participant families was conducted to understand critical needs and perspectives. The two top desires communicated by families included childcare and affordable housing. Two key uses that would be allowed under this rezoning request.

#### **Strong and Authentic Neighborhoods**

- 1) *Create a city of complete neighborhoods.*
- c. *Ensure neighborhoods offer a mix of housing types and services for a diverse population.*

The GES neighborhood has been identified as an early childhood education desert, food desert, food swamp, lacks in financial institutions, and has an increased threat of gentrification and displacement. To combat these threats, Focus Points Family Resource Center offers home-based early childhood education programs using the evidence-based Parents as Teachers (PAT) and Home Instruction for Parents of Preschool Youngsters (HIPPIY)



curricula, in order to help address the lack of available preschool spots in the area. Focus Points' urban farm, Huerta Urbana, and its pay-what-you-can Farmer's Market helps address food insecurity. Rezoning would allow Focus Points to build infrastructure needed to support the expansion of these programs and serve more of those in need.

The potential addition of affordable housing would also address the gentrification and displacement that the neighborhood is experiencing. The current market rate rent for apartments in Denver is no longer affordable for households with a wide range of incomes, particularly for working class families. This is especially pronounced within the GES community where there are limited amounts of permanently affordable for-rent multifamily housing options.

The addition of expanded community services and potentially affordable housing and/or childcare would provide GES families with expanded choices, creating a hub of community services accessible to neighborhood residents.

Focus Points has actuated an agreement with CCD HOST regarding standards and expectations for any potential income-restricted affordable residential units that could be built on its land. The agreement stipulates that:

*"When future residential development occurs, a minimum of 18% of all units will be income-restricted to an AMI level of 70%."*

This agreement has also been referenced in a MOU that Focus Points signed with the GES Coalition in March of 2025.

- 4) *Ensure every neighborhood is economically strong and dynamic.*
  - a. *Grow and support neighborhood-serving businesses.*

Rezoning would allow for an expansion of Focus Points' already successful adult education and workforce readiness programs, creating more opportunities for GES residents to start or grow existing businesses within the GES community. Rezoning would allow Focus Points' urban farm to grow and evolve, including the addition of greenhouses and/or solar panels. Affordable housing opportunities would offer potential residents lowered housing costs in which savings could be used to start businesses, pursue education, or saved, further strengthening the financial position of residents and households in the GES community.

#### **Economically Diverse and Vibrant**

- 1) *Ensure economic mobility and improve access to opportunity.*
  - a. *Improve economic mobility through workforce training, career development, quality education and wealth creation.*

Existing Focus Points' community service programs provide workforce training, adult education and workforce readiness support. Rezoning would allow for an expansion of these services to more people, improving the overall economic mobility and strength of the GES community.

- 10) *Create a vibrant food economy and leverage Denver's food businesses to accelerate economic opportunity.*

Rezoning would also allow for the expansion of infrastructure needed to support Focus Points' urban farm, Huerta Urbana. Huerta is an agricultural social enterprise which



provides economic opportunities for local vendors and ensures families' access to fresh and healthy food.

#### **Environmentally Resilient**

##### ***8) Clean our soil, conserve land, and grow responsibly.***

###### ***a. Promote infill development where infrastructure and services are already in place.***

Focus Points Family Resource Center's Columbine Street campus is an underutilized parcel within one of Denver's most gentrified and displaced neighborhoods. The Focus Points Family Resource Center campus has the access and capacity to offer increased community services and future development, is strategically located along RTD transit routes, and has convenient access to I-70 and other regional roadways. Utilities and corresponding connections are within easy reach. Rezoning, and the possible addition of expanded services and housing would leverage existing infrastructure to help the campus realize its full community-serving potential.

###### ***b. Encourage mixed-use communities where residents can live, work, and play in their own neighborhoods.***

Since its inception, GES was a complete community where generations of immigrants built and lived in homes close to the places they worked, shopped, and played. Unfortunately, urban renewal, changing economies, and the nature of what a city is have changed. These changes have had an outsized impact on the GES community, degrading the working-class community it once was. Focus Point's rezoning will not resolve these issues. However, the addition of expanded community services and potentially, permanently affordable housing will work with other neighborhood initiatives to begin to realize this storied past again. Affordable housing will allow displaced families a home in the community they know. Focus Point's robust community programs can assist in promoting locally owned business and provide resources to residents looking to obtain employment in the community.

###### ***c. E. Identify, remediate, and restore contaminated soils.***

One purpose of Focus Points Family Resource Center's Huerta Urban Farm is to clean and remediate soil on the Focus Points Family Resource Center campus. GES is the most polluted zip code in the United States, the proposed rezoning would allow for the expansion of the Huerta Urbana program, uplifting the community while also mitigating polluted soils and environmental contamination.

##### ***10) Promote diverse and environmentally responsible food systems***

###### ***a. Expand and preserve regional food system assets and infrastructure.***

Rezoning would allow Focus Points Family Resource Center to expand and grow programs to provide professional skills as a platform for economic development for immigrants and refugees. Rezoning would also allow for the expansion of infrastructure and structures needed to support the [Huerta Urbana 2Gen Incubator](#). Huerta is an agricultural social enterprise which provides economic opportunities for families, ensures access to fresh and healthy food, and is on Focus Points Family Resource Center



## 2. Blueprint Denver

*In this section of the attachment, describe how the proposed map amendment is consistent with a) the neighborhood context, b) the future place type, c) the growth strategy, d) adjacent street types, e) plan policies and strategies, and f) equity concepts contained in Blueprint Denver.*

### Neighborhood Context

**Land Use and Built Form:** The Blueprint Denver Urban context for Focus Points' property is defined as "Urban." Within this context, small multi-unit residential areas are embedded in 1-unit and 2-unit residential areas. Future development and expansion of supportive infrastructure for existing and future programs on the Focus Points campus is in line with the Urban designation. Improvements could include new storage structures and other ancillary elements to support programs.

Potential affordable housing would also fit within this Urban context. While Focus Points is designated as urban, it is adjoined on its north side by a Public Park and on its west side, by Value Manufacturing districts. Within this context, and in combination with transit service, human service programs, adjacent recreational facilities, nearby schools, and faith centers the Focus Points campus offers a logical and natural place to realize expanded community services and potential permanently affordable housing and/or childcare with access to important community assets.

To ensure that any future development is compatible with the surrounding context, Focus Points has agreed to a height waiver. The waiver limits building heights to 75' (maximum) and is below the 150' maximum currently allowed by the CMP-EI2 zone district. Please see accompanying Waiver and Conditions form for further details.

**Mobility:** Focus Points' location has excellent mobility options and offers transportation choice for existing and future program participants or potential residents. Focus Points Family Resource Center is two blocks from Clayton Street, which is a designated future Bicycle Priority Street, is located along 48<sup>th</sup> Avenue which has been designated as medium capacity transit street (currently served by RTD's 44 and 48 routes) and has superior access to regional and subregional roadways and regional interstates. The transportation mix of the location offers alternatives to personal vehicles, an important consideration for current and future patrons of Focus Points Family Resource Center programs and potential housing and/or childcare.

**Quality of Life Infrastructure:** Focus Point's location within the GES neighborhood fits well with the Urban context's quality of life measures. Focus Points is located adjacent to Swansea Park and the Swansea Recreation center, offering future program participants and potential residents' access to important quality of life amenities. It is also located approximately 700' feet from Swansea Elementary school, creating safe and convenient connections for children enrolled in programs at Focus Points and/or living on campus. Focus Points is also less than 1500' from the 47<sup>th</sup> Avenue pedestrian bridge (over Denver's Consolidated freight rail lines). This offers program participants safe and convenient bike and pedestrian access across this major neighborhood barrier.

### Future Place Type

**Land Use and Built Form:** The future place type designated for the Focus Points Family Resource Center Property is designated as "Residential - Low." Blueprint Denver states:

*"Predominantly one-and two-unit, though many areas are mostly one-unit. Includes Accessory Dwelling Units. In some contexts, some higher-intensity residential uses may be mixed throughout."*



While much of the neighborhood consists of one- and two-bedroom homes (in-line with the Residential - Low designation), higher-intensity community-focused services and higher density development is encouraged at specific locations. In this case, Focus Points Family Resource Center is adjacent to Swansea Park, the Our Lady of Grace Church Catholic Church, and a railroad corridor. Only the southern side of the property abuts single-family homes. In this location, the existing Focus Points building provides a buffer from future campus improvements. Due to this context, the Focus Points is the optimal location for expanded community services (and corresponding infrastructure) and potential affordable housing and/or childcare within the Residential-low future place type.

To further ensure that future development is compatible with the surrounding context, Focus Points has agreed to a height waiver. The waiver limits building height to 75' (maximum) and is below the 150' maximum currently allowed by the CMP-EI2 zone district. Please see the accompanying Waiver and Conditions form for further details.

**Mobility:** The “Residential -Low” place type dictates that property access is mostly from local streets and has limited transportation choice. Future access to the Focus Points Family Resource Center property will be maintained (via 48<sup>th</sup>), fitting the place type’s parameter of local street access. However, the location does offer extensive transportation choice via the area’s pedestrian network, two RTD routes, proximity to neighborhood bicycle ways (Clayton Street), and proximity to the 47<sup>th</sup> Avenue pedestrian bridge.

**Quality of Life Infrastructure:** “Residential-low” dictates a neighborhood with access to designated parks and recreational centers. The Focus Points property offers direct pedestrian connections to the Swansea Recreation Center and Swansea Park. Providing future program participants and potential residents safe and convenient access to key recreational amenities and infrastructure that contribute to quality-of-life resources and better health outcomes. It also offers safe and convenient pedestrian access to Swansea Elementary, the Central 70 Cover Park, and the 47<sup>th</sup> Avenue bridge.

#### **Growth Strategy**

Focus Points’ property is located within the “all other areas of the City” growth category. Blueprint Denver dictates that 20% of new homes and 10% of new jobs should be directed to these areas. Focus Points’ rezoning and the addition of new and expanded community programs and potential affordable housing and/or childcare is in-line with the categories expectation that infill development occurs within these areas where appropriate. In the case of Focus Points’ application, new infrastructure and potential residential units are being suggested in an area where the “all other areas of the City” category directly abuts a “Community Centers and Corridors District.” It is also adjacent to multiple institutional uses including Swansea Park, Swansea Recreation Center, and the Our Lady of Grace Church. This contextual environment creates an optimal location for expanded community services and potential permanently affordable housing and/or childcare.

#### **Adjacent Street Types**

Focus Points Family Resource Center is accessed via 48th Avenue and is along both 48th Avenue and Columbine Street. Both streets are designed local roadways within Blueprint Denver. Both 48<sup>th</sup> Avenue and Columbine Street include bus stops for RTD’s 44 and 48 local bus routes. Further to the east, Clayton Street has been designated a community bikeway that provides connections to the larger Denver bicycle network.



**Land Use and Built Forms:** According to Blueprint Denver, Local Streets (which both 48<sup>th</sup> and Columbine are) vary in their adjoining land uses but are more often characterized by residential uses. Along Focus Points' 48<sup>th</sup> Avenue frontage a diversity of different uses exists. The south side of 48<sup>th</sup> is predominately one-story single-family homes oriented to north / south streets. This condition positions the sides of homes, rather than the front of homes along the 48<sup>th</sup> Avenue frontage. The traditional gridded block pattern of the neighborhood encompasses linear streets and alleys.

On the north side of 48<sup>th</sup> Avenue, land uses are institutional and include the Focus Points building (which fronts 48<sup>th</sup> Avenue) and the Our Lady of Grace Catholic Church (which also front 48<sup>th</sup> Ave). Both structures are one-story but appear taller due to elevated ground floors and/or higher ceiling heights. 48<sup>th</sup> Avenue along this frontage is dominated by curb cuts that provide access to parking lots that serve both Focus Points Family Resource Center and Our Lady of Grace Catholic Church. New development associated with expanded community programs and potential affordable housing and/or childcare would most likely occur on the north side of the existing Focus Points building.

**Mobility:** The gridded street pattern of the area offers multiple transportation routes for a range of modes. Each street in the area includes attached walks, providing important spaces for pedestrians that separate them from vehicular traffic. Local streets in the area are low-speed / low-volume streets that are great environments for cyclists. Lastly, all the streets offer on-street parking for program participants and visitors, and include curb cuts for driveways to on-site parking lots.

**Quality of Life Infrastructure:** Streets in the GES area do not typically include trees within lawns that separate sidewalks from the street. However, limited locations can be found throughout the neighborhood where tree lawns have been implemented, with one of these areas being directly in front of Focus Points along 48<sup>th</sup> Avenue. While attached sidewalks may not meet City standards, they do provide a separate zone for pedestrians away from vehicles. Future development would include further contributions to an improved pedestrian environment.

#### **Plan Policies and Strategies**

Overarching applicable Blueprint Denver Plan Policies and Strategies pertinent to the Focus Points Family Resource Center rezoning request include:

**Land Use and Built Form Policy 6:** *"Implement zoning code revisions to facilitate compatible redevelopment of institutional sites within neighborhoods."*

- **The policy states:** *"A. Revise the zoning code to ensure compatible redevelopment of institutional sites (including private open space) embedded in low and low-medium residential areas."*

Focus Points' rezoning request supports Policy 6, Part A because of the properties existing institutional use and the desire to rezone into the New Denver Zoning Code within a low to low-medium residential area. Infrastructure supporting community programs and potential affordable housing and/or childcare would be compatible with surrounding institutional and civic uses and buffered from residential areas.

- **The policy states:** *"C. Until a citywide approach is implemented, individual rezonings of these sites may be an opportunity for more intense residential uses or limited*



*neighborhood services to be provided if done in a way that minimizes impacts to surrounding character.”*

Focus Points’ request supports Policy 6, Part C because the rezoning would allow for the expansion of community-serving programs and the potential addition of affordable housing and/or childcare within the context of a campus, which minimizes impacts to the surrounding community. Affordable housing and/or a childcare center would be compatible with other surrounding institutional uses and would augment and match the surrounding character of the area.

- To ensure that future development is compatible with the surrounding context, Focus Points has agreed to a height waiver for any future development. The waiver limits building height to 75’ (maximum) and is below the 150’ maximum currently allowed by the CMP-EI2 zone district. Please see the accompanying Waiver and Conditions form for further details.

#### Equity:

Focus Points’ rezoning will contribute to and improve equity by filling neighborhood gaps and helping the City meet the distinct needs of the GES community. The Narrative below outlines how the Focus Points rezoning will assist in meeting Blueprint Denver’s defined equitability categories:

#### 1) Improving Access to Opportunity:

The area around the Focus Points Family Resource Center campus Scored 3.11 out of 5 on the City of Denver’s Access to Opportunity Equity scoring rubric.

*Access to Fresh Food:* Access to fresh food scored the lowest (1) due to the absence of grocery stores in GES. Focus Points, recognizing this need, launched the Huerta Urbana urban farm in 2019. The program provides space and education for participants to learn about nutrition, and how to use and cultivate produce grown on the farm. Rezoning would help permit the expansion of supportive infrastructure for Huerta Urbana, allowing Focus Points to grow and store more food in the space, for increased access to it for the surrounding the community.

*Social Determinates of Health:* The area around the Focus Points campus also scored low (2) on social determinates of health. Examples of considerations for improvement include the potential incorporation of childcare in future on-site development. Focus Points Family Resource Center’s early childhood education programming is now primarily implemented through home visitations. Historically, on-site childcare was also offered in a single classroom. The current building is not equipped to be a childcare center. Rezoning would allow a potential on-site childcare center to expand and flourish, creating wraparound services for future participants and potential residents.

*Child Obesity:* The area around the Focus Points Family Resource Center campus scored low (2) on childhood obesity. To mitigate this condition, Blueprint Denver suggests adding additional publicly accessible open space. Focus Points Family Resource Center is directly adjacent to the Swansea Recreation Center and Park. Creating easy access for future program participants and potential residents to recreational amenities, could help mitigate the causal factors of obesity.

#### 2) Reducing Vulnerability to Displacement



The area around the Focus Points campus scored the lowest across the three categories used to measure Vulnerability to Displacement, with a score of 1 in each. Below are ways in which Focus Points Family Resource Center could potentially assist the city in tackling this issue.

*Educational Attainment:* In order to relieve the pressures of displacement in the GES community Focus Points Family Resource Center offers extensive work training, economic, and incubation programs to elevate and support the economic growth of participants. A potential childcare center on the campus would help in two ways: childcare services would facilitate community members' ability to participate in education programs, and, quality childcare itself is directly linked to children's later success in school. Rezoning would allow for the infrastructure needed to grow and evolve these important programs. Rezoning would also allow for the exploration of potential affordable housing on campus, which would create a community-serving campus that provides critical wraparound services for the neighborhood.

*Median Household Income:* Focus Points Family Resource Center already provides robust adult education and training programs. These programs include food incubation, adult English classes, newcomer programs for recent refugees, and the Huerta Urbana farm, among others. Rezoning would allow for an expansion of these programs by serving more of those who need these important community services. The addition of on-site workforce readiness or education for neighborhood residents is listed as an example of considerations for improvements within Blueprint Denver.

*Income Restricted Units:*

Focus Points has actuated an agreement with CCD HOST regarding standards and expectations for any potential income-restricted affordable residential units that could be built on its land. The agreement stipulates that:

*"When future residential development occurs, a minimum of 18% of all units will be income-restricted to an AMI level of 70%."*

This agreement has also been referenced in a MOU that Focus Points signed with the GES Coalition in March of 2025.

3) Expanding Housing Diversity

The area around the Focus Points Family Resource Center campus Scored 2 out of 5 on the City of Denver's Expand Housing Diversity scoring rubric. Below are ways that proposed rezoning could assist in meeting these challenges.

*Diversity of Bedroom Count Per Unit:* Focus Points' exploration of potential affordable housing as part of the rezoning process has uncovered the need for permanently affordable 2- and 3-bedroom units appropriate for multigenerational families. Any potential future housing plans would most likely include 2- and 3-bedroom units. The addition of 3-bedroom affordable units is listed as an example of considerations for improvements within Blueprint Denver.



**Housing Costs:** Once rezoning is approved, Focus Points Family Resource Center intends to formally engage a community development partner through the establishment of a community land trust. The aim of this land trust is to ensure that the community focus of the campus remains permanent and congruent with its original focus of serving the GES community, which is the intended legacy of Focus Points' land. The establishment of a community land trust is listed as an example of considerations for improvements within Blueprint Denver.

***Income Restricted Units:***

Focus Points has actuated an agreement with CCD HOST regarding standards and expectations for any potential income-restricted affordable residential units that could be built on its land. The agreement stipulates that:

*"When future residential development occurs, a minimum of 18% of all units will be income-restricted to an AMI level of 70%."*

This agreement has also been referenced in a MOU that Focus Points signed with the GES Coalition in March of 2025.

**4) Expand Jobs Diversity**

The area around the Focus Points Family Resource Center's campus has a heavy focus on manufacturing and light-industrial jobs. Below are ways that the requested rezoning could assist the City Denver expand Job Diversity in GES.

**Total Jobs:** Focus Points Family Resource Center provides an extensive number of jobs. Many of these positions are filled by current, and former GES residents. Rezoning would allow for an expansion of Focus Points Focus Points services and conversely, more job opportunities for the community. Because Focus Points is a member of the GES community and due to the unique context of the community, many of these positions will be hired directly from GES. The addition of more jobs for the community is listed as an example of considerations for improvements within Blueprint Denver.

**Retail:** Focus Points' existing building will remain when campus improvements are realized. The existing Focus Points building already provides ample space for non-profits, incubator spaces, community spaces, retail space for the Huerta Urban incubator, and spaces for cultural uses. Rezoning would allow for the expansion of these services and uses on the campus.

**3. Elyria Swansea Area Plan (2016 update)**

*Describe how the requested zone district is consistent with the policies and recommendations found in each of the adopted plans below.*

The following analysis presents how the proposed Focus Points Family Resource Center Rezoning can assist the City in meeting the goals and principles of the Elyria Swansea Area Plan (2016).

**Guiding Principles**

The following are guiding principles that the proposed Focus Point Rezoning is applicable to.



#### Strong:

- Services: *“Need job training, recreation center enhancements, youth programs and stronger neighborhood organization”*

The expansion of Focus Points Family Resource Center community programs as a result of rezoning would allow more people and families to access these important community services at a location where community services are already offered by a range of providers (City of Denver Parks and Recreation, Swansea Elementary, Archdiocese of Denver, and the Focus Points Family Resource Center). The addition of affordable housing in this location would also provide convenient access to key community amenities and providers for those who need it most.

#### Healthy:

- Access to Healthy Food and Health Care: *“Improved access to fresh foods and daily needs, including health care.”*

Programs like food programs like Huerta Urbana would be expanded as a part of the rezoning, increased access to healthy food and daily needs for GES residents. The potential addition of housing and/or childcare to the campus would enable new and existing residents within the GES community to engage in Focus Points Family Resource Center’s expanded healthy food programs.

#### Recommendations:

- As part of the “Strong” guiding principal. Residents desire to remain in the neighborhood and enjoy improvements.”
  - The GES community has endured disruptive actions and changes, leading to displacement and the fracturing of neighborhoods. Within this context, GES community members desire to continue residing in their community but have difficulty doing so. The addition of expanded community programs that focus on economic sustainability and adult education, potentially paired with affordable housing and/or childcare on the Focus Points campus would provide critical training, education, and other options that offer current residents the tools and opportunities to stay within the GES community.
- Recommendation 1 Establish a Balanced Land Use Strategy:
  - B.3 Increase Housing Choices *“Encourage investment in new housing to expand the total number of residences and to provide for a diversity of housing types to bring more people of all ages and income levels into the neighborhood.”*

The potential addition of affordable housing with 2- and 3-bedroom units and/or childcare to the Focus Points campus would provide additional choices for community members. GES in this area is primarily single-family homes. However, Focus Points’ location at the edge of this single-family area and adjacent to parks and other institutional uses is the optimal location for the potential introduction of affordable multifamily for-rent homes. The addition of a childcare center in the neighborhood would offer families a convenient place to access this service within the community, also making it easier to choose to remain in GES.

- Income Restricted Units:



Focus Points has actuated an agreement with CCD HOST regarding standards and expectations for any potential income-restricted affordable residential units that could be built on its land. The agreement stipulates that:

*“When future residential development occurs, a minimum of 18% of all units will be income-restricted to an AMI level of 70%.”*

This agreement has also been referenced in a MOU that Focus Points signed with the GES Coalition in March of 2025.

- Recommendation 2: Develop and Implement and Urban Design Strategy
  - B.12 Encourage Development of Key Opportunity Sites: *“A wide array of development opportunities exist including small residential infill, repurposing outdated buildings, and redevelopment of underdeveloped parcels.”*

The Elyria-Swansea Area plan encourages the redevelopment of underdeveloped parcels, institutional sites, and infill parcels throughout the GES area. While Focus Points was not identified specifically, it does fall under the parameters of “an infill site / campus” that could be better utilized to realize broad community improvements. Within this context the campus can be optimized to realize its highest and best use (community-focused) by realizing both expanded community services and potential affordable housing and/or childcare.

- To ensure that future development is compatible with the surrounding context, Focus Points has agreed to a height waiver. The waiver limits building height to 75’ (maximum) and is below the 150’ maximum currently allowed by the CMP-EI2 zone district. Please see the accompanying Waiver and Conditions form for further details.
- Recommendation 5: Improve Access to Housing, Jobs, Services, and Education
    - B.23 Increase Access to Housing:

*“Identify funding sources, such as the Mile High TOD Fund and the Colorado Housing and Finance Authority’s Low Income Housing Tax Credit program, to acquire and develop property for workforce housing and mixed income projects near transit stations and other neighborhood amenities.”*

Exploration of potential future affordable housing on the Focus Points campus has identified the Low-Income Housing Tax Credit program as a potential vehicle for financing. Such potential housing would be located near key community amenities already described.

*“Support the creation of family appropriate affordable housing projects that include more bedrooms and offer proximate and safe access to educational facilities, recreational opportunities, and fresh food.”*



Exploration of potential future affordable housing on campus has preliminary identified the need for 2- and 3-bedroom units. If constructed, these would be directly adjacent to the existing Focus Points Family Resource Center building and the community services it provides, Swansea Elementary, Swansea Park, and Swansea Recreation Center. Providing safe and convenient access to Focus Points' programs, local schools, and other community-supporting uses.

- Income Restricted Units:

Focus Points has actuated an agreement with CCD HOST regarding standards and expectations for any potential income-restricted affordable residential units that could be built on its land. The agreement stipulates that:

*“When future residential development occurs, a minimum of 18% of all units will be income-restricted to an AMI level of 70%.”*

This agreement has also been referenced in a MOU that Focus Points signed with the GES Coalition in March of 2025.

- B.24 Establish Affordable and Mixed Income Housing Strategies and Funding Opportunities

*“Promote a mix of income-diverse residential units that serve critical needs individuals (those requiring services in addition to housing), workforce populations in the rental market, and workforce populations ready to pursue home ownership.”*

Rezoning would allow for both the expansion of Focus Points Family Resource Center programs and the potential development of affordable housing and/or a childcare center. The combination of these elements on one campus and near key community amenities would create a more complete campus that could offer an array of complementary services and programs to future participants and potential residents.

The Elyria-Swansea Area Plan references the *Housing and Inclusive Denver Plan* within this section. Items below are “Core Goals” from the Housing and Inclusive Denver Plan that the Focus Points Family Resource Center rezoning can help the City of Denver meet.

*“Create affordable housing in vulnerable areas AND in areas of opportunity by focusing on production that considers specific neighborhood conditions, including areas vulnerable to displacement and neighborhoods that have strong amenities such as transit, jobs, high quality education and health care. Measurable outcomes from investment and policies under this core goal include new units created.”*

*“Promote equitable and accessible housing options by supporting programs and policies that help residents across the housing continuum access affordable housing. Measurable outcomes from investment and policies under this core goal include residents served through program investments or policy actions.”*



*“Stabilize residents at risk of involuntary displacement by supporting programs and policies that help a resident maintain their existing housing or stay in their community. Measurable outcomes from investment and policies under this core goal include residents served through program investments or policy efforts.”*

Rezoning of the Focus Points Family Resource Center campus to include expanded community services and potential affordable housing and/or childcare furthers and supports these critical goals of *Housing and Inclusive Denver*. It would also provide an array of services for community members and potential residents, leveraging the complete community campus to realize a conglomerrated suite of community-serving land uses.

Focus Points has actuated an agreement with CCD HOST regarding standards and expectations for any potential income-restricted affordable residential units that could be built on its land. The agreement stipulates that:

*“When future residential development occurs, a minimum of 18% of all units will be income-restricted to an AMI level of 70%.”*

This agreement has also been referenced in a MOU that Focus Points signed with the GES Coalition in March of 2025.

#### ○ **B.25 IMPROVE ACCESS TO JOBS AND SERVICES**

*“Explore opportunities to build on neighborhood food-growing and healthy food access programs and establish a food innovation district or cooperative where residents can benefit financially from growing, producing, exchanging and selling foods.”*

As mentioned previously, Focus Points’ existing Huerta Urban farm will be positively impacted by the rezoning. Rezoning will allow new supportive infrastructure to optimize and expand this healthy food growing program for the GES community. Leading to better health and economic outcomes for participants and healthier food choices for the GES community.

#### ○ **B.26 IMPROVE ACCESS TO EDUCATION**

*“Encourage resident participation in educational programs such as school readiness, adult education and health and wellness programs offered by the Focus Points Family Resource Center Resource Center in Swansea, and the food education and cultivation programs offered by organizations such as the GrowHaus in Elyria.”*

Rezoning will allow Focus Points Family Resource Center to expand community and educational programs for both children and adults. This will further the goals of the Elyria-Swansea neighborhood plan that already references the community work that the Focus Points Family Resource Center provides for the GES community. The GES neighborhood has been identified as a child care desert. The potential addition of a child care center on Focus Points’ campus would support access to education in two ways: 1) having access to childcare in



the neighborhood would allow parents and caregivers more freedom to participate in education programs of their choice; and 2) quality childcare itself has been directly linked to children's later success in school.

- Character Areas:

The area of the Swansea Neighborhood where Focus Points Family Resource Center is located has been designated as a "Traditional Residential Area." A description of this character area and applicable goals is found below.

*"The Strong chapter recommends Single Family Duplex for residential areas that are intended to remain as Areas of Stability. The following options could provide economic benefit to homeowners by allowing a moderate level of infill development and creating incentive to reinvest in existing homes to further stabilize the residential areas."*

*"Increase the local supply of relatively affordable housing units in the neighborhood. A modest increase in housing density could add more people to the limited neighborhood population and support commercial retail and other desired services in the neighborhood."*

The addition of expanded community services potentially paired with affordable housing and/or a childcare center on the Focus Points campus is in line with the Traditional Residential Character area description stating that a "modest increase" in housing density will help to support business and services in this part of the GES community. Future affordable housing (paired with critical community-services offered by the Focus Points Family Resource Center) would be buffered from Single Family homes due to the location of the existing Focus Points Family Resource Center building and height waivers. This building will remain in its current location, buffering future campus improvements from single family homes and in a location adjacent to Swansea Park and Recreation Center. Creating the optimal location for expanded community services and a moderate increase in residential density in the neighborhood.



## General Review Criteria DZC Sec. 12.4.10.7. B & C:

*Public Interest: The proposed official map amendment is in the Public Interest. In the review criteria narrative attachment, please provide an additional section describing how the requested rezoning is in the public interest of the city.*

Focus Points Family Resource Center is a non-profit that provides a wide range of community and human service programs for families and individuals including:

- Adult education
- Early childhood education
- Family assistance
- Economic inclusion
- Health and Wellness

The proposed rezoning is in the public interest and would allow Focus Points Family Resource Center to expand these community and family programs and explore the potential addition of permanently affordable housing and/or a childcare center. Moving forward with a housing or childcare center project would also be dependent on Focus Points securing the necessary capital and resources to sustain the services. Expanded community service programs paired with affordable housing and/or childcare would further the general economic, mental, and physical health of some of Denver's most vulnerable residents and communities.

Focus Points Family Resource Center has been an important asset to the GES community since 2010, providing a safe and inclusive environment for underserved families and individuals. Expansion of services and the potential addition of affordable housing and/or a childcare center would expand Focus Point Family Resource Center's programmatic reach and the safe and inclusive environment that it provides in the GES community currently.

The rezoning will also support the general welfare of the City of Denver by providing expanded community services and potentially, affordable housing and/or childcare that would provide participants and residents with the training, tools and resources to remain in GES neighborhoods. This is a critical factor in maintaining a diverse, inclusive, and vibrant Denver.

*The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District.*

*In the review criteria narrative attachment, please provide a separate section describing how the rezoning aligns with a) the proposed district neighborhood context description, b) the general purpose statement, and c) the specific intent statement found in the Denver Zoning Code.*

The current Focus Points property is zoned R-1 under Former Chapter. Conversations were held with City of Denver staff related to potential on-site improvements that were planned in support of community-focused programs. Unfortunately, improvements were unable to be realized as the property was still under Former Chapter 59 and permits could not be approved. Rezoning into the new Denver zoning code would allow Focus Points to realize infrastructure improvements that will lead to expand community programs, and potentially, the addition of affordable housing and/or a childcare center.

Since its original zoning (R-1) the Focus Points Family Resource Center property and the GES community have undergone substantial change and disruption. The Central 70 project, rising property values, speculative real estate, disinvestment, and inflation have had a negative impact on the GES community. Rezoning would not only bring the property into the new Denver Zoning Code but also can help residents stay within the community through the expansion of



Focus Points' community programs and potential housing or childcare services. These are critical tools to combat displacement, poverty, and gentrification.

#### Alignment with the Proposed District Neighborhood Context Description:

The area in which the Focus Points Family Resource Center property sits is designated as "Urban Neighborhood" context. The following information illustrates how the desired CMP zoning district aligns within the Urban Neighborhood context.

##### *General Character:*

The CMP zoning General Character section states: *"Campus Contexts tend to have transitional areas that taper off in intensity towards adjacent residential neighborhood contexts but can also incorporate and be adjacent to more intense development."*

The Urban Neighborhood (of which the surrounding area is designated) General Character section states: *"The Urban Neighborhood context is primarily characterized by single-unit and two-unit residential uses. Small-scale multi-unit residential uses and commercial areas are typically embedded in residential areas."*

The Campus Context fits within the general character of the Urban Neighborhood for several reasons:

- The Focus Points Family Resource Center property is located at the edge of the Urban Neighborhood district and is adjacent to a freight railroad, Swansea Park, Swansea Recreation Center, and a church. The only area of the campus that abuts Single Family homes is on the properties southern edge. In this location, the existing buildings will remain and will provide a natural transition from potential future affordable housing and/or childcare to single family homes located south of campus.
- While the neighborhood is primarily single-family detached homes, the general character of the Urban Neighborhood allows for limited multi-family structures in appropriate locations. The campus is on the periphery of the community and adjacent to existing institutional and public uses, creating the optimal location to potentially add permanently affordable housing and/or childcare within the neighborhood.

##### *Street, Block, and Access Patterns*

The Urban Neighborhood Context is typified by a regular, gridded block pattern. The surrounding neighborhood exhibits this built form. The Campus Context is usually connected to the surrounding built forms but can also include varied patterns internal to the campus. When community programming infrastructure and any potential construction of housing and/or childcare is realized, the Focus Points Family Resource Center property will maintain access from 48<sup>th</sup>, supporting the local street, block, and access patterns of the surrounding community and will add internal circulation to serve new residents and patrons on campus. These elements make the Campus Context congruent with the Urban Neighborhood Context of the surrounding area.

##### *Building Placement and Location*

In the Urban Neighborhood Context structures, both residential and commercial buildings typically exhibit shallow setbacks and address the street. When rezoned to CMP, the existing Focus Points Family Resource Center building will remain in its current location, maintaining



and addressing the 48<sup>th</sup> Avenue street frontage. Future infrastructure related to community programs and potential affordable housing and/or childcare will be added elsewhere on campus and away from single family homes. These elements make the Campus Context congruent with the Urban Neighborhood Context of the surrounding area.

### *Building Height*

The Urban Neighborhood Context States that *“it is characterized by low scale buildings except for some mid-rise commercial and mixed-use structures, particularly at nodes along arterial streets.”* The Focus Points Family Resource Center is part of a larger community serving hub in GES that provides faith, recreational, health, employment, healthy food, and economic opportunity services for the GES community. This community-focused hub is the logical and appropriate place for the Focus Points to realize expanded community programming infrastructure, potentially affordable housing and/or childcare. Any added infrastructure will be located away from single family homes, which will then be further buffered by the existing Focus Points building, creating a natural and logical height gradient that minimizes impacts on surrounding homes.

To further ensure that any future development is compatible with the surrounding context, Focus Points has agreed to a height waiver. The waiver limits building height to 75' (maximum) and is below the 150' maximum currently allowed by the CMP-EI2 zone district. Please see the accompanying Waiver and Conditions form for further details.

### *Mobility:*

The Urban Neighborhood context states that there is balanced modal configuration that harmonizes bicycle, pedestrian, and vehicular needs while providing greater access to Denver's multimodal system. Due to its campus nature, Focus Points will also balance modes to drive transportation choice and flexibility for patrons and residents. However, due to its campus nature is expected to focus more on pedestrian and bicycle connections internal to the site. Vehicular access will be provided, however movement within the campus will be primarily bike and pedestrian focused. This will offer excellent external multimodal connections, including direct access to two RTD bus lines along 48<sup>th</sup>, access to neighborhood sidewalks, and is within one block of both the Clayton Community Bikeway and the 47<sup>th</sup> Avenue pedestrian bridge.

**AFTER RECORDING RETURN TO:**

Greenberg Traurig, LLP  
1200 17<sup>th</sup> Street, Suite 2400  
Denver, Colorado 80202  
Attn: Andrew Testerman, Esq.

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Space above this line reserved for Recorder's use

**QUITCLAIM DEED**

THIS QUITCLAIM DEED ("Deed") is made as of the 11<sup>th</sup> day of May, 2011, by CROSS COMMUNITY COALITION, a Colorado nonprofit corporation, whose address is 2501 East 48<sup>th</sup> Avenue, Denver, CO 80216 ("Grantor"), for the benefit of FOCUS POINTS FAMILY RESOURCE CENTER, a Colorado nonprofit corporation, its successors and assigns, whose legal address is 2501 East 48<sup>th</sup> Avenue, Denver, CO 80216 ("Grantee").

WITNESSETH, that the Grantor, for and in consideration of the sum of Ten and No/100ths Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has remised, released, sold and QUITCLAIMED, and by these presents does hereby remise, release, sell and Quit Claim, unto the Grantee, its heirs, successors and assigns forever, all of Grantor's rights, title, interest, claim and demand to that certain real property, together with improvements located thereon, situate, lying and being in the City and County of Denver, and State of Colorado, more particularly described on Exhibit A attached hereto (the "Property").

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging, or in anywise thereunto appertaining, and all the estate, right, title, interest, claim whatsoever of the Grantor, either in law or equity, to the only proper use, benefit and behoof of the Grantee, its heirs, successors and assigns forever.

By its acceptance and recording of this Deed, Grantee covenants for itself, its successors and assigns, and every successor in interest to the Property hereby conveyed, or any part thereof, that the Property is hereby conveyed subject to the following use restriction, which shall be a covenant running with the land, as follows:

**USE RESTRICTION:** Grantee, for itself, its successors and assigns, covenants and agrees that the Property shall be limited to non-residential use only and further, that the use of the Property for storage purposes of any type is prohibited. Grantee, for itself and its successors and assigns, further covenants and agrees that, in the event the Property is sold, conveyed, transferred, leased, or otherwise disposed of, the aforementioned Use Restriction shall be inserted in any instrument of conveyance.

IN WITNESS WHEREOF, this Quitclaim Deed is executed by Grantor the day and year first above written.

**GRANTOR:**

CROSS COMMUNITY COALITION,  
a Colorado nonprofit corporation

By: 

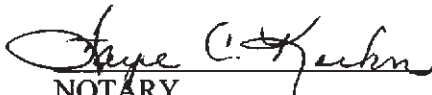
Name: Larry E. Drake

Title: President of Board of Directors

STATE OF COLORADO     )  
  ) ss  
COUNTY OF DENVER     )

The foregoing instrument was acknowledged before me this 11<sup>th</sup> day of May, 2011 by Larry E. Drake, as President of Board of Directors of CROSS COMMUNITY COALITION, a Colorado nonprofit corporation.

Witness my hand and official seal.

  
NOTARY

My Commission expires: 10-4-14



My Comm. Expires Oct. 4, 2014

**EXHIBIT A**

**(Legal Description for 2501 E. 48<sup>th</sup> Avenue, Denver, CO 80216)**

A parcel of land being a portion of the Southwest Quarter (SW¼ ) of the Southwest Quarter (SW¼) of Section 13, Township 3 South, Range 68 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, described as follows:

Beginning at the intersection of the southeasterly right-of-way line of the Union Pacific Railway Company with the south line of said SW¼, from which the southwest corner of said SW¼ lies westerly at a distance of 406.12 feet; thence easterly along said south line, 227.48 feet to a point of intersection with the west right-of-way line of Columbine Street, said west right-of-way line being 30.00 feet west of, when measured perpendicularly to, the east line of the West Half (W½) of the SW¼ of said SW¼; thence northerly on a deflection angle left of 89°58'53" and parallel with said east line, 30.00 feet to a point being 30 feet north of the south line of said SW¼, said point also being the southwest corner of that portion of Columbine Street vacated by City and County of Denver Ordinance No. 945, Series of 2003; thence easterly along the southerly line of said vacated Columbine Street and along the north right-of-way line of East 48th Avenue, on a deflection angle right of 89°58'53", and parallel with the south line of said SW¼, 250.00 feet; thence northerly on a deflection angle left of 89°58'53" and parallel with the east line of said W½, 205.20 feet to a point on the south line of that parcel of land recorded at Book 331 at Page 314; thence westerly on a deflection angle left of 90°01'07", parallel with the south line of said SW¼ and along the south line of said parcel of land, 220.00 feet to a point on the east line of said W½; thence northerly along said east line on a deflection angle right of 90°01'07", 144.98 feet to a point perpendicular to the west right-of-way line of said vacated Columbine Street at said west right-of-way line's intersection with the southeasterly right-of-way line of the Union Pacific Railway Company; thence westerly on a deflection angle left of 90°00'00", 30.00 feet to said intersection; thence southwesterly along said southeasterly right-of-way line on a deflection angle left of 59°06'41", 443.11 feet to the Point of Beginning.

Containing 98,892 square feet or 2.270 acres, more or less.

Exhibit A

**BYLAWS**  
**OF**  
**FOCUS POINTS FAMILY RESOURCE CENTER**  
**(A Colorado Nonprofit Corporation)**

**ARTICLE I**

**Name and Offices**

*Section 1.1 Name and Duration.* The name of the Corporation is Focus Points Family Resource Center. The period of duration of the Corporation is perpetual.

*Section 1.2 Business Offices.* The principal office of the Corporation shall be located in the City and County of Denver, Colorado. The Corporation may have such other offices within the State of Colorado as the Board of Directors may designate, or as the business of the Corporation may require from time to time.

*Section 1.3 Registered Office.* The registered office of the Corporation, required by the Colorado Nonprofit Corporation Act to be maintained in the State of Colorado, may be, but need not be, the same as the principal office in the State of Colorado, and the address of the registered office may be changed from time to time by the Board of Directors.

**ARTICLE II**

**Purposes**

*Section 2.1 Exempt Purposes.* The Corporation is organized exclusively for delivering educational, training, employment, medical, counseling, and referral services in the interest of strengthening, stabilizing, and preserving families in its service area. These are charitable purposes within the meaning of Section 501(c)(3) of the U.S. Internal Revenue Code, or the corresponding provision of any future federal tax code.

## ARTICLE III

### Members

**Section 3.1 Members.** The Corporation shall not have members.

## ARTICLE IV

### Board of Directors

**Section 3.1 General Powers.** The business and affairs of the Corporation shall be managed by its Board of Directors, except as otherwise provided in the Colorado Nonprofit Corporation Act, the Articles of Incorporation, or these Bylaws. In addition to the powers and authority expressly conferred upon the Board of Directors by these Bylaws and the Articles of Incorporation, the Board of Directors may exercise, in furtherance of the Corporation's business, all other lawful powers of a Corporation that are not prohibited by the Articles of Incorporation or these Bylaws.

**Section 3.2 Performance of Duties.** A Director of the Corporation shall perform his or her duties as a Director, including his or her duties as a member of any committee of the Board upon which he or she may serve, in good faith, in a manner he or she reasonably believes to be in the best interests of the Corporation, and with such judgment as an ordinarily prudent person in a like position would use under similar circumstances. In performing his or her duties, a Director shall be entitled to rely on information, opinions, reports, or statement, including financial statements and other financial data, in each case prepared or presented by persons and groups listed in paragraphs (a), (b), and (c) of this Section 3.2; but he or she shall not be considered to be acting in good faith if he or she has knowledge concerning the matter in question that would cause such reliance to be unwarranted. A person who so performs his or her duties shall not have any liability by reason of being or having been a Director of the Corporation. Those persons and groups on whose information, opinions, reports, and statements a Director is entitled to rely are:

a. One or more officers or employees of the Corporation whom the Director reasonably believes to be reliable and competent in the matters presented;

b. Counsel, public accountants, or other persons as to matters which the Director reasonably believes to be within such persons' professional or expert competence; or

c. A committee of the Board upon which he or she does not serve, duly designated in accordance with the provision of the Articles of Incorporation or the Bylaws, as to matters within its designated authority, which committee the Director reasonably believes to merit confidence.

Section 3.3 Election of Directors. Upon expiration of a Director's term, the remaining Directors at an annual meeting shall nominate and elect a new Director by majority vote to fill the vacant position.

Section 3.4 Resignations. Any Director of the Corporation may resign at any time by giving written notice to the Chairperson of the Board of Directors of the Corporation. Such resignation shall take effect at the time specified therein, or if no time is specified, such resignation shall take effect immediately upon receipt of written notice by the Chairperson of the Board of Directors. The acceptance of such resignation shall not be necessary to make it effective.

Section 3.5 Vacancies. Any vacancy occurring in the Board of Directors may be filled by the affirmative vote of a majority of the remaining Directors even though less than a quorum remains. A Director elected to fill a vacancy shall be elected for the unexpired term of his or her predecessor in office. A Director so chosen shall hold office until his or her successor shall have been elected and qualified, or until his or her earlier death, resignation, or removal.

Section 3.6 Removal of Directors. Any member of the Board of Directors may be removed, with or without cause, by the affirmative vote of not fewer than two-thirds of the Directors then in office whenever in their judgment the best interests of the Corporation would be served thereby.

Section 3.7 Number, Tenure and Qualifications. The number of Directors of the Corporation shall be no fewer than seven and no more than fifteen. Each Director shall hold office for a term of one, two, or three years from the date of his or her election, and thereafter until his or her successor shall have been elected and qualified, or until his or her earlier death, resignation, or removal. Directors must be at least eighteen years old and must be residents of the State of Colorado.

Section 3.8 Annual and Regular Meetings. The annual meeting of the Board of Directors shall be held at such time and place as may be designated by the Board of Directors, within the State of Colorado, for the purpose of electing Directors and officers and for the transaction of such other business as may properly come before the Board of Directors. The Board of Directors may provide by resolution the time and

place, within the State of Colorado, of additional regular meetings.

**Section 3.9 Special Meetings.** Special meetings of the Board of Directors may be called by or at the request of the President or by any three Directors. The person or persons authorized to call special meetings of the Board may fix any place, within the State of Colorado, for holding any special meeting of the Board called by them.

**Section 3.10 Notice of Meetings.** Notice of each meeting of the Board of Directors, whether annual, regular or special, shall be given to each Director. Such notice shall be given by either (a) the mailing of written notice by first-class, certified, or registered mail to a Director's business or home address, at least seven days prior to the meeting; or (b) personal delivery of written notice or by telegraph, or electronic facsimile to a Director's business or home address, at least three days prior to the meeting. The method of notice need not be the same to each Director. The notice of all meetings shall state the place, date, and hour thereof and shall attach an agenda thereof.

If mailed, such notice shall be deemed to be delivered when deposited in the United States mail, so addressed, with postage thereon prepaid. If telegraphed, such notice shall be deemed to be delivered when the telegram is delivered to the telegraph company. If transmitted via electronic facsimile, such notice shall be deemed delivered when the facsimile equipment indicates a successful transmission. Any Director may waive right of notice of any meeting before, at or after such meeting. The attendance of a Director at a meeting shall constitute a waiver of notice of such meeting, except where a Director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. Neither the business to be transacted at, nor the purpose of, any regular or special meeting of the Board of Directors need be specified in the notice or waiver of notice of such meeting, unless specifically required by law or these Bylaws.

**Section 3.11 Quorum.** A majority of the Board of Directors shall constitute a quorum for the transaction of business at any meeting of the Board. If less than a quorum is present at a meeting, a majority of the Directors present may adjourn the meeting without further notice other than an announcement at the meeting, until a quorum shall be present.

**Section 3.12 Voting.** Except as otherwise required by law or by the Articles of Incorporation, the vote of a majority of the Directors present in person at a meeting at

which a quorum is present shall be the act of the Board of Directors. No Director may act or vote by proxy at any meeting of the Board of Directors.

Section 3.13 Compensation. Directors as such shall not receive compensation for their services, but by resolution of the Board the reasonable expenses of Directors in attendance at meetings of the Board may be reimbursed by the Corporation. Directors shall not be disqualified from receiving reasonable compensation for services rendered to or for the benefit of the Corporation in any capacity other than as a Director.

Section 3.14 Meetings by Telephone. Any members of the Board of Directors or any committee thereof may participate in a meeting of the Board of Directors or committee by means of telephone conference or similar communications equipment by which all persons participating in the meeting can hear each other at the same time. Such participation shall constitute presence in person at the meeting.

Section 3.15 Informal Action by Directors. Any action required or permitted to be taken at a meeting of the Board of Directors or any committee thereof may be taken without a meeting if a consent in writing, setting forth the action so taken, shall be signed by all of the Directors or committee members entitled to vote thereon. Such consent may be signed at different locations and times on duplicate statements of the action.

Section 3.16 Presumption of Assent. A Director of the Corporation who is present at a meeting of the Board of Directors at which action on any corporate matter is taken shall be presumed to have assented to the action taken unless his or her dissent shall be entered in the minutes of the meeting or unless he or she shall file his or her written dissent to such action with the person acting as the Secretary of the meeting before the adjournment thereof or shall forward such dissent by registered mail to the Secretary of the Corporation immediately after the adjournment of the meeting. Such right to dissent shall not apply to a Director who voted in favor of such action.

Section 3.17 Conflicts of Interest. If any person who is a Director or officer of the Corporation is aware that the Corporation is about to enter into any business transaction directly or indirectly with him or herself, any member of his or her family, or any entity in which he or she has any legal, equitable or fiduciary interest or position, including without limitation as a Director, officer, shareholder, partner, beneficiary, or trustee, such person

shall (a) immediately inform those charged with approving the transaction on behalf of the Corporation of his or her interest or position; (b) aid the persons charged with making the decision by disclosing any such transaction from the standpoint of the Corporation, and (c) not be entitled to vote on the decision to enter into such transaction.

## ARTICLE IV

### Officers and Agents

Section 4.1 Number and Qualifications. The officers of the Corporation shall be President, Vice President, Secretary, and Treasurer. The President shall serve as Board Chairperson. Such other officers and assistant officers as may be deemed necessary may be elected or appointed by the Board of Directors. One person may hold more than one office at the same time, except that no person may simultaneously hold the offices of President and Secretary. All officers must be at least eighteen years old.

Section 4.2 Election and Term of Office. The President, Vice President, Secretary, and Treasurer of the Corporation shall be elected for a term of one year by the Board of Directors at each annual meeting.

If the elections of officers are not held at such meetings, such elections shall be held as soon thereafter as practicable. Each officer shall hold office until his or her successor shall have been duly elected and qualified, or until his or her earlier death, resignation, or removal. Officers may serve for an unlimited number of terms.

Section 4.3 Compensation. Officers of the Corporation shall receive no compensation, but are eligible for reimbursement under the provisions of Section 3.13 of these Bylaws.

Section 4.4 Removal. Any officer, employee, or agent may be removed, with or without cause, by the affirmative vote of not less than two-thirds of the Directors then in office whenever in their judgment the best interests of the Corporation will be served thereby. Such removal shall be without prejudice to the contract rights, if any, of the person so removed. Election of an officer or appointment of an employee or agent shall not of itself create contract rights.

Section 4.5 Resignation. Any officer may resign at any time by giving written notice of such resignation to the Chairperson of the Board of Directors. Any such resignation shall take effect at the time specified in such notice, or if

no time is specified, such resignation shall take effect immediately upon receipt of written notice by the Board of Directors. Unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

**Section 4.6 Vacancies.** A vacancy in any office, however occurring, may be filled by the Board of Directors for the unexpired portion of the term at any regular or special meeting of the Board of Directors.

**Section 4.7 Authority and Duties of Officers.** The officers of the Corporation shall have the authority and shall exercise the powers and perform the duties specified below and as may be additionally specified by the Board of Directors or these Bylaws, except that in any event each officer shall exercise such powers and perform such duties as may be required by law.

(a) **President.** The President shall be the Chairperson of the Board and chief executive officer of the Corporation and, subject to the control of the Board of Directors, shall in general supervise and control all of the business and affairs of the Corporation. He or she shall, when present, preside at all meetings of the Board of Directors. He or she may sign, with the Secretary or any other proper officer of the Corporation thereunto authorized by the Board of Directors, deeds, mortgages, bonds, contracts, or other instruments which the Board of Directors has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board of Directors or by these Bylaws to some other officer, employee, or agent of the Corporation, or shall be required by law to be otherwise signed or executed. He or she shall see that all orders and resolutions of the Board of Directors are carried into effect; and in general 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.

(b) **Vice President.** The Vice President (or in the event there be more than one Vice President, the Vice Presidents in the order designated at the time of their election, or in the absence of any designation, then in the order of their election) shall, in the absence of the President or in the event of his or her death, inability or refusal to act, perform all duties as 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.

(c) Secretary. The Secretary shall: (i) keep the minutes of the proceedings of the Board of Directors and any committees of the Board in one or more books provided for that purpose; (ii) see that all notices are duly given in accordance with the provisions of these Bylaws or as required by law; (iii) be custodian of the corporate records; (iv) keep a register of the post office address of each member which shall be furnished to the Secretary by such member; and (v) in general perform all duties incident to the office of Secretary and such other duties as from time to time may be assigned by the President or by the Board of Directors.

(d) Treasurer. The Treasurer shall: (i) have charge and custody of and be responsible for all funds and securities of the Corporation; (ii) 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 the provisions of Article VII of these Bylaws; (iii) cause to be prepared and furnished to the President and the Board of Directors annual statements showing the financial position of the Corporation and the results of its operations; and (iv) in general perform all 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.

Section 4.8 Surety Bonds. By resolution, the Board of Directors may require any officer, employee, or agent of the Corporation to execute to the Corporation a bond in such sums and such sureties as shall be satisfactory to the Board, conditioned upon the faithful performance of his or her duties and for the restoration to the Corporation of all books, papers, vouchers, money, and other property of whatever kind in his or her possession or under his or her control belonging to the Corporation.

## **ARTICLE V**

### **Committees**

Section 5.1 Committees of Directors. By one or more resolutions adopted by the Board of Directors, the Directors may designate two or more Directors to constitute a committee, any of which shall have such authority in the management of the Corporation as shall be provided by resolution of the Board and as shall be prescribed by the Colorado Nonprofit Corporation Act, except that no committee shall have the authority of the Board of Directors in reference to: (a) amending, altering, or repealing the Bylaws; (b) electing, appointing, or removing any member of any such committee or any Director or officer of the

Corporation; (c) restating or amending the Articles of Incorporation; (d) adopting a plan of merger or adopting a plan of consolidation with another corporation; (e) authorizing the sale, lease, exchange, or mortgage of all or substantially all of the property and assets of the Corporation; (f) authorizing the voluntary dissolution of the Corporation or revoking proceedings therefor; (g) adopting a plan for the distribution of the assets of the Corporation; or (h) amending, altering, or repealing any resolution of the Board of Directors. The designation and appointment of any such committee and the delegation thereto of authority shall not operate to relieve the Board of Directors, or any individual Director, of any responsibility imposed on it, him, or her by law.

Section 5.2 Other Committees. Other committees not having and exercising the authority of the Board of Directors in the management of the Corporation may be appointed in such manner as may be designated by a resolution adopted by a majority of the Directors present at a meeting at which a quorum is present. Any member of such committee may be removed by the person or persons authorized to appoint such members whenever in their judgment the best interests of the Corporation shall be served by removal.

Section 5.3 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 Directors present at a meeting at which a quorum is present shall be the act of the committee.

Section 5.4 Rules. Each committee may adopt rules for its own government not inconsistent with these Bylaws or with rules adopted by the Board of Directors.

## ARTICLE VI

### Indemnification

Section 6.1 Standard of Conduct. The Corporation shall indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative, or investigative (including an action by or in the right of the Corporation except where such person is adjudged liable to the Corporation), by reason of the fact that he or she is or was a Director, officer, employee, or agent of the Corporation, or is or was serving at the request of the Corporation as a Director, officer, employee, or agent of another corporation, partnership, joint venture, trust or other enterprise, against reasonable expenses (including

attorneys fees), judgments, fines and amounts paid or necessarily incurred, in settlement or otherwise, by him or her in connection with such action, suit or proceeding, if such person (a) conducted him or herself in good faith, (b) reasonably believed that his or her actions, in the case of conduct in such person's official capacity, were in the best interests of the Corporation, or in the case of all other actions reasonably believed that his or her actions were at least not opposed to the Corporation's best interests, and (c) in the case of any criminal proceeding, had no reasonable cause to believe his or her conduct was unlawful. Except that this indemnity shall not cover a Director, officer, employee, agent or person serving at the Corporation's request in any proceeding in which such person is charged and adjudged liable of receiving improper personal benefit. The termination of any proceeding by judgment, order, settlement, or conviction, or upon a plea of no lo contendere or its equivalent, is not of itself determinative that the person did not meet the standard of conduct set forth in this Section 6.1. Such indemnification shall not be deemed exclusive of any other rights to which the Director, officer, agent, employee, or other person serving at the Corporation's request is entitled to under any agreement, or otherwise.

Indemnification permitted under this Article VI in connection with a proceeding by or in the right of the Corporation is limited to reasonable expenses incurred in connection with the proceeding.

Section 6.2 Determination. Any indemnification under Section 6.1 of this Article VI (unless ordered by a court) shall be made by the Corporation only as authorized in the specific case upon a determination that indemnification of the Director, officer, employee, agent, or person serving at the Corporation's request is proper in the circumstances because he or she has met the applicable standard of conduct set forth in Section 6.1 of this Article VI. Such determination shall be made:

(a) by the Board of Directors by a majority vote of a quorum consisting of Directors who were not parties to such action, suit or proceeding; or

(b) if such a quorum is not obtainable, by a majority vote of a committee of the Board of Directors designated by the Board of Directors, which committee shall consist of two or more Directors not parties to such action, suit, or proceeding; or

(c) if such a quorum as contemplated in paragraph (a) of this section is not obtainable or a committee cannot be established, or even if a quorum is obtainable or a

committee designated, if a quorum of the disinterested Directors or such committee so directs, by independent legal counsel in a written opinion. Such independent legal counsel shall be selected by a vote of the Board of Directors or the committee in a manner specified in paragraph (a) or (b) of this section 6.2. If a quorum of the full Board cannot be obtained and a committee cannot be established, such independent legal counsel shall be selected by a majority vote of the full Board of Directors.

Provided, however, that if a Director, officer, employee or agent of the Corporation, or person serving at the Corporation's request has been successful on the merits or otherwise in defense of any action, suit or proceeding referred to in Section 6.1 of this Article VI or in defense of any claim, issue or matter therein, he or she shall automatically be indemnified against expenses (including attorneys' fees) actually and necessarily incurred by him or her in connection therewith without the necessity of any such determination that he or she has met the applicable standard of conduct set forth in Section 6.1 of Article VI.

Section 6.3 Indemnification Against Liability to Corporation. No indemnification shall be made in respect of any claim, issue, or matter as to which a person covered by Section 5.1 shall have been adjudged to be liable for negligence or misconduct in the performance of his or her duty to the Corporation, unless and only to the extent that the court in which such action, suit, or proceeding was brought shall determine upon application that, despite the adjudication of liability but in view of all the circumstances of the case, such person is fairly and reasonably entitled to indemnification for such expenses which such court shall deem proper.

Section 6.4 Right to Impose Conditions to Indemnification. The Corporation shall have the right to impose, as conditions to any indemnification permitted in the Article, such reasonable requirements and conditions as the Board of Directors may deem appropriate in each specific case, including but not limited to any one or more of the following: (a) that any counsel representing the person to be indemnified in connection with the defense or settlement of any action shall be counsel that is mutually agreeable to the person to be indemnified and to the Corporation; (b) that the Corporation shall have the right, at its option, to assume and control the defense or settlement of any claim or proceeding made, initiated, or threatened against the person to be indemnified; and (c) that the Corporation shall be subrogated, to the extent of any payments made by way of indemnification, to all of the indemnified person's right of recovery, and that the person to be indemnified shall execute all writings and do

everything necessary to assure such rights of subrogation to the Corporation.

Section 6.5 Payment in Advance. Reasonable expenses incurred in defending a civil or criminal action, suit or proceeding may be paid by the Corporation in advance of the final disposition of such action, suit or proceeding as authorized by the Board of Directors as provided in Section 6.2 of this Article VI upon receipt of (a) a written affirmation by such person of his or her good faith belief that he or she has met the standard of conduct described in Section 6.1 of this Article VI, and (b) an undertaking by or on behalf of the Director, officer, employee, agent or person serving at the Corporation's request to repay such amount if and when it should ultimately be determined that he or she is not entitled to be indemnified by the Corporation as authorized in this Article VI; and upon the conclusion by the entity making the determination as provided in Section 2 of this Article VI that the facts then known would not preclude indemnification under this Article VI.

Section 6.6 Insurance. The Board of Directors may exercise the Corporation's power to purchase and maintain insurance on behalf of any person who is or was a Director, officer, employee, or agent of the Corporation, or is or was serving at the request of the Corporation as a Director, officer, employee, or agent of another corporation, partnership, joint venture, trust or other enterprise against any liability asserted against him or her and incurred by him or her in that capacity, or arising out of his or her status as such, whether or not the Corporation would have the power to indemnify him or her against such liability under this Article VI or otherwise.

Section 6.7 Other Coverage. The indemnification provided by this Article VI shall not be deemed exclusive of any other rights to which those seeking indemnification may be entitled under the Articles of Incorporation, these Bylaws, agreement, vote of disinterested Directors, the Colorado Nonprofit Corporation Act, or otherwise, both as to action in his or her official capacity and as to action in another capacity while holding such office. The indemnification provided by this Article VI shall continue as to a person who has ceased to be a Director, officer, employee, agent, or one serving at the Corporation's request and shall inure to the benefit of the heirs and personal representatives of such a person.

Section 6.8 Limitation on Indemnification. Notwithstanding any other provision of these bylaws, the Corporation shall neither indemnify any person nor purchase any insurance in any manner or to any extent that would

jeopardize or be inconsistent with qualification of the Corporation as an organization described in section 501(c)(3) of the Internal Revenue Code or would result in liability for taxes or penalties under the Internal Revenue code.

## ARTICLE VII

### Contracts, Loans, Conveyances, Checks, Deposits, and Gifts

**Section 7.1 Contracts.** The Board of Directors may authorize any officer or officers, agent or agents to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Corporation. Such authority may be general or confined to specific instances. Unless so authorized by the Board of Directors or by these Bylaws, no officer, agent, or employee of the Corporation shall have any power or authority to bind the Corporation by contract or other instrument, or to pledge its credit or to render it liable for any purpose or in any amount.

**Section 7.2 Loans.** No loans shall be contracted on behalf of the Corporation and no evidences of indebtedness shall be issued in its name unless authorized by a resolution of the Board of Directors. Such authority may be general or confined to specific instances.

**Section 7.3 Loans to Directors and Officers Prohibited.** No loans shall be made by the Corporation to any Director or officer of the Corporation. 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 it is repaid.

**Section 7.4 Conveyances and Encumbrances.** Property of the Corporation may be assigned, conveyed, or encumbered by such officers of the Corporation as may be authorized to do so by the Board of Directors; however, the sale, exchange, lease or other disposition of all or substantially all of the property and assets of the Corporation shall be authorized only in the manner prescribed by the Colorado Nonprofit Corporation Act or applicable statute.

**Section 7.5 Checks, Drafts, Etc.** All checks, drafts, or other 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.

**Section 7.6 Deposits.** All funds of the Corporation not otherwise employed 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.

**Section 7.7 Designated Contributions.** The Corporation may accept any designated contribution, gift, grant, bequest, or devise consistent with its general tax-exempt purposes, as set forth in the Articles of Incorporation. As so limited, donor-designated contributions will be accepted for special funds, purposes, or uses, and such designations generally will be honored. However, the Corporation shall reserve all right, title, and interest in and to and control of such contributions, as well as full discretion as to the ultimate expenditure or distribution thereof in connection with any special fund, purpose, or use. Further, the Corporation shall retain sufficient control over all donated funds (including designated contributions) to assure that such funds will be used to carry out the Corporation's tax-exempt purpose.

## **ARTICLE VIII**

### **Books and Records**

**Section 8.1 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. All books and records of the Corporation may be inspected, upon approval by the Board of Directors, by any Director or his or her agent or attorney for any proper purpose at any reasonable time.

## **ARTICLE IX**

### **Nondiscrimination**

**Section 9.1** The officers, Directors, committee members, employees, and persons served by this Corporation shall be selected entirely on a nondiscriminatory basis with respect to age, sex, race, religion, national origin, and sexual orientation. The Corporation shall not discriminate on the basis of any nonmerit factor in making grants or in any other activity.

## **ARTICLE X**

### **Fiscal Year**

**Section 10.1 Fiscal Year.** The fiscal year of the Corporation shall commence on July 1 of each year and shall end on June 30 of the following year.

## ARTICLE XI

### Waiver of Notice

Section 11.1 Waiver of Notice. Whenever any notice is required to be given under the provisions of these Bylaws or under the provisions of the Articles of Incorporation or under the provisions of the Colorado Nonprofit Corporation Act, or otherwise, a waiver thereof in writing, signed by the person or persons entitled to such notice, whether before or after the event or other circumstance requiring such notice, shall be deemed equivalent to the giving of such notice.

## ARTICLE XII

### Amendments

Section 12.1 Amendments. These Bylaws may be altered, amended or repealed and new Bylaws be adopted by affirmative votes on not less than two-thirds of the Board of Directors. Amendments to these Bylaws will be presented at one meeting and acted on at the next. All amendments must comply with the requirements set forth in law.

## ARTICLE XIII

### Executive Committee

Section 13.1 Executive Committee. The Executive Committee shall be comprised of the President, Vice President, Secretary, and Treasurer of the Corporation. The election, tenure, qualifications, resignations, removal, and vacancies of members of the Executive Committee shall be governed by Article IV of these Bylaws. The delegation of authority to such Committee shall not operate to relieve the Board of Directors, or any member thereof, of any responsibility imposed by law.

Section 13.2 Authority. The Executive Committee, when the Board of Directors is not in session, shall have and may exercise all of the authority of the Board of Directors except to the extent, if any, that such authority shall be limited by the resolution appointing the Executive Committee and except also that the Executive Committee shall not have the authority of the Board of Directors in reference to amending the Articles of Incorporation, adopting a plan of merger or consolidation, or amending these Bylaws of the Corporation.

Section 13.3 Meetings. Regular meeting of the Executive Committee may be held without notice at such time and places as the Executive Committee may fix from time to

time by resolution. Special meetings of the Executive Committee may be called by any member thereof upon not less than one day's notice stating the place, date and hour of the meeting, which notice may be written or oral, and if mailed, shall be deemed to be delivered when deposited in the United States mail addressed to the member of the Executive Committee at his or her business address. Any member of the Executive Committee may waive notice of any meeting and no notice of any meeting need be given to any member thereof who attends in person. The notice of a meeting of the Executive Committee need not state the business proposed to be transacted at the meeting.

**Section 13.4 Quorum.** A majority of the members of the Executive Committee shall constitute a quorum for the transaction of business at any meeting thereof, and action of the Executive Committee must be authorized by the affirmative vote of a majority of the members present at a meeting at which a quorum is present.

**Section 13.5 Informal Action by Executive Committee.** Any action required or permitted to be taken by the Executive Committee at a meeting may be taken without a meeting if consent in writing, setting forth the action so taken, shall be signed by all of the members of the Executive Committee entitled to vote with respect to the subject matter thereof.

**Section 13.6 Procedure.** The Executive Committee shall elect a presiding officer from its members and may fix its own rules of procedure which shall not be inconsistent with these Bylaws. It shall keep regular minutes of its proceedings and report the same to the Board of Directors from its information at the meeting thereof held next after the proceedings shall have been taken.

## **ARTICLE XIV**

### **Severability**

**Section 14.1 Severability.** The invalidity of any provision of these Bylaws shall not affect the other provisions hereof, and in such event these Bylaws shall be construed in all respects as if such invalid provision were omitted.

## **ARTICLE XV**

### **Budget**

**Section 15.1 Budget.** The Board of Directors shall review and adopt a detailed annual budget prior to the

commencement of the fiscal year. No expenditure shall be made in any budget category which exceeds by 10% or more the amount budgeted without prior approval by the Board of Directors.

CERTIFICATE

I hereby certify that the foregoing Bylaws, consisting of seventeen (17) pages, including this page, constitute the Bylaws of Focus Points Family Resource Center, adopted by the Board of Directors of the Corporation as of December 13, 1995.

Christa Boyle  
Secretary

EA951990.038/6+

**BYLAWS**  
**of**  
**FOCUS POINTS FAMILY RESOURCE CENTER**

**(A Colorado Nonprofit Corporation)**

**ARTICLE 1**

**Name and Offices**

*Section 1.1 Name and Duration.* The name of the Corporation is **Focus Points Family Resource Center**. The period of duration of the Corporation is perpetual.

*Section 1.2 Business Offices.* The principal office of the Corporation shall be located in the City and County of Denver, Colorado. The Corporation may have such other offices within the State of Colorado as the Board of Directors may designate, or as the business of the Corporation may require from time to time.

*Section 1.3 Registered Office.* The registered office of the Corporation, required by the Colorado Nonprofit Corporation Act to be maintained in Colorado, may be, but need not be, the same as the principal office in the State of Colorado, and the address of the registered office may be changed from time to time by the Board of Directors.

**ARTICLE II**

**Purposes**

*Section 2.1 Exempt Purposes.* The Corporation is organized exclusively for delivering educational, training, employment, medical, counseling, and referral services in the interest of strengthening, stabilizing, and preserving families in its service area. These are charitable purposes within the meaning of Section 501 (c)(3) of the U.S. Internal Revenue Code, or the corresponding provision of any future federal tax code.

**ARTICLE III**

**Members**

*Section 3.1 No members.* The Corporation shall not have members.

**ARTICLE IV**

**Board of Directors**

*Section 4.1 General Powers.* The business and affairs of the Corporation shall be governed by its Board of Directors, except as otherwise provided in the Colorado Nonprofit Corporation Act, the Articles of Incorporation, or these Bylaws. In addition to the powers and authority expressly conferred upon the Board of Directors by these Bylaws and the Articles of Incorporation, the Board of Directors may exercise, in

furtherance of the Corporation's business, all other lawful powers of a Corporation that are not prohibited by the Articles of Incorporation or these Bylaws.

Section 4.2 Performance of Duties. A Director of the Board of Directors shall perform his or her duties as a Director, including his or her duties as a member of any committee of the Board upon which he or she may serve, in good faith, in a manner he or she reasonably believes to be in the best interests of the Corporation, and with such judgment as an ordinarily prudent person in a like position would use under similar circumstances. In performing his or her duties, a Director shall be entitled to rely on information, opinions, reports, or statements, including financial statements and other financial data, in each case prepared or presented by persons and groups listed in paragraphs (a), (b), and (c) of this Section 4.2; but he or she shall not be considered to be acting in good faith if he or she has knowledge concerning the matter in question that would cause such reliance to be unwarranted. A person who so performs his or her duties shall not have any liability by reason of being or having been a Director of the Board of Directors. Those persons and groups on whose information, opinion, reports, and statements a Director is entitled to rely are:

- a. One or more officers or employees of the Corporation whom the Director reasonably believes to be reliable and competent in the matters presented;
- b. Counsel, public accountants, or other persons as to matters which the Director reasonably believes to be within such persons professional or expert competence; or
- c. A committee of the Board upon which he or she does not serve, duly designated in accordance with the provision of the Articles of Incorporation or the Bylaws, as to matters within its designated authority, which committee the Director reasonably believes to merit confidence.

Section 4.3 Election of Directors. Upon expiration of a Director's term, the remaining Directors at an annual meeting shall nominate and elect a new Director by majority vote to fill the vacant position.

Section 4.4 Resignations. Any Director of the Board of Directors may resign at any time by giving written notice to the Chairperson of the Board of Directors. Such resignation shall take effect at the time specified therein, or if no time is specified, such resignation shall take effect immediately upon receipt of the written notice by the Chairperson of the Board of Directors. The acceptance of such resignation shall not be necessary to make it effective.

Section 4.5 Vacancies. Any vacancy occurring in the Board of Directors may be filled by the affirmative vote of a majority of the remaining Directors even though less than a quorum remains. A Director elected to fill a vacancy shall be elected for the unexpired time term of his or her predecessor in office. A Director so chosen shall hold office until his or her successor shall have been elected and qualified, or until his or her earlier death, resignation, or removal.

Section 4.6 Removal of Directors. Any member of the Board of Directors may be removed, with or without cause, by the affirmative vote of not fewer than two-thirds of the Directors then in office whenever in their judgment the best interests of the Corporation would be served thereby.

Section 4.7 Number, Tenure, and Qualifications. The number of Directors of the Corporation shall be no fewer than seven and no more than fifteen. Each Director shall

hold office for a term of three years from the date of his or her election. A Director made complete two consecutive terms. If a Director would like to serve three terms, they must take a year off between the second and third term. Directors must be at least 18 years old and must be residents of the State of Colorado.

*Section 4.8 Annual and Regular Meetings.* The annual meeting of the Board of Directors is optional and shall be held at such time and place as may be designated by the Chairperson Board of Directors, within the State of Colorado, for the purpose of a Board retreat, electing Directors and officers and for the transaction of such other business as may properly come before the Board of Directors. The Board of Directors may provide by resolution the time and place, within the State of Colorado, of additional regular meetings.

*Section 4.9 Special Meetings.* Special meetings of the Board of Directors may be called by or at the request of the Chairperson or by any three Directors. The person or persons authorized to call special meetings of the Board may fix any place, within the State of Colorado, for holding any special meeting of the Board called by them.

*Section 4.10 Notice of Meetings.* Notice of each meeting of the Board of Directors, whether annual, regular, or special, shall be given to each Director. Such notice shall be given by transmission of written notice by email to a Director, at least three days prior to the meeting. The method of notice need not be the same to each Director. The notice of all meetings shall state the place, date, and hour thereof and shall attach an agenda thereof.

When sent by email, such notice shall be deemed to be given when the email is transmitted. Any Director may waive right of notice of any meeting before, at, or after such meeting. The attendance of a Director at a meeting shall constitute a waiver of notice of such meeting, except where a Director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. Neither the business to be transacted at, nor the purpose of, any meeting of the Board of Directors need be specified in the notice or waiver of notice of such meeting, unless specifically required by law or these Bylaws.

*Section 4.11 Quorum.* A majority of the Board of Directors shall constitute a quorum for the transaction of business at any meeting of the Board. If less than a quorum is present at a meeting, a majority of the Directors present may adjourn the meeting without further notice other than an announcement at the meeting, until a quorum shall be present.

*Section 4.12 Voting.* Except as otherwise required by law or by the Articles of Incorporation, the vote of a majority of the Directors present in person at a meeting at which a quorum is present shall be the act of the Board of Directors. No Director may act or vote by proxy at any meeting of the Board of Directors.

*Section 4.13 Compensation.* Directors as such shall not receive compensation for their services, but by resolution of the Board the reasonable expenses of Directors in attendance at meetings of the Board may be reimbursed by the Corporation. Directors shall not be disqualified from receiving reasonable compensation for services rendered to or for the benefit of the Corporation in any capacity other than as a Director.

*Section 4.14 Meetings by Telephone.* Any members of the Board of Directors or any committee thereof may participate in a meeting of the Board of Directors or committee by means of telephone conference or similar communications equipment by which all persons participating in the meeting can hear each other at the same time.

Such participation shall constitute presence in person at the meeting.

**Section 4.15 Informal Action by Directors.** Any action required or permitted to be taken at a meeting of the Board of Directors or any committee thereof may be taken without a meeting if a consent in writing, setting forth the action so taken, shall be signed by all of the Directors or committee members entitled to vote thereon. Such consent may be signed at different locations and times on duplicate statements of the action.

**Section 4.16 Presumption of Assent.** A Director of the Board who is present at a meeting of the Board of Directors at which action on any corporate matter is taken shall be presumed to have assented to the action taken unless his or her dissent shall be entered in the minutes of the meeting or unless he or she shall file his or her written dissent to such action with the person acting as the Secretary of the meeting before the adjournment thereof or shall forward such dissent by registered mail to the Secretary of the Board immediately after the adjournment of the meeting. Such right to dissent shall not apply to a Director who voted in favor of such action.

**Section 4.17 Conflicts of Interest.** If any person who is a Director or officer of the Board of Directors is aware that the Corporation is about to enter into any business transaction directly or indirectly with him or herself, any member of his or her family, or any entity in which he or she has any legal, equitable or fiduciary interest or position, including without limitation as a Director, officer, shareholder, partner, beneficiary, or trustee, such persona shall (a) immediately inform those charged with approving the transaction on behalf of the Corporation of his or her interest or position, (b) aid the persons charged with making the decision by disclosing any such transaction from the standpoint of the Corporation, and (c) not be entitled to vote on the decision to enter into such transaction.

## **ARTICLE V**

### **Officers of the Board of Directors**

**Section 5.1 Number and Qualifications.** The officers of the Board of Directors shall be Chairperson, Vice Chairperson, Secretary, and Treasurer. Such other officers and assistant officers as may be deemed necessary may be elected or appointed by the Board of Directors. One person may hold more than one office at the same time, except that no person may simultaneously hold the offices of Chairperson and Secretary. All officers must be at least eighteen years old.

**Section 5.2 Election and Term of Office.** The Chairperson, Vice Chairperson, Secretary, and Treasurer of the Board of Directors shall be elected for a term of one year by the Board of Directors at each annual meeting. If the elections of officers are not held at such meetings, such elections shall be held as soon thereafter as practicable. Each officer shall hold office until his or her successor shall have been duly elected and qualified, or until his or her earlier death, resignation, or removal. Officers may serve for an unlimited number of terms.

**Section 5.3 Compensation.** Officers of the Board of Directors shall receive no compensation, but are eligible for reimbursement under the provisions of Section 4.13 of these Bylaws.

**Section 5.4 Removal.** Any officer, employee, agent may be removed, with or without cause, by the affirmative vote of not less than two-thirds of the Directors then in

office whenever in their judgment the best interests of the Corporation will be served thereby. Such removal will be without prejudice to the contract rights, if any, of the person so removed. Election of an officer or appointment of an employee or agent shall not of itself create contract rights.

*Section 5.5 Resignation.* Any officer may resign at any time by giving written notice of such resignation to the Chairperson of the Board of Directors. Any such resignation shall take effect at the time specified in such notice, or if no time is specified, such resignation shall take effect immediately upon receipt of written notice by the Board of Directors. Unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

*Section 5.6 Vacancies.* A vacancy in any office, however occurring, may be filled by the Board of Directors for the unexpired portion of the term at any regular or special meeting of the Board of Directors.

*Section 5.7 Authority and Duties of Officers.* The officers of the Board of Directors shall have the authority and shall exercise the powers and perform the duties specified below as may be additionally specified by the Board of Directors or these Bylaws, except that in any event each officer shall exercise such powers and perform such duties as may be required by law.

(a) Chairperson. The Chairperson shall, when present, preside at all meetings of the Board of Directors. He or she may sign, with the Secretary or any other proper officer of the Corporation thereunto authorized by the Board of Directors, deeds, mortgages, bonds, contracts, or other instruments which the Board of Directors has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board of Directors or by these Bylaws to some other officer, employee, or agent of the Corporation, or shall be required by law to be otherwise signed or executed. He or she shall perform all duties incident to the office of Chairperson and such other duties as incident to the office of Chairperson and such other duties as may be prescribed by the Board of Directors from time to time.

(b) Vice Chairperson. The Vice Chairperson (or in the event there be more than one Vice Chairperson, the Vice Chairpersons in the order designated at the time of their election, or in the absence of any designation, then in the order of their election) shall, in the absence of the Chairperson or in the event of his or her death, inability or refusal to act, perform all duties as Chairperson, and when so acting, shall have all the powers and be subject to all the restrictions upon the Chairperson. Any Vice Chairperson shall perform such other duties as from time to time may be assigned to him or her by the Chairperson or by the Board of Directors.

(c) Secretary. The secretary shall perform or cause to be performed the following tasks: (i) taking and keeping the minutes of the proceedings of the Board of Directors and any committees of the Board in one or more books provided for that purpose; (ii) seeing that all notices are duly given in accordance with the provisions of these Bylaws or as required by law; (iii) maintaining the corporation's records; (iv) keeping a record of the post office address of each member which shall be furnished to the Secretary by such member; and (v) in general performing or causing to be performed all duties incident to the office of Secretary and such other duties as from time to time may be assigned by the Chairperson or by the Board of Directors.

(d) Treasurer. The treasurer shall perform or cause to be performed the following: (i) monthly and annual statements showing the financial position of the Corporation and the results of its operations, prepared and furnished to the Chairperson and the Board of Directors; and (ii) in general perform all 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 Chairperson or by the Board of Directors.

*Section 5.8 Surety Bonds.* By resolution, the Board of Directors may require any officer, employee, or agent of the Corporation to execute to the Corporation a bond in such sums and such sureties as shall be satisfactory to the Board conditioned upon the faithful performance of his or her duties and for the restoration of the Corporation of all books, papers, vouchers, money, and other property of whatever kind in his or her possession or under his or her control belonging to the Corporation.

## **ARTICLE VI**

### **Committees**

*Section 6.1 Committees of Directors.* By one or more resolutions adopted by the Board of Directors, the Directors may designate two or more Directors to constitute a committee, any of which shall have such authority in the management of the Corporation as shall be provided by resolution of the Board and as shall be prescribed by the Colorado Nonprofit Corporation Act, except that no committee shall have the authority of the Board of Directors in reference to: (a) amending, altering, or repealing the Bylaws; (b) electing, appointing, or removing any member of any such committee or any Director of officer of the Corporation; (c) restating or amending the Articles of Incorporation; (d) adopting a plan of merger or adopting a plan of consolidation with another corporation; (e) authorizing the voluntary dissolution of the Corporation or revoking proceedings therefor; (g) adopting a plan for the distribution of the assets of the Corporation; or (h) amending, altering, or repealing any resolution of the Board of Directors. The designation and appointment of any such committee and the delegation thereto of authority shall not operate to relieve the Board of Directors, or any individual Director, of any responsibility imposed on it, him, or her by law.

*Section 6.2 Other Committees.* Other committees not having and exercising the authority of the Board of Directors in the management of the Corporation may be appointed in such manner as may be designated by a resolution adopted by a majority of the Directors present at a meeting at which a quorum is present. Any member of such committee may be removed by the person or persons authorized to appoint such members whenever in their judgment the best interests of the Corporation shall be served by removal.

*Section 6.3 Rules.* Each committee may adopt rules for its own government not inconsistent with these Bylaws or with rules adopted by the Board of Directors.

## ARTICLE VII

### Indemnification

Section 7.1 Standard of Conduct. The Corporation shall indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding, whether civil or, criminal, administrative, or investigative (including an action by or in the right of the Corporation except where such person is adjudged liable to the Corporation), by reason of the fact that he or she is or was a Director, officer, employee, or agent of the Corporation, or is or was serving at the request of the Corporation as a Director, officer, employee, or agent of another corporation, partnership, joint venture, trust or other enterprise, against reasonable expenses (including attorneys' fees), judgments, fines and amounts paid or necessarily incurred, in settlement or otherwise, by him or her in connection with such action, suit or proceeding, if such person (a) conducted him or herself in good faith, (b) reasonably believed that his or her actions, in the case of conduct in such person's official capacity, were in the best interests of the Corporation, or in the case of all other actions reasonably believed that his or her actions were at least not opposed to the Corporation's best interests, and (c) in the case of any criminal proceeding, had no reasonable cause to believe his or her conduct was unlawful. Except that this indemnity shall not cover a Director, officer, employee, agent or person serving at the Corporation's request in any proceeding in which such a person is charged and adjudged liable of receiving improper personal benefit. The termination of any proceeding by judgment, order, settlement, or conviction, or upon a plea of *no lo contendere* or its equivalent, is not of itself determinative that the person did not meet the standard of conduct set forth in this Section 7.1. Such indemnification shall not be deemed exclusive of any other rights to which the Director, officer, agent, employee, or other person serving at the Corporation's request is entitled to under any agreement, or otherwise.

Indemnification permitted under this Article VII in connection with a proceeding by or in the right of the Corporation is limited to reasonable expenses incurred in connection with the proceeding.

Section 7.2 Determination. Any indemnification under Section 7.1 of this Article VII (unless ordered by a court) shall be made by the Corporation only as authorized in the specific case upon a determination that indemnification of the Director, officer, employee, agent, or person serving at the Corporation's request is proper in the circumstances set forth in Section 7.1 of the Articles VII. Such determination shall be made:

(a) by the Board of Directors by a majority vote of a quorum consisting of Directors who were not parties to such action, suit or proceeding; or

(b) if such a quorum is not obtainable, by a majority vote of a committee of the Board of Directors designated by the Board of Directors, which committee shall consist of two or more Directors not parties to such action, suit, or proceeding; or

(c) if such a quorum as contemplated in the paragraph (a) of this section is not obtainable or a committee cannot be established, or even if a quorum is obtainable or a committee designated, if a quorum of the disinterested Directors or such a committee so directs, by independent legal counsel in a written opinion. Such independent legal counsel shall be selected by a vote of the Board of Directors or the committee in a manner specified in paragraph (a) or (b) of this Section 7.2. If a quorum

of the full Board cannot be obtained and a committee cannot be established, such independent legal counsel shall be selected by a majority vote of the full Board of Directors.

Provided, however, that if a Director, officer, employee or agent of the Corporation, or person serving at the Corporation's request has been successful on the merits or otherwise in defense of any action, suit or proceeding referred to in Section 7.1 of this Article VII or in defense of any claim, issue or matter therein, her or she shall automatically be indemnified against expenses (including attorneys' fees) actually and necessarily incurred by him or her in connection therewith without the necessity of any such determination that he or she has met the applicable standards of conduct set forth in Section 7.1 of Articles VII.

Section 7.3 Indemnification Against Liability to Corporation. No indemnification shall be made in respect of any claim, issue, or matter as to which a person covered by Section 7.1 shall have been adjudged to be liable for negligence or misconduct in the performance of his or her duty to the Corporation, unless and only to the extent that the court in which such action, suit, or proceeding was brought shall determine upon application that, despite the adjudication of liability but in view of all the circumstances of the case, such person is fairly and reasonably entitled to indemnification for such expenses which such court shall deem proper.

Section 7.4 Right to Impose Conditions to Indemnification. The Corporation shall have the right to impose, as conditions to any indemnification permitted in the Article, such reasonable requirements and conditions as the Board of Directors may deem appropriate in each specific case, including but not limited to anyone or more of the following: (a) that any counsel representing the person to be indemnified in connection with the defense or settlement of any action shall be counsel that is mutually agreeable to the person to be indemnified and to the Corporation; (b) that the Corporation shall have the right, at its option, to assume and control the defense or settlement of any claim of proceeding made, initiated, or threatened against the person to be indemnified; and (c) that the Corporation shall be subrogated, to the extent of any payments made by way of indemnification, to all of the indemnified person's right of recovery, and that the person to be indemnified shall execute all writings and do everything necessary to assure such rights of subrogation to the Corporation.

Section 7.5 Payment Advance. Reasonable expenses incurred in defending a civil or criminal action, suit or proceeding may be paid by the Corporation in advance of the final disposition of such action, suit or proceeding as authorized by the Board of Directors as provided in Section 7.2 of the Article VII upon receipt of (a) a written affirmation of such person of his or her good faith belief that he or she has met the standard of conduct described in Section 7.1 of this Article VII, and (b) an undertaking by or on the behalf of the Director, officer, employee, agent or person serving at the Corporation's request to repay such amount if and when it should ultimately be determined that he or she is not entitled to be indemnified by the Corporation as authorized in this Article VII; and upon the conclusion by the entity making the determination as provided in Section 7. 2 of this Article VII that the facts then known would not preclude indemnification under this Article VII.

Section 7.6 Insurance. The Board of Directors shall purchase and maintain insurance on behalf of any person who is or was a Director, officer, employee, or agent of the Corporation, or is or was serving at the request of the Corporation as a Director, officer, employee, or agent of another corporation, partnership, joint venture, trust or other enterprise against any liability asserted against him or her and incurred by him or

her in that capacity, or arising out of his or her status as such, whether or not the Corporation would have the power to indemnify him or her against such liability under this Article VII or otherwise.

*Section 7.7 Other Coverage.* The indemnification provided by this Article VII shall not be deemed exclusive of any other rights to which those seeking indemnification may be entitled under the Articles of Incorporation, these Bylaws, agreement, vote of disinterested Directors, the Colorado Nonprofit Corporation Act, or otherwise, both as to action in his or her official capacity and as to action in another capacity while holding such office. The indemnification provided by this Article VII shall continue as to a person who has ceased to be a Director, officer, employee, agent, or one serving at the Corporation's request and shall inure to the benefit of the heirs and personal representatives of such a person.

*Section 7.8 Limitation on Indemnification.* Notwithstanding any other provision of these Bylaws, the Corporation shall neither indemnify any person nor purchase any insurance in any manner or to any extent that would jeopardize or be inconsistent with qualification of the Corporation as an organization described in section 501 (c) (3) of the Internal Revenue Code or would result in liability for taxes or penalties under the Internal Revenue Code.

## **ARTICLE VIII**

### **Contracts, Loans, Conveyances, Checks, Deposits, and Gifts**

*Section 8.1 Contracts.* The Board of Directors may authorize any officer, agent, or employee to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Corporation. Such authority may be general or confined to specific instances. Unless so authorized the Board of Directors or by these Bylaws, no officer, agent, or employee of the Corporation shall have any power or authority to bind the Corporation by contract or other instrument, or to pledge its credit or to render it liable for any purpose or in any amount.

*Section 8.2. Loans.* No loans shall be contracted on behalf of the Corporation and no evidences of indebtedness shall be issued in its name unless authorized by a resolution of the Board of Directors. Such authority may be general or confined to specific instances.

*Section 8. 3 Loans to Directors and Officers Prohibited.* No loans shall be made by the Corporation to any Director or officer of the Board of Directors. 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 it is repaid.

*Section 8.4 Conveyances and Encumbrances.* Property of the Corporation may be assigned, conveyed, or encumbered by such officers of the Board of Directors as may be authorized to do so by the Board of Directors; however, the sale, exchange, or other disposition of all or substantially all of the property and assets of the Corporation shall be authorized only in the manner prescribed in the Colorado Nonprofit Corporation Act or applicable statute.

*Section 8.5 Checks, Drafts, etc.* All checks, drafts, or other 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, employee or

employees of the Corporation and in such manner as shall from time to time be determined by resolution of the Board of Directors.

*Section 8.6 Deposits.* All funds of the Corporation not otherwise employed 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.

*Section 8.7 Designated Contributions.* The Corporation may accept any designated contribution, gift, grant, bequest, or device consistent with its general tax-exempt purposes, as set forth in the Articles of Incorporation. As so limited, donor designated contributions will be accepted for special funds, purposes, or uses, and such designations generally will be honored. However, and the Corporation shall reserve all rights, title, and interest in and to and control of such contributions, as well as full discretion as to the ultimate expenditure or distribution thereof in connection with any special fund, purpose, or use. Further, the Corporation shall retain sufficient control over all donated funds (including designated contributions) to assure that such funds will be used to carry out the Corporation's tax-exempt purpose.

## **ARTICLE IX**

### **Books and Records**

*Section 9.1 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. All books and records of the Corporation may be inspected, upon approval by the Board of Directors, by any director or his or her agent or attorney for any proper purpose at any reasonable time.

## **ARTICLE X**

### **Nondiscrimination**

*Section 10.1 Nondiscrimination.* The officers, Directors, committee members, employees, and persons served by this Corporation shall be selected entirely on a nondiscriminatory basis with respect to age, sex, race, disability, religion, national origin, and sexual orientation. The Corporation shall not discriminate on the basis of any nonmerit factor in making grants or in any other activity.

## **ARTICLE XI**

### **Fiscal Year**

*Section 11.1 Fiscal Year.* The fiscal year of the Corporation shall commence on July 1 of each year and shall end on June 30 of the following year.

## **ARTICLE XII**

### **Waiver of Notice**

*Section 12.1 Waiver of Notice.* Whenever any notice is required to be given

under the provisions of these Bylaws or under the provisions of the Articles of Incorporation or under the provisions of the Colorado Nonprofit Corporation Act, or otherwise, a waiver thereof in writing, signed by the person or persons entitled to such notice, whether before or after the event or other circumstance requiring such notice, shall be deemed equivalent to the giving of such notice.

## **ARTICLE XIII**

### **Amendments**

*Section 13.1 Amendments.* These Bylaws may be altered, amended or repealed and new Bylaws be adopted by affirmative votes on not less than two-thirds of the Board of Directors. Amendments to these Bylaws will be presented at one meeting and acted on at the next. All amendments must comply with the requirements set forth in law.

## **ARTICLE XIV**

### **Executive Committee**

*Section 14.1 Executive Committee.* The Executive Committee shall be comprised of the Chairperson, Vice Chairperson, Secretary, and Treasurer of the Board of Directors. The election, tenure, qualifications, resignations, removal, and vacancies of members of the Executive Committee shall be governed by Article IV of these Bylaws. The delegation of authority to such Committee shall not operate to relieve the Board of Directors, or any member thereof, of any responsibility imposed by law.

*Section 14.2 Authority.* The Executive Committee, when the Board of Directors is not in session, shall have and may exercise all of the authority of the Board of Directors except to the extent, if any, that such authority shall be limited by a resolution adopted by the Board of Directors and except also that the Executive Committee shall not have the authority of the Board of Directors in reference to amending the Articles of Incorporation, adopting a plan of merger or consolidation, or amending these Bylaws of the Corporation.

*Section 14.3 Meetings.* Regular meetings of the Executive Committee may be held without notice at such times and places as the Executive Committee may fix from time to time by resolution. Special meetings of the Executive Committee may be called by any member thereof upon not less than one day's notice stating the place, date and hour of the meeting, which notice may be written or oral, and if mailed or emailed, shall be deemed to be delivered when deposited in the United States mail addressed to the member of the Executive Committee at his or her business address or when email is sent. Any member of the Executive Committee may waive notice of any meeting and no notice of any meeting need be given to any member thereof who attends in person. The notice of a meeting of the Executive Committee need not state the business proposed to be transacted at the meeting.

*Section 14.4 Quorum.* A majority of the members of the Executive Committee shall constitute a quorum for the transaction of business at any meeting thereof, and action of the Executive Committee must be authorized by the affirmative vote of a majority of the members present at a meeting at which a quorum is present.

*Section 14.5 Informal Action by Executive Committee.* Any action required or permitted to be taken by the Executive Committee at a meeting may be taken without a meeting if consent in writing, setting forth the action so taken, shall be signed by all of the members of the Executive Committee entitled to vote with respect to the subject matter thereof.

*Section 14.6 Procedure.* The Executive Committee shall elect a presiding officer from its members and may fix its own rules of procedure which shall not be inconsistent with these Bylaws. It shall keep regular minutes of its proceedings and report the same to the Board of Directors for its information at the meeting thereof held next after the proceedings shall have been taken.

## **ARTICLE XV**

### **Severability**

*Section 15.1 Severability.* The invalidity of any provision of these Bylaws shall not affect the other provisions hereof, and in such event these Bylaws shall be construed in all respects as if such invalid provision were omitted.

## **ARTICLE XVI**

### **Budget**

*Section 16.1 Budget.* The Board of Directors shall review and adopt a detailed annual budget prior to the commencement of the fiscal year.

## **CERTIFICATE**

I Keyur P. Parikh, hereby certify that the foregoing Bylaws, consisting of the twelve pages, including this page constitute the Bylaws of Focus Points Family Resource Center, adopted by the Board of Directors of the Corporation as of May 23, 2024.

\_\_\_\_\_/Parikh Keyur P./\_\_\_\_\_  
Secretary



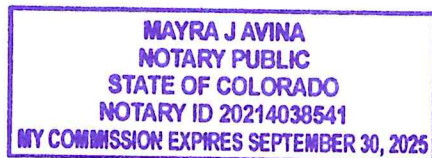
**Focus Points**  
FAMILY RESOURCE CENTER  
.....  
*Learn. Grow. Achieve.*

### Statement of Authority

Pursuant to C.R.S 38-30-172, the undersigned hereby executes this Statement of Authority on behalf of Focus Points Family Resource Center, a 501c3 organization (the “Entity”), and states as follows:

- 1) The name of the Entity is Focus Points Family Resource Center.
- 2) The Entity is a Colorado nonprofit organization.
- 3) The mailing address for the Entity is 2501 E. 48<sup>th</sup> Ave, Denver, CO 08216.
- 4) The name and position of the person authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property, and transactions in connection therewith, on behalf of the Entity is Jules S. Kelty, as Executive Director.

EXECUTED as of 3 day of August 2024.



Focus Points Family Resource Center,

a Colorado nonprofit organization:

By: \_\_\_\_\_

Lauren Granado, Board of Directors Chair

STATE OF COLORADO

CITY AND COUNTY OF DENVER

The foregoing instrument was acknowledged before me this 3 of August 2024, by Lauren Granado, as Chair of Board of Directors of Focus Points Family Resource Center, a Colorado nonprofit organization.

My commission expires: June 30, 2026.

\_\_\_\_\_  
Notary Public



### Legal Description

#### (Legal Description for 2501 E 48<sup>th</sup> Avenue, Denver, Co 80216)

A parcel of land being a portion of the Southwest Quarter (SW $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) of Section 13, Township 3 South, Range 68 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, described as follows:

Beginning at the intersection of the southeasterly right-of-way line of the Union Pacific Railway Company with the south line of said SW $\frac{1}{4}$ , from which the southwest corner of said SW $\frac{1}{4}$  lies westerly at a distance of 406.12 feet; thence easterly along said south line, 227.48 feet to a point of intersection with the west right-of-way line of Columbine Street, said west right-of-way line being 30.00 feet west of, when measured perpendicularly to, the east line of the West Half (W $\frac{1}{2}$ ) of the SW $\frac{1}{4}$  of said SW $\frac{1}{4}$ ; thence northerly on a deflection angle left of 89° 58' 53" and parallel with said east line, 30.00 feet to a point being 30 feet north of the south line of said SW $\frac{1}{4}$ , said point also being the southwest corner of that portion of Columbine Street vacated by City and County of Denver Ordinance No. 945, Series of 2003; thence easterly along the southerly line of said vacated Columbine Street and along the north right-of-way line of East 48th Avenue, on a deflection angle right of 89° 58' 53", and parallel with the south line of said SW $\frac{1}{4}$ , 250.00 feet; thence northerly on a deflection angle left of 89° 58' 53" and parallel with the east line of said W $\frac{1}{2}$ , 205.20 feet to a point on the south line of that parcel of land recorded at Book 331 at Page 314; thence westerly on a deflection angle left of 90° 01' 07", parallel with the south line of said SW $\frac{1}{4}$  and along the south line of said parcel of land, 220.00 feet to a point on the east line of said W $\frac{1}{2}$ ; thence northerly along said east line on a deflection angle right of 90° 01' 07", 144.98 feet to a point perpendicular to the west right-of-way line of said vacated Columbine Street at said west right-of-way line's intersection with the southeasterly right-of-way line of the Union Pacific Railway Company;



thence westerly on a deflection angle left of  $90^{\circ}00'00''$ , 30.00 feet to said intersection;  
thence southwesterly along said southeasterly right-of-way line on a deflection angle left of  
 $59^{\circ}06'41''$ , 443.11 feet to the Point of Beginning.

Containing 98,892 square feet or 2.270 acres, more or less.



# Focus Points

FAMILY RESOURCE CENTER

Jules Kelty  
Executive Director  
[www.focuspoints.org](http://www.focuspoints.org)  
Main Office: 303-292-0770 x111  
Mobile: 303-725-2413  
[jules@focuspoints.org](mailto:jules@focuspoints.org)

May 16, 2024

To Whom It May Concern,

I am writing to confirm that Will Wagenlander, with RVi Planning + Landscape Architecture, is hereby authorized to represent Focus Points Family Resource Center (property owner) pertaining to the City of Denver rezoning process.

This authorization is valid from May 16, 2024, until December 24, 2024. Will Wagenlander should be recognized and considered as a representative of Focus Points Family Resource Center related to the City of Denver's rezoning process.

Should you require any further information or confirmation on this matter, please feel free to contact me directly at 303-725-2413.

Sincerely,

Jules Kelty  
Executive Director  
Focus Points Family Resource Center



# Focus Points

FAMILY RESOURCE CENTER

Damon Ramirez  
Chair, Board of Directors  
2501 E. 48<sup>th</sup> Ave  
Denver, CO 80216

May 16, 2024

To Whom It May Concern,

I am writing to confirm that Jules Kelty, Executive Director of the Focus Points Family Resource Center, is hereby authorized to sign on behalf of the Focus Points Family Resource Center (property owner).

This authorization is valid from May 16, 2024, until December 24, 2024. Jules Kelty is vested with the authority to sign on behalf of the Focus Points Family Resource Center.

Should you require any further information or confirmation on this matter, please feel free to contact me directly at 720-900-6948.

Sincerely,

Damon Ramirez  
Chair  
Board of Directors

## EQUITY RESPONSE:

Please provide a response that details how the proposed zone district will either advance Blueprint Denver’s equity concepts or, at a minimum, prevent further inequitable scores in the immediate and surrounding area. For suggestions, refer to the attached menu of strategies document.

### ACCESS TO OPPORTUNITY - Creating more equitable access to quality-of-life amenities, health, and education.

#### Response from Applicant

### REDUCING VULNERABILITY TO DISPLACEMENT – Stabilizing residents and businesses who are vulnerable to involuntary displacement due to increasing property values and rents.

#### Response from Applicant

EXPANDING HOUSING DIVERSITY - providing a better and more inclusive range of housing in all neighborhoods.

Response from Applicant

EXPANDING JOB DIVERSITY - providing a better and more inclusive range of employment options in all neighborhoods.

Response from Applicant