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MAY 22 2014



Chandler • Arizona
Where Values Make The Difference

Memorandum

Memo: MC14-015

DATE: May 22, 2014

TO: MAYOR AND CITY COUNCIL

FROM: DAVE BIGOS, MAYOR AND COUNCIL ASSISTANT *DB*

THRU: RICH DLUGAS, CITY MANAGER *RD*
 NACHIE MARQUEZ, ASSISTANT CITY MANAGER *NM*
 MARSHA REED, ASSISTANT CITY MANAGER *MR*

SUBJECT: Resolution No. 4768

RECOMMENDATION:

Request approval of Resolution No. 4768 authorizing the submittal of a \$681,495.00 Pass-Through Indian Gaming Grant application from The Payne Foundation, Inc., dba Driver's Edge, to the Gila River Indian Community.

BACKGROUND/DISCUSSION:

The grant funding sought by The Payne Foundation, Inc., dba Driver's Edge is intended to be used to fund three separate Driver's Edge safe-driving instructional events at Firebird International Raceway each year for the next three years. Each event accommodates approximately 400 students and 300 parents. The attached Tribal application provides a detailed account of the request. It should be noted the request asks that payments be disseminated over a three-year period, which could tie up funding for other requesters in outlying years.

PROPOSED MOTION:

Move to approve Resolution No. 4768 authorizing the submittal of a \$681,495.00 Grant application from The Payne Foundation, Inc., dba Driver's Edge, to the Gila River Indian Community.

Attachments:

- Resolution 4768
- City Application
- Tribal Application and/or Related Documentation on behalf of The Payne Foundation, Inc., dba Driver's Edge

RESOLUTION NO. 4768

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION FOR AN INDIAN GAMING REVENUE SHARING GRANT TO GILA RIVER INDIAN COMMUNITY ON BEHALF OF THE PAYNE FOUNDATION, Inc., dba DRIVER'S EDGE, IN THE AMOUNT OF \$681,495.00

WHEREAS, pursuant to A.R.S. § 5-601.02, Indian tribes entering into a tribal-state gaming compact shall contribute monies to “. . . cities, towns and counties . . . for government services that benefit the general public, including public safety, mitigation of impacts of gaming, and promotion of commerce and economic development”; and

WHEREAS, those Indian tribes entering into a tribal-state gaming compact have various grant application procedures for evaluating which cities, towns and counties, and which government services, will receive gaming revenue sharing contributions pursuant to A.R.S. § 5-601.02; and

WHEREAS, it has become a relatively common practice for cities to authorize the submission of grant applications for such Indian gaming revenue sharing grants on behalf of 501(c)(3) nonprofit organizations that are deemed to be providing government related services that benefit the general public; and

WHEREAS, The Payne Foundation, Inc., dba Driver's Edge, a 501(c)(3) nonprofit organization, has requested that the City authorize the submission of an application for such Indian gaming revenue sharing grant funding to Gila River Indian Community on its behalf in the amount of \$681,495.00; and

WHEREAS, the deadline for accepting applications for grant funding by Gila River Indian Community is June 06, 2014; and

WHEREAS, the funding sought by The Payne Foundation, Inc., dba Driver's Edge, is intended to be used to fund three separate Driver's Edge safe-driving instructional events at Firebird International Raceway each year for the next three years. Each event accommodates approximately 400 students and 300 parents; and

WHEREAS, the City Manager's Office has reviewed the application materials prepared by The Payne Foundation, Inc., dba Driver's Edge, and believes that the funding request described in such application materials qualifies as being for government related services that benefit the general public and is consistent with the City's Administrative Regulation regarding such grant applications.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chandler, Arizona, that:

1. The Payne Foundation, Inc., dba Driver's Edge, is hereby authorized to submit the application materials prepared by The Payne Foundation, Inc., dba Driver's Edge, that are attached hereto, together with this Resolution, to Gila River Indian Community.

2. The Mayor is hereby authorized to execute the application, in the form attached hereto, in conjunction with the grant application to be submitted to Gila River Indian Community on behalf of The Payne Foundation, Inc., dba Driver's Edge.

3. Within ten (10) days of the City's receipt of any grant funds from Gila River Indian Community pursuant to a grant application submitted on behalf of The Payne Foundation, Inc., dba Driver's Edge, City staff is directed to mail a check to The Payne Foundation, Inc., dba Driver's Edge, covering one hundred percent (100%) of the funds received by the City from Gila River Indian Community pursuant to such application.

4. The City, by virtue of this Resolution, is simply acting as a financial conduit between the Gila River Indian Community and The Payne Foundation, Inc., dba Driver's Edge, and is in no way:

(a) Agreeing or obligating itself to monitor or report on the expenditure of any grant funding distributed to or on behalf of The Payne Foundation, Inc., dba Driver's Edge; or

(b) Guaranteeing or warranting the accuracy, completeness or truthfulness of the information set forth in the application materials prepared by The Payne Foundation, Inc., dba Driver's Edge; or

(c) Supervising, or taking any responsibility regarding, the actions or activities undertaken by The Payne Foundation, Inc., dba Driver's Edge; or

(d) Representing that The Payne Foundation, Inc., dba Driver's Edge, either has, or does not have, other sources of funding relating to the intended use of grant funding set forth in this Resolution, including funding from grant applications made on behalf of The Payne Foundation, Inc., dba Driver's Edge, to other Indian tribes.

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this ____ day of _____, 2014.

ATTEST:

CITY CLERK
APPROVED AS TO FORM:

MAYOR

CITY ATTORNEY

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Resolution No. 4768 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the ____ day of _____, 2014, and that a quorum was present thereat.

CITY CLERK

**PRELIMINARY INFORMATION REGARDING REQUEST
THAT THE CITY OF CHANDLER PASS-THROUGH AN APPLICATION FOR AN INDIAN GAMING REVENUE
SHARING GRANT ON BEHALF OF NON-PROFIT ORGANIZATION**

1. Requestor Name:

The Payne Foundation, Inc., dba Driver's Edge

2. Address:

7435 S. Eastern Ave. 5-165, Las Vegas, NV 89123

3. Contact Person and Information:

Steven Tepper, Chief Operating Officer or Jeff Payne, President
(702) 896-6482
tepper@driversedge.org or jeff@driversedge.org

4. Date of obtaining 501(c)(3) non-profit organizational status and verification of such status at time of the request :

June 15, 1998 (original 501c3 status as private operating foundation) and January 21, 2007 (public charity determination)

5. Describe the nexus between Requestor and the City of Chandler and its residents:

Driver's Edge has been conducting events in the City of Chandler at the Firebird International Raceway since 2002. Therefore providing the residents of the City of Chandler, the surrounding communities to include the Gila River Indian Community, life saving, hands-on youth driver education, keeping the city streets and highways safer.

6. Specifically, but concisely, describe how the grant funding sought by Requester will be utilized (please do not just refer to general description included in the application materials).

Grant will be used to fund up to three separate Driver's Edge events in Chandler at Firebird International Raceway. Each Driver's Edge event (conducted as four separate half day sessions over a weekend) will accommodate between 600-700 attendees (made up of approximately 400 total students and another 300 parents and others).

Funding will be used for costs such as: Labor costs, Travel costs, Vehicle costs, Site and Program costs.

7. Describe how the use for which funding is sought will provide “government (related) services that benefit the general public, including public safety, mitigation of impact of gaming and promotion of commerce and economic development”. (See A.R.S. 5-601.02(H)(4)).

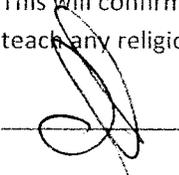
Funding will allow Driver’s Edge to conduct three events that will educate the public about the fact that automobile collisions are the number one cause of death for America’s youth, and that the problem can be solved with appropriate behind the wheel education. Driver’s Edge will specifically educate a total of between 1,800-2,100 students and parents with this grant (some 1,200 will be students behind the wheel), along with providing awareness to a larger number through local media coverage. The education will help reduce the unjustifiably high number of injuries and fatalities that occur each year as a result of young driver related automobile collisions. The Driver’s Edge mission is to help save lives – not just those of the young drivers taking our program, but for all who share the roads with them.

8. Describe how the use for which funding is sought will benefit Chandler residents as a whole rather than simply benefiting a particular individual, entity or class of individuals.

Automobile collisions are the number one cause of death for teenagers today. Driver’s Edge is a FREE program available to all young drivers age 21 and younger with a valid license or permit on a first registered, first served basis. The program is free because this type of education needs to be available to everyone regardless of social or economic status and not just those who might be able to afford it (a comparable half day program is as much as \$450). And as stated above in item 7, this education doesn’t just benefit those who attend the event, but the skills learned at Driver’s Edge will help keep the roads safer for all who share the road.

9. Verify that no portion of the funding sought will be used to in any way promote or teach any religious or political viewpoint or cause:

This will confirm that no portion of the funding sought will be used to in any way promote or teach any religious or political viewpoint or cause.

 (initial)

10. Identify the Tribe that Requester wishes the City to submit application materials on Requestor’s behalf, and the deadline for such application submittal:

Gila River Indian Community - Deadline: June 6, 2014 at 5:00 pm

11. Identify any application for Indian gaming revenue sharing grant submitted on Requestor's behalf by another city, town or county, and the amount of funding sought:

None

12. Attach to the request all information that is to be submitted to the Tribe on Requestor's behalf.

See attachments

13. Agreed that, to the fullest extent permitted by law, Requestor shall defend, indemnify and hold harmless the City of Chandler, its Mayor and Council, officials, officers and employees from and against all losses, claims, suits, actions, payments and judgments, demands, expenses, damages, including consequential damages and loss of productivity, attorney's fees, defense costs or actions of any kind and nature relating to, arising out of, or alleged to have resulted from the City of Chandler's processing or consideration of this request to pass through an application for an Indian gaming revenue sharing grant on behalf of Requestor, or in passing through any grant funds awarded pursuant to such application.

 (initial)

By signing below, the undersigned asserts that he or she has the authority to execute the application on behalf of Requestor, has read and understands and agrees to be bound by Sections 9 and 13 of this application, and otherwise certifies that the information provided herein is believed to be true and correct.



(Signature)

JEFF PAYNE

(Print)

CEO

(Title)

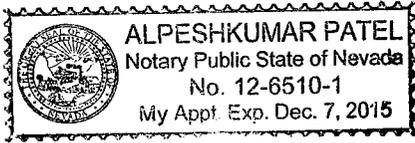
4-29-14

(Date)

STATE OF NV)
) ss
COUNTY OF Clerk)

SUBSCRIBED AND SWORN to before me this 30 day of April, 2014

by Payne Jeff Scott



Alpesh Patel
NOTARY PUBLIC

My Commission Expires:

April 23, 2014

Cheryl Pablo
Program Administrator
P.O. Box 2172
Sacaton, AZ 85147

Attn: Cheryl Pablo

Dear Ms. Pablo:

Thanks in advance for reviewing our 2015 proposal. Our mission at Driver's Edge is to save lives and to make our highways safer through comprehensive hands-on youth driver education. We believe the mission and goals of our organization are a perfect fit with the City of Chandler's desire to support causes that improve safety and quality of life in the City of Chandler and surrounding communities including the Gila River Indian Community.

You might be surprised to learn that the number one killer of young people in America is motor vehicle collisions. We're trying to change that. Driver's Edge has been successfully providing life-saving, advanced driver education for free to young drivers since 2002. We've educated over 100,000 attendees, making a difference in our home community of Las Vegas, regionally all over Nevada and on a national basis as well.

One of our goals in 2015 is to expand our efforts in Arizona communities. Even though Driver's Edge is free to attend for young drivers age 21 and younger, there is considerable cost associated with conducting a Driver's Edge event. That's where we need the help of local partners like the Gila River Indian Community and the City of Chandler.

Our research indicates that Driver's Edge attendees have 53% fewer collisions than similarly aged drivers that have not attended our program. We know we're making a difference, but we need your help to continue providing a free program for local young drivers. Driver's Edge is offered for free because this type of behind the wheel education needs to be available to everyone, not just those who might be able to afford it, and we hope your organization will consider funding all or a portion of the amount requested.

Thanks again for supporting our communities and our efforts to make a life-saving difference. While reviewing our 2015 proposal we are available to meet, answer questions and/or provide additional information at any time, and additional information is always available at www.driversedge.org.

Sincerely,



STEVEN TEPPER
President



Gila River Indian Community Grant Application

Municipality Information

Date of Application: April 23, 2014
Name of City, Town or County: City of Chandler
Mayor or Board of Supervisor's Chairman: Jay Tibshraeny
Mailing Address: Mail Stop 603 PO Box 4008
City: Chandler State: AZ Zip Code: 85244-4008

Department/Non-Profit Information

Department or Organization Name: The Payne Foundation, Inc. dba Driver's Edge
Mailing Address: 7435 S. Eastern Ave. 5-165 City: Las Vegas State: NV Zip Code: 89123
Contact Person*: Steven Tepper Title: President & Chief Operating Officer
Phone Number: (702) 896-6482 E-mail Address: tepper@driversedge.org

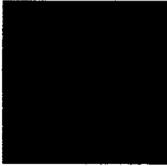
*The individual listed here will be our direct point of contact for grant-related questions or requests for information. Duplicates of all grant correspondence will be sent to the contact person.

Grant Information

Program or Project Name: Driver's Edge Young Driver Safety Program
Purpose of Grant: To conduct 3 Driver's Edge event weekends in Chandler and to help save lives of young drivers behind the wheel.
Beginning and ending dates of Program or Project: 1/1/2015 to 12/31/2017
Amount Requested: \$681,495.00 Total Project Cost: \$227,165.00
 Multi-year Request – If checked, # of years requested: 3 Amount/year: \$227,165.00
Priority Funding Area:
 Economic Development Education Healthcare Public Safety Transportation
Geographic Area Served: Arizona

Signature:
Mayor OR Chairman BOS: _____ Date: _____

Typed Name and Title:



Gila River Indian Community Grant Application

Application Format (outline)

Please structure your proposal to provide the following information in the order indicated. Use the headings and subheadings provided. Then, in your own words, address the questions and issues posed in the outline. The questions reflect the general interests and concerns of the Gila River Indian Community, but are not intended to be conclusive. Additional information pertinent to your project should be included. Please be thorough yet strive for brevity. Please submit one original and five copies of your completed grant application, including attachments

A. NARRATIVE

1. Purpose of Grant
 - a) Describe the proposed program or project
 - b) Describe how the proposed program or project satisfies one or more of the “priority areas” identified by the Gila River Indian Community.
 - c) Identify the needs/problems to be addressed, target population and number of people to be served by the project.
 - d) Describe the project goals and objectives, and your plan to meet them.
 - e) Define the project as a new or continuing program.
 - f) Identify other organizations, partners or funders participating in the project and their roles (see attachments section).
 - g) Indicate any application to and/or awards made by a Tribe other than the Gila River Indian Community for state shared revenues for this and/or any other projects/programs.
 - h) Provide a timetable for implementation.
 - i) Identify long-term funding resources or project sustainability.
2. Reports
 - Describe your plan to document progress and results. Interim and final reports will be required for every grant awarded.

B. ATTACHMENTS

Required Attachments:

1. A resolution from the applicable governing body in support of the proposed project (eligible City, Town or County).
2. A proposed budget for the program or project.
3. List of other funders, potential funders and amounts committed or requested in support of the proposed project.

Optional Attachments:

1. Letters of support (optional) that substantiate need for the project and collaboration with other organizations.

Gila River Indian Community Grant Application

Budget

An accurate, detailed budget for proposed projects is a primary requirement of this grant application. This portion of your proposal should break down the total budget into specific items for your project. Please include a narrative description explaining any unusual budget items. "In-Kind" expenses and donations, grants or matching funds should also be spelled out. Please include the following information in your budget. You may use this or a similar format.

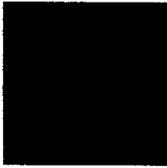
A. BUDGET PERIOD (e.g. 1/ 1/ 20XX to 12/31/20XX):

1/1/2015 to 12/31/2015

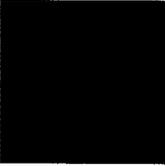
B. EXPENSES

Please itemize expenses that are applicable to your program or project. Please note: Columns will not total automatically if a currency field is left blank.

<i>Proposed Budget (list each budget item)</i>	<i>Amount Requested from GRIC</i>	<i>Amount secured from other Fundors</i>	<i>In Kind Expense</i>	<i>Total Budget</i>
<i>Labor Costs: Instructor Labor</i>	<i>\$44,100.00</i>	<i>\$0.00</i>	<i>\$0.00</i>	<i>\$44,100.00</i>
<i>Day Labor</i>	<i>\$1,800.00</i>	<i>\$0.00</i>	<i>\$0.00</i>	<i>\$1,800.00</i>
<i>Edge Staff Labor</i>	<i>\$6,600.00</i>	<i>\$0.00</i>	<i>\$0.00</i>	<i>\$6,600.00</i>
<i>Travel: Instructor Travel</i>	<i>\$28,590.00</i>	<i>\$0.00</i>	<i>\$0.00</i>	<i>\$28,590.00</i>
<i>Edge Personnel Travel</i>	<i>\$15,465.00</i>	<i>\$0.00</i>	<i>\$0.00</i>	<i>\$15,465.00</i>
<i>Vehicle Costs: Program Vehicles</i>	<i>\$9,360.00</i>	<i>\$0.00</i>	<i>\$0.00</i>	<i>\$9,360.00</i>
<i>Support Vehicles</i>	<i>\$10,800.00</i>	<i>\$0.00</i>	<i>\$0.00</i>	<i>\$10,800.00</i>
<i>Fuel Costs</i>	<i>\$1,680.00</i>	<i>\$0.00</i>	<i>\$0.00</i>	<i>\$1,680.00</i>
<i>Tire Costs</i>	<i>\$3,600.00</i>	<i>\$0.00</i>	<i>\$0.00</i>	<i>\$3,600.00</i>
<i>Maintenance & Cleaning</i>	<i>\$1,200.00</i>	<i>\$0.00</i>	<i>\$0.00</i>	<i>\$1,200.00</i>
<i>Site & Program Costs: Site & Facilities</i>	<i>\$55,500.00</i>	<i>\$0.00</i>	<i>\$0.00</i>	<i>\$55,500.00</i>
<i>Catering</i>	<i>\$4,860.00</i>	<i>\$0.00</i>	<i>\$0.00</i>	<i>\$4,860.00</i>
<i>Collateral Materials</i>	<i>\$13,980.00</i>	<i>\$0.00</i>	<i>\$0.00</i>	<i>\$13,980.00</i>
<i>Administrative - Event Prep</i>	<i>\$29,630.00</i>	<i>\$0.00</i>	<i>\$0.00</i>	<i>\$29,630.00</i>
	<i>\$0.00</i>	<i>\$0.00</i>	<i>\$0.00</i>	<i>\$0.00</i>
	<i>\$0.00</i>	<i>\$0.00</i>	<i>\$0.00</i>	<i>\$0.00</i>
	<i>\$0.00</i>	<i>\$0.00</i>	<i>\$0.00</i>	<i>\$0.00</i>
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	<i>\$0.00</i>	<i>\$0.00</i>	<i>\$0.00</i>	<i>\$0.00</i>
	<i>\$0.00</i>	<i>\$0.00</i>	<i>\$0.00</i>	<i>\$0.00</i>
	<i>\$0.00</i>	<i>\$0.00</i>	<i>\$0.00</i>	<i>\$0.00</i>
<i>Total Budget</i>	<i>\$227,165.00</i>	<i>\$0.00</i>	<i>\$0.00</i>	<i>\$227,165.00</i>



Gila River Indian Community Grant Application



Gila River Indian Community Grant Application

C. BUDGET DETAIL, IF APPLICABLE (Narrative description of unusual budget items, in-kind expenses, donations, etc.)

Budget Detail:

One Driver's Edge event takes place over the course of a weekend. It is comprised of four separate sessions of the Driver's Edge Young Driver Safety Program. Each session is a half day long and will accommodate up to 100 young drivers (for a total of up to 400 young drivers over the entire weekend event). We also encourage parents to attend. Historically, we will have between 600-700 total attendees per event (made up of up to 400 students with the rest being parents).

Our hope is to bring three Driver's Edge to Chandler for the benefit of the community at large and the young drivers and parents of the Gila River Indian Community.

In order to conduct a Driver's Edge event, the following costs are incurred at each Event:

LABOR COSTS:

Instructor Labor: $\$14,700 \times 3 \text{ events} = \$44,100$. This is the amount we pay to our instructors. Each event has 10 professional driving instructors.

Day Labor: $\$600 \times 3 \text{ events} = \$1,800$. This is the amount we pay local labor to help with event set up, site maintenance and event breakdown.

Edge Labor: $\$2,200 \times 3 \text{ events} = \$6,600$. This is the amount we pay to part time and contract employees of Driver's Edge to conduct the onsite event administrative work necessary for each event, including event day registration, distribution and maintenance of course materials, distribution and maintenance of tests, surveys and questionnaires, etc.

TRAVEL COSTS:

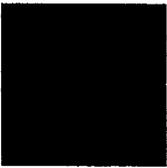
Instructor Travel: $\$9,530 \times 3 \text{ events} = \$28,590$. This is the estimated amount we pay for airfare and hotel accommodations for our instructors.

Edge Personnel Travel: $\$5,155 \times 3 \text{ events} = \$15,465$. This is the estimated amount we pay for airfare and hotel accommodations for Driver's Edge personnel.

VEHICLE COSTS:

Program Vehicles: $\$3,120 \times 3 \text{ events} = \$9,360$. This is the estimated amount we pay to rent cars for use at the events. Occasionally, these are donated.

Support Vehicles: $\$3,600 \times 3 \text{ events} = \$10,800$. This is the estimated amount we pay to rent a water truck at the events (this is necessary for the skid pad exercise we conduct at the event).



Gila River Indian Community Grant Application

Fuel Cost: $\$560 \times 3 \text{ events} = \$1,680$. This is the estimated amount we pay for fuel for the program cars at the events.

Tire Cost: $\$1,200 \times 3 \text{ events} = \$3,600$. This is the estimated amount we pay for replacement tires for the program cars at the events.

Maintenance & Cleaning: $\$400 \times 3 \text{ events} = \$1,200$. This is the estimated amount we pay to clean the cars and perform any required maintenance they may need during and after the event.

SITE & PROGRAM COSTS:

Site & Facilities: $\$18,500 \times 3 \text{ events} = \$55,500$. This is the estimated amount we pay to rent an appropriate site for the event. It includes the costs related to tents, tables and chairs, along with any A/V equipment and insurance costs.

Catering: $\$1,620 \times 3 \text{ events} = \$4,860$. At each event we provide donuts and coffee to all morning attendees. We also provide all water and beverages for attendees. This amount also covers the costs relating to providing lunch for all instructors and staff at the events.

Collateral Materials: $\$4,660 \times 3 \text{ events} = \$13,980$. This is the estimated amount we pay for printing all workbooks and related materials used by participants at the events. This includes student workbooks, parent workbooks, pre tests and post tests, surveys and questionnaires.

Administrative Cost: $\$9,877 \times 3 \text{ events} = \$29,630$. This amount covers the costs incurred relating to preparing for the events prior to the events. This includes staff costs for pre-registration, waiting list maintenance, notification list maintenance, preparing and compiling waivers and permission forms, coordination with local vendors, etc.

Total Estimated Costs Per Event = $\$75,722 \times 3 \text{ events} = \$227,165$.

GILA RIVER INDIAN COMMUNITY GRANT APPLICATION

A. NARRATIVE FOR DRIVER'S EDGE YOUNG DRIVER SAFETY PROGRAM

1. Purpose of Grant:

Our mission is to save lives and to make our highways safer through comprehensive hands-on youth driver education. We believe in the importance of educating both young drivers and their parents on the responsibilities and potential dangers of driving. We will provide young drivers, regardless of social or economic status, with a free program to develop the necessary skills to help save lives behind the wheel, because this type of training needs to be available to everyone, not just those who might be able to afford it.

The purpose of this grant is to conduct three Driver's Edge events over three weekends in Chandler, Arizona at Firebird International Raceway. Each event will educate between 600-700 students and parents, for a total of 1,800-2,100 attendees.

a) Describe the proposed program or project

Our *free* educational program for young drivers (ages 21 and younger with a valid license or permit) teaches real life emergency avoidance and response techniques and overall driver safety. This innovative youth program is taught by true driving professionals through a unique combination of behind the wheel and classroom experience on an ongoing annual tour.

An Edge event includes, among other components, the following elements:

- (1) Classroom and behind-the-wheel defensive driving instruction on skid control, evasive lane changes, anti-lock braking skills and panic-braking techniques;
- (2) Interactive discussion with local law enforcement, including impaired and distracted driving awareness modules;
- (3) Proper car maintenance session; and
- (4) Written tests designed to measure students' driving knowledge before and after completing the course.

Instead of teaching teens how to just pass a road test, we're teaching them the skills that could potentially help save a life. Much better to experience a skidding car in a highly controlled environment with a professional by your side than to first have it happen on a highway at 70 miles per hour where the results are often deadly.

We have an unusual ability to connect with both kids and their parents, and there are numerous opportunities throughout the event for the students and their parents to bond over common experiences they've had while learning to drive.

Most importantly, everything we teach comes from a place of being on the kid's side *and* the parent's side. We don't wag a finger and accuse the kids of being irresponsible. In fact, it's quite the opposite. How can we blame them for not being better drivers when the established driver's education community has failed them in not teaching them what they need to know? Parallel parking, while important to master, will not save a life. We can't blame them for being irresponsible if we don't teach them properly to begin with. And that's where Driver's Edge comes in.

There is NO reason why motor vehicle collisions should continue to be the number one killer of young people in this country.

b) Describe how the proposed program or project satisfies one or more of the “priority areas” identified by the Gila River Indian Community

By *educating* the public about the fact that automobile collisions are the number one cause of death for America's youth, and by *educating* young drivers with behind the wheel driver training Driver's Edge will help reduce the unjustifiably high number of injuries and fatalities that occur each year as a result of young driver related automobile collisions. The Driver's Edge Young Driver Safety Program will keep our communities, highways and city streets *safer for our citizens*.

We will make sure that there are reserved spaces for young drivers of the Gila River Indian Community to attend Driver's Edge and we will also make a certain number of Driver's Edge DVD's "Lessons From The Edge" available to the Gila River Indian Community for free.

c) Identify the needs/problems to be addressed, target population and number of people to be served by the project

The number one cause of death for America's youth is motor vehicle collisions. *And according to the Arizona Department of Health Services, motor vehicle collisions are the number one killer of Arizona youth aged 15 to 19.* We believe it doesn't have to be this way. Unfortunately, in America most people are merely taught to pass a driving test; they're not really taught the skills they need to keep themselves alive behind the wheel. That's where Edge comes in. Instead of teaching teens how to just pass a road test, we're teaching them the skills that could potentially help save a life.

Driver's Edge is committed to saving the lives of America's youth regardless of race, ethnicity, gender, religion, language, abilities/disabilities, sexual orientation, gender identity or socio-economic status. It is our belief that Driver's Edge should be available to everyone. Driver's Edge is available to all young drivers (aged 21 and younger with a valid license or permit) and their parents, including those young drivers within the Gila River Indian Community.

We currently plan to conduct 10 Driver's Edge events in 2015. Each event is two days long and will have between 600-700 in person attendees. We hope to conduct three events in Chandler, AZ at Firebird International Raceway with your generous assistance.

d) Describe the project goals and objectives, and your plan to meet them

Our primary goals are to reduce the number of young driver related automobile collisions and to help save lives.

The goals are achieved by (1) educating the public about the fact that automobile collisions are the number one cause of death for America's youth and that it doesn't have to be that way, and (2) conducting a hands on behind the wheel training program that goes beyond traditional driver's education to help solve that problem. The unacceptably high number of motor vehicle related injuries and fatalities can be reduced with proper training, and that's what Driver's Edge is all about.

Our goals for the Arizona project include:

- (1) To conduct three Driver's Edge Programs in Chandler, AZ;
- (2) With each two-day event having between 600-700 in person attendees; and
- (3) To continue to help save the lives of young drivers through hands on behind the wheel training from true driving professionals.

The intended outcome is that Driver's Edge will help reduce the unjustifiably high number of injuries and fatalities that occur each year as a result of young driver related automobile collisions.

Our research indicates a 53 percent reduction in collisions among drivers aged 16-18 over a 12 month period since attending our program (1,000 Las Vegas area Driver's Edge attendees, ages 16-18, were polled 12 months after attendance against a control group of 1,000 Las Vegas area teens, ages 16-18, that had not attended Edge).

Our research also indicates that teens believe Driver's Edge is highly effective. In a poll of 2,000 national program attendees (12 months after their attendance), 100% believe the program is valuable and would recommend it to friends. 100% believe the program made them safer and more aware drivers. Since taking the program, 82% responded that the skills experienced at Edge helped them avoid a potential collision. Of those that had collisions in the 12 months since attending Edge, 78% responded that the collision was not their fault (i.e., they were not cited) and 71% responded that the skills they learned at Driver's Edge helped to prevent the collision from being worse.

e) Define the project as a new or continuing program

Driver's Edge was initially founded in 1998 and has been conducting behind-the-wheel young driver education events since 2002 on an ongoing annual tour.

Since 2002, nearly 100,000 young drivers and their parents have attended Driver's Edge and the organization has grown into a nationally recognized youth driver education program. We've educated young drivers in over 50 different cities across the United States.

In Chandler alone, we've conducted an event in seven of the last ten years and we'd like to expand our presence in the community.

f) Identify other organizations, partners or funders participating in the project and their roles (see attachments section)

We pride ourselves on our grassroots nature. All of our corporate partners are involved and interested in helping because they believe in our cause, not because they want to sell something. The good will and appreciation they receive as a result of helping make Edge free for the attendees is significant.

Currently, our Nevada and national donation partners include:

Chipotle
FedEx Office
Frank and Victoria Fertitta Foundation
Krispy Kreme Doughnuts
Las Vegas Motor Speedway
MGM Voice Foundation
Monster Energy Drinks
Network for Good (individual online donation project)
Nevada Department of Public Safety (state safety grant)
Nevada Department of Transportation
Speedway Motorsports, Inc.
Starbucks
Trade Show Technical, Inc.
United Way
Wal-Mart Foundation
Wal-Mart Stores

Since our first event in 2002, Driver's Edge has worked hard to establish strong ties with the Nevada community, and we hope to do the same with the City of Chandler and with the Gila River Indian Community. Because of the prior events we've done in Chandler, we have an ongoing relationship with the City of Chandler, the Arizona Dept. of Public Safety, Arizona Highway Patrol, and the City of Chandler Police Department. Also, the *Gila River Fire Department has even participated in prior Driver's Edge events we've held in Chandler.*

For the three events we're hoping to conduct as a result of this grant, we expect to again have the support of Arizona Dept. of Public Safety, Arizona Highway Patrol, and the City of Chandler Police Department (at Driver's Edge, we present a "Local Law Enforcement Module" where attendees get to have an interactive Q&A with local law enforcement. It includes topics like the dangers of impaired driving, includes a mock field sobriety test (to show how difficult it is to pass such a test even when you're sober!), and information on how to behave should a young driver be pulled over for an infraction.

This participation is provided as in-kind by the local authorities.

As for other local funding or in-kind donations, if we are awarded a grant, we will immediately commence efforts to add additional community in-kind involvement and funding.

g) Indicate any application to and/or awards made by a Tribe other than the Gila River Indian Community for state shared revenues for this and/or any other projects/programs

None.

h) Provide a timetable for implementation

As soon as funded we will schedule the events to take place prior to 12/31/2015. We would be happy to work with the Gila River Community in scheduling mutually acceptable weekends (subject to availability of Firebird Raceway).

i) Identify long-term funding resources or projects sustainability

Having conducted events since 2002, Driver's Edge has educated nearly 100,000 people and is the leader in free, young driver programs. Long-term funding sources have included various corporate partnerships (e.g., Bridgestone and Firestone), state grants (e.g., State of Nevada Dept. of Public Safety), various private grants and public donations.

Our sustainability is evidenced by our longevity and we have been honored with over 50 Proclamations of Recognition from various local governments throughout the U.S., including two from the United States Congress. Edge was also a Finalist in the 6th Annual Volvo For Life Awards in the Safety Category.

Our television and print news coverage is extensive, as historically we have received some form of broadcast or print coverage for nearly every event we've done since 2002. We pitch media through a combination of in-house efforts and a contracted public relations firm. Media results are reported in our post-event "Recaps" received by all sponsors, partners and major donors of Driver's Edge.

We've received television network affiliate and local press coverage in every city we've visited, and we've had national exposure with Good Morning America, the CBS Early Show, Fox News, USA Today, Newsweek, Autoweek and Motor Trend, among others.

Along with our website, we're also visible in social media such as Facebook, Twitter and YouTube. We can be found on Facebook at www.facebook.com/driversedge.org

We believe we are the only public charity of our kind in the country offering this type of program for free. Edge is widely respected and recognized for its work in young driver safety.

Edge is solely funded by charitable donations, grants and corporate sponsorships.

2. Reports:

We evaluate our impact and success on an ongoing basis. The things we use to help track student performance and our impact include:

A Pre-test and Post-test that each student takes before and after the program to measure pre-event driving knowledge and what they've learned after completing Edge; and

An online Follow-Up Survey for students and parents at 12-month and 24-month intervals to measure their driving experiences since attending Edge.

We will also provide Event Recaps for each of the three events, documenting the number of total attendees (students, parents and others), any media coverage obtained and any other relevant data from each event.

GILA RIVER INDIAN COMMUNITY GRANT APPLICATION

ATTACHMENT 1 – CITY OF CHANDLER RESOLUTION

TO BE DELIVERED

2014 PROJECT BUDGET SUMMARY - THREE 2-DAY EDGE EVENTS

Labor Costs:		TOTAL COSTS:
Instructor Labor:	\$14,700	
Day Labor:	\$600	
Edge Labor:	\$2,200	
Total Labor:	<u>\$17,500</u>	\$17,500
Travel Costs:		
Instructor Travel:	\$9,530	
Day Labor Travel:	\$0	
Edge Personnel Travel:	\$5,155	
Total Travel:	<u>\$14,685</u>	\$14,685
Vehicle Costs:		
Program Vehicles:	\$3,120	
Support Vehicles:	\$3,600	
Fuel Cost:	\$560	
Tire Cost:	\$1,200	
Maintenance & Cleaning:	\$400	
Total Vehicles:	<u>\$8,880</u>	\$8,880
Site & Program Costs:		
Site & Facilities:	\$18,500	
Catering:	\$1,620	
Collateral Materials:	\$4,660	
Total Site & Program:	<u>\$24,780</u>	\$24,780
	SubTotal:	\$65,845
	Admin/Event Prep @ 15%:	\$9,877
	Total Cost of 2 Day Event:	<u>\$75,722</u>
	Total Cost of 3 Events:	\$227,166

BUDGET NARRATIVE – THREE EVENTS:

One Driver's Edge event takes place over the course of a weekend. It is comprised of four separate sessions of the Driver's Edge Young Driver Safety Program. Each session is a half-day long and will accommodate up to 100 young drivers (for a total of up to 400 young drivers over the entire weekend event). We also encourage parents to attend. Historically, we will have between 600-700 total attendees per event (made up of up to 400 students with the rest being parents).

A single Driver's Edge weekend event currently costs \$75,722. Costs are incurred at each Event as follows (please note: each item total is multiplied by 3, i.e., the number of events for which funding is sought from your foundation):

LABOR COSTS:

Instructor Labor: $\$14,700 \times 3 \text{ events} = \$44,100$. This is the amount we pay to our instructors. Each event has 10 professional driving instructors.

Day Labor: $\$600 \times 3 \text{ events} = \$1,800$. This is the amount we pay local labor to help with event set up, site maintenance and event breakdown.

Edge Labor: $\$2,200 \times 3 \text{ events} = \$6,600$. This is the amount we pay to part time and contract employees of Driver's Edge to conduct the onsite event administrative work necessary for each event, including event day registration, distribution and maintenance of course materials, distribution and maintenance of tests, surveys and questionnaires, etc.

TRAVEL COSTS:

Instructor Travel: $\$9,530 \times 3 \text{ events} = \$28,590$. This is the estimated amount we pay for airfare and hotel accommodations for our instructors.

Edge Personnel Travel: $\$5,155 \times 3 \text{ events} = \$15,465$. This is the estimated amount we pay for airfare and hotel accommodations for Driver's Edge personnel.

VEHICLE COSTS:

Program Vehicles: $\$3,120 \times 3 \text{ events} = \$9,360$. This is the estimated amount we pay to rent cars for use at the events. Occasionally, these are donated.

Support Vehicles: $\$3,600 \times 3 \text{ events} = \$10,800$. This is the estimated amount we pay to rent a water truck at the events (this is necessary for the skid pad exercise we conduct at the event).

Fuel Cost: $\$560 \times 3 \text{ events} = \$1,680$. This is the estimated amount we pay for fuel for the program cars at the events.

Tire Cost: $\$1,200 \times 3 \text{ events} = \$3,600$. This is the estimated amount we pay for replacement tires for the program cars at the events.

Maintenance & Cleaning: $\$400 \times 3 \text{ events} = \$1,200$. This is the estimated amount we pay to clean the cars and perform any required maintenance they may need during and after the event.

SITE & PROGRAM COSTS:

Site & Facilities: $\$18,500 \times 3 \text{ events} = \$55,500$. This is the estimated amount we pay to rent an appropriate site for the event. It includes the costs related to tents, tables and chairs, along with any A/V equipment and insurance costs.

Catering: $\$1,620 \times 3 \text{ events} = \$4,860$. At each event we provide donuts and coffee to all morning attendees. We also provide all water and beverages for attendees. This amount also covers the costs relating to providing lunch for all instructors and staff at the events.

Collateral Materials: $\$4,660 \times 3 \text{ events} = \$13,980$. This is the estimated amount we pay for printing all workbooks and related materials used by participants at the events. This includes student workbooks, parent workbooks, pre-tests and post-tests, surveys and questionnaires.

Administrative Event Prep Cost: $\$9,877 \times 3 \text{ events} = \$29,631$. This amount covers the costs incurred relating to preparing for the events prior to the events. This includes staff costs for pre-registration, waiting list maintenance, notification list maintenance, preparing and compiling waivers and permission forms, coordination with local vendors, etc.

Total Estimated Costs Per Event = $\$75,722 \times 3 \text{ events} = \$227,166$.

GILA RIVER INDIAN COMMUNITY GRANT APPLICATION

ATTACHMENT 3 – LIST OF OTHER FUNDERS

We pride ourselves on our grassroots nature. All of our corporate partners are involved and interested in helping because they believe in our cause, not because they want to sell something. The good will and appreciation they receive as a result of helping make Edge free for the attendees is significant.

Currently, our Nevada and national donation partners include:

- Chipotle
- FedEx Office
- Frank and Victoria Fertitta Foundation
- Krispy Kreme Doughnuts
- Las Vegas Motor Speedway
- MGM Voice Foundation
- Monster Energy Drinks
- Nevada Department of Public Safety (state safety grant)
- Nevada Department of Transportation
- Speedway Motorsports, Inc.
- Starbucks
- Trade Show Technical, Inc.
- United Way
- Wal-Mart Foundation
- Wal-Mart Stores

Since our first event in 2002, Driver's Edge has worked hard to establish strong ties with the Nevada community, and we hope to do the same with the City of Chandler and with the Gila River Indian Community. Because of the prior events we've done in Chandler, we have an ongoing relationship with the City of Chandler, the Arizona Dept. of Public Safety, Arizona Highway Patrol, City of Chandler Police Department, and in the past, the Gila River Fire Department has even participated in prior events.

For the three events we're hoping to conduct as a result of this grant, we expect to again have the support of Arizona Dept. of Public Safety, Arizona Highway Patrol, and the City of Chandler Police Department (at Driver's Edge, we present a "Local Law Enforcement Module" where attendees get to have an interactive Q&A with local law enforcement. It includes topics like the dangers of impaired driving, includes a mock field sobriety test (to show how difficult it is to pass such a test even when you're sober!), and information on how to behave should a young driver be pulled over for an infraction.

This participation is provided as in-kind by the local authorities.

As for other specific local funding or in-kind donations, if we are awarded a grant, we will immediately commence efforts to add additional community involvement and funding.

EMBRACED BY THE PARTICIPANTS

We are constantly amazed and genuinely humbled by the outpouring of support we receive from students and parents who have attended Driver's Edge. We have received literally thousands of letters, emails, testimonials and messages of appreciation.

Here's just a sample of what people are saying:

My 16 year old daughter attended in November in Las Vegas. On December 31, she had a blowout on the highway . . . the tire disintegrated causing her car to spin . . . she did everything she had learned and calmly managed to get to the shoulder without harm. When she called me from the scene her first words were, "thank you so much dad for taking me to Driver's Edge – it saved my life."

A. Martinez – Las Vegas, Nevada

This program was selected, with fierce competition from other outstanding programs in Nevada, for funding from the Nevada Office of Traffic Safety. It has a proven track record and outstanding potential for statewide and later nationwide application. It represents rare vision, determination and professionalism.

Bruce Mackey – Nevada Office of Traffic Safety

The Driver's Edge program was a huge success here in Utah. We have plans to bring the program back in the future because of the overwhelming positive response we received following their visit. Driver's Edge really fills a huge need where regular drivers education doesn't quite make it. Driver's Edge is the cutting edge in educating America's youth on how to "Survive The Drive".

Sgt. Lee Perry, Utah Highway Patrol - Public Information and Education Supervisor

Salt Lake City, Utah

After losing my eldest son in a car accident, I was a nervous wreck when his brother started driving. I read about Driver's Edge coming to Nashville and couldn't sign him up fast enough. He'd already completed driver's education in school, but classroom time and a few behind-the-wheel lessons are not even close to the preparation a young driver actually needs. I think this program should be mandatory for ALL new drivers. I hope Driver's Edge comes to the Nashville area again. My fifteen year old daughter is ready for her turn.

Donna Willis - Mount Juliet, Tennessee

I recently participated in the Driver's Edge program and felt it was outstanding and helped improve my driving abilities. The program has left me with newfound confidence that makes my driving abilities substantially better. I felt the program was run with the utmost professionalism and left few questions pertaining to the lessons they taught. I traveled over 400 miles to attend this course after reading about it in the newspaper, and it was well worth the money for my plane ticket and all the other travel expenses. I just wish this course could be offered throughout Nevada. This is the best driving course around!!!

Tim Braginton - Winnemucca, Nevada

When my daughter found out I had enrolled her in this program, she just about went ballistic! At this point in her limited driving experience, she was still very self conscious and timid. She did not want to do this 'stupid driving thing' with a bunch of people that she did not know. She did not want to get out of bed, argued and fussed the whole drive to FedEx Field (two very long hours). Afterwards, she could not stop talking about it. She had so much fun and gained so much self-confidence . . . She actually thanked me and apologized for being such a brat in the beginning.

M. Plunkert - Westminster, Maryland

My son Will took this class when he was 15 and has thanked me several times for signing him up. He continues to tell me how valuable it was for him . . . He has also had to use the braking techniques taught in the class to miss hitting a deer! This is an awesome class taught by awesome people dedicated to safer drivers on the road. Thank you!

Mark G. Warren - Brentwood, Tennessee

I saw an article in the local paper and signed my two kids up as soon as I could get to my computer. I'm in the safety profession and had heard about courses like this for fleet drivers. My 16 year old daughter and 19 year old son gave me all kinds of grief about going, but they were given no choice. I can't forget when they got home that day. We were outside and the first thing my girl said was "it was awesome", then her brother said Kaitlyn kicked butt by winning the trophy for most improved driver in her group. She was so excited. They had so much fun! Both of them came away from the class with so much valuable real life experience . . . they even thanked old Dad for making them go!

R. R. Jones - Brentwood, Tennessee

I was 16 when I went to Driver's Edge and I can't believe I was able to get my license without knowing the things Driver's Edge taught me! I learned so much just in that day that I didn't know before. It was amazing and my mom and I talked about it the whole way home. I would encourage this program to be taught along with driver's ed. It really helped me a lot and I know it's helped me avoid a collision or two already. Thanks!

Lindsey - Salt Lake City, Utah

To all of you who have a teenager who is driving or about to drive you need to sign your son or daughter up for Driver's Edge. It is the best defense program available to you today. My daughter took the course in Las Vegas while she had her permit. Two months after she got her drivers license she was hit by a driver pulling out of a parking lot. She saw him coming at her and she new how to react to the situation because of the course she took with Driver's Edge. She was not seriously injured and I think we owe it to the fact that Driver's Edge played a HUGE part in it. I suggest every child driving should take this course.

Kerrie Mendoza - Las Vegas, Nevada

Our thanks go out to all those who take the time to write. We often find that students and their parents not only write to Driver's Edge to discuss their experiences, but they also have sent countless thank you notes to our partners, sponsors and supporters nationwide.

Internal Revenue Service
P.O. Box 2508
Cincinnati, OH 45201

Department of the Treasury

Date:

MAY 03 2013

Payne Foundation
7435 S. Eastern Avenue
Suite 5-165
Las Vegas, Nevada 89123

Employer Identification Number:

88-0396368

Person to Contact - ID Number:

Richard K. Dolfi - 0203032

Contact Telephone Number:

877-829-5500 Toll-Free

Form 990 Required:

Yes

Dear Sir or Madam:

On November 8, 2006 you notified the Internal Revenue Service of your intent to terminate your foundation status as a private foundation under section 507(b)(1)(B) of the Internal Revenue Code of 1986 and become a public charity. In our letter of June 11, 2007, we stated that you would be treated as a public charity until the expiration of your 60-month advance ruling period.

Based on the information you submitted at the end of the advance ruling period, we determined that you have terminated your private foundation status under the provisions of section 507(b)(1)(B) of the Code. Accordingly, as of January 1, 2007 you have been reclassified as a public charity described in sections 509(a)(1) and 170(b)(1)(A)(vi) of the Code. Since your exempt status wasn't under consideration, you continue to be classified an organization exempt from Federal income tax under section 501(c)(3) of the Code.

The enclosed Publication 4221-PC, *Compliance Guide for 501(c)(3) Public Charities*, provides detailed information about your responsibilities as a public charity. Other useful information including the Life Cycle of a Public Charity is available on the IRS Charities and Non-profits website at www.irs.gov/eo.

Because this letter could help resolve questions about your exempt status and foundation status, you should keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely,



Holly G. Paz
Director, Exempt Organizations
Rulings and Agreements

Enclosure:
Publication 4221-PC

Letter 4422 (Rev. 5-2011)
Catalog Number 52252E

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

DEPARTMENT OF THE TREASURY

Date: ~~JUN 15 1988~~

Employer Identification Number:
~~31-1650385~~ EIN CHANGE - 88-0396368

DLN:
17053141038029

THE PAYNE FOUNDATION INC
2516 CORTINA AVE
HENDERSON, NV 89014

Contact Person:
TERRI SARVIS ID# 31055

Contact Telephone Number:
(877) 829-5500

Accounting Period Ending:
December 31

Addendum Applies:
No

Dear Applicant:

Based on information you supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3). We also determined that you are a private foundation within the meaning of section 509(a) of the Code.

Based on the information you submitted with your application, we have determined that you are likely to qualify as a private operating foundation described in section 4942(j)(3) of the Code. Accordingly, you are treated as a private operating foundation for your first year. After that, you will be treated as a private operating foundation as long as you continue to meet the requirements of section 4942(j)(3).

This ruling satisfies the good faith determination requirement of section 53.4942(b)-3(b)(2) of the Excise Tax Regulations.

If you change your sources of support, your purposes, character, or method of operation, please let us know so we can consider the effect of the change on your exempt status and foundation status. If you amend your organizational document or bylaws, please send us a copy of the amended document or bylaws. Also, let us know any changes in your name or address.

As of January 1, 1984, you are liable for social security taxes under the Federal Insurance Contributions Act on amounts of \$100 or more you pay to each of your employees during a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA). However, since you are a private foundation, you are subject to excise taxes under Chapter 42 of the Code. You also may be subject to other Federal excise taxes. If you have any questions about excise, employment, or other Federal taxes, please let us know.

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Donors may deduct contributions only to the extent their contributions are gifts, with no consideration received. Ticket purchases and similar payments

Letter 1075 (DO/CG)

THE PAYNE FOUNDATION INC

In conjunction with fundraising events may not necessarily qualify as deductible contributions, depending on the circumstances. See Publication 1391, which sets forth guidelines on when payments made by taxpayers for admission to, or other participation in fundraising activities for charity are deductible as charitable contributions.

You are required to file Form 990-PF, Return of Private Foundation or Section 4947(a)(1) Trust Treated as a Private Foundation. Form 990-PF must be filed by the 15th day of the fifth month after the end of your annual accounting period. A penalty of \$20 a day is charged when a return is filed late, unless there is reasonable cause for the delay. However, the maximum penalty charged cannot exceed \$10,000 or 5 percent of your gross receipts for the year, whichever is less. For organizations with gross receipts exceeding \$1,000,000 in any year, the penalty is \$100 per day per return unless there is reasonable cause for the delay. The maximum penalty for an organization with gross receipts exceeding \$1,000,000 shall not exceed \$50,000. This penalty may also be charged if a return is not complete, so please be sure your return is complete before you file it.

You are not required to file federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T, Exempt Organization Business Income Tax Return. In this letter we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

You are required to make your annual return available for public inspection within 180 days after the date of publication of its availability, and you must publish the notice of availability no later than the date required for filing the return. You are also required to make available a copy of your exemption application, any supporting documents, and this exemption letter. Failure to make these documents available for public inspection may subject you to a penalty of \$20 per day for each day there is a failure to comply (up to a maximum of \$10,000 in the case of an annual return).

You need an employer identification number even if you have no employees. If you did not enter an employer identification number on your application, we will assign a number to you and let you know. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

We considered your grant-making procedures under section 4945(g) of the Code. Based on the information submitted and assuming your scholarship program will be conducted as proposed with objectivity and nondiscrimination in awarding grants, we determined that your procedures in awarding scholarship grants comply with the requirements of section 4945(g)(1). This means that scholarships granted according to these procedures will not be "taxable expenditures" within the meaning of section 4945(d)(3).

This determination is conditioned on the understanding that there will be

Letter 1075 (R/C/CG)

THE PAYNE FOUNDATION INC

no material change in the facts upon which it is based. It is further conditioned on the premise that no grants will be awarded to the trust's creators, trustees, or members of the selection committee, or for a purpose that is inconsistent with the purposes described in section 170(c)(2)(B).

The approval of your grant-making procedures is a one-time approval of your system of standards and procedures that will result in grants that meet the requirements of section 4945(g)(1). Thus, approval will apply to succeeding grant programs only as long as the standards and procedures under which they are conducted do not differ materially from those described in your request.

We have not considered whether grants made under your procedures are excludable from the gross income of recipients under section 1171a) of the Code.

Any funds you distribute to individuals must be made on a true charitable basis to further the purposes for which you are organized. Therefore, you should maintain adequate records and case histories so that all grant distributions can be substantiated upon request by the Internal Revenue Service.

If we have indicated in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Because this letter could help resolve any questions about your exempt status and private foundation status, you should keep it for your records.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,



District Director

Oct 16 06 02:28p

Apr 27 05 01:17p
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199932 R20766

Driver's Edge
8601

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702-361-7607

17963-579-00683-9

P. 1
23852 ;



Department of the Treasury
Internal Revenue Service
CINCINNATI OH 45999

Date of this notice:
Taxpayer Identifying Number
Form: 2363

AUG. 23, 1999
88-0396368
Tax Period:

For assistance you may
call us at:

1-800-829-1040

Or you may write to us at
the address shown at the
left. If you write, be
sure to attach the bottom
part of this notice.



PAYNE FOUNDATION
2516 CORTINA AVE
HENDERSON NV 89014-6209164

EIN ASSIGNED IN ERROR

OUR RECORDS INDICATE WE HAVE INCORRECTLY ASSIGNED MORE THAN ONE EMPLOYER IDENTIFICATION NUMBER TO YOU. THE NUMBER SHOWN ABOVE IS YOUR CORRECT ONE. THE FOLLOWING NUMBER HAS BEEN INCORRECTLY ASSIGNED:

31-1650385

WE WILL TRANSFER ANY PAYMENTS OR RETURNS TO YOUR ACCOUNT UNDER THE CORRECT EMPLOYER IDENTIFICATION NUMBER.

PLEASE USE THE CORRECT NUMBER AND ACCOUNT NAME, EXACTLY AS SHOWN ABOVE, ON BUSINESS TAX RETURNS, PAYMENTS, PAYMENTS MADE ELECTRONICALLY, AND RELATED CORRESPONDENCE.

PLEASE DESTROY ANY FEDERAL TAX DEPOSIT COUPON BOOKS THAT SHOW THE INCORRECT EMPLOYER IDENTIFICATION NUMBER.

IF YOU DEPOSIT ELECTRONICALLY, PLEASE VERIFY THAT YOUR EIN IS CORRECT BEFORE MAKING YOUR DEPOSIT WITH THE FINANCIAL INSTITUTION DESIGNATED TO PROCESS YOUR ELECTRONIC FUNDS TRANSFER (EFT) TAX PAYMENTS.

WE APOLOGIZE FOR ANY INCONVENIENCE WE MAY HAVE CAUSED YOU, AND THANK YOU FOR YOUR COOPERATION.

To make sure that IRS employees give courteous responses and correct information to taxpayers, a second IRS employee sometimes listens in on telephone calls.

Keep this part for your records

Overlay 5 Form 8482 (Rev. 8-9)

Return this part to us with your check or inquiry

Your telephone number
() -

Best time to call

880396368 JH 00 0000

09

INTERNAL REVENUE SERVICE
CINCINNATI OH 45999

PAYNE FOUNDATION
2516 CORTINA AVE
HENDERSON NV 89014-6209164

Certificate of Business: Fictitious Firm Name

Please Select One:

- New Application
- Renewal of existing name

2011 AUG 19 02:58

Please Print or Type

The expiration date for such certificates shall be the last day of the sixtieth month from the date of filing.

The undersigned do/does hereby certify that The Payne Foundation, Inc.

with mailing address of 2516 Cortina Avenue, Henderson, NV, 89074

is/are conducting business in Clark County, Nevada, under the fictitious name of Driver's Edge

and that said firm is composed of the following person(s) whose name(s) and address(es) are as follows:

By signing below I do solemnly swear (or affirm), under penalty of perjury, that all statements made in this document are true.

(1) Jeff Payne, CEO

Full Name and title (Type or Print)

2516 Cortina Ave

Street Address of Business or Residence

Mailing Address, if different from above

Signature

Henderson, NV 89074

City, State, Zip

City, State, Zip

Date

8-19-11

(2)

Full Name and title (Type or Print)

Street Address of Business or Residence

Mailing Address, if different from above

Signature

City, State, Zip

City, State, Zip

Date

(3)

Full Name and title (Type or Print)

Street Address of Business or Residence

Mailing Address, if different from above

Signature

City, State, Zip

City, State, Zip

Date

(4)

Full Name and title (Type or Print)

Street Address of Business or Residence

Mailing Address, if different from above

Signature

City, State, Zip

City, State, Zip

Date

Diana Alba, County Clerk
08/19/2011 02:56:25 PM



Mail to: Diana Alba, County Clerk, Attn. FFN, P.O. Box 551604, Las Vegas NV 89155-1604
Include: Filing Fee of \$20.00 with the certificate plus 2 copies and a self-addressed stamped envelope

CLARK COUNTY CLERK
11/16/11 10:11 AM

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

DEPARTMENT OF THE TREASURY

Date: JUN 12 2007

Employer Identification Number:
88-0396368

DLN:
507067013

PAYNE FOUNDATION
8170 S EASTERN AVE STE 4-165
LAS VEGAS, NV 89123-2579

Contact Person: TRACY PRATER ID# 31330
Contact Telephone Number:
(877) 829-5500

60 Month Period Ends:
December 31, 2011

Addendum Applies:
No

Dear Applicant:

We have received your notification of intent to terminate your private foundation status under section 507(b)(1)(B) of the Internal Revenue Code during a 60 month period beginning January 31, 2007.

The information submitted indicates that you intend to operate as an organization described in sections 509(a)(1) and 170(b)(1)(A)(vi) of the Code during the 60 month period.

Based on your proposed activities and support, it is held that you can reasonably be expected to terminate your private foundation status under section 507(b)(1)(B) of the Code. Accordingly, you will be treated as a public charity described in sections 509(a)(1) and 170(b)(1)(A)(vi) of the Code for an advance ruling period of 60 months beginning January 31, 2007.

Within 90 days after the end of your 60 month period, you must establish to the satisfaction of the Internal Revenue Service that you have qualified as an organization which meets the requirements of paragraph (1), (2), or (3) of section 509(a) of the Code for the 60 month period. If you do establish that fact, you will be so classified for all purposes beginning with the first day of the first taxable year of the 60 month period and, thereafter, so long as you continue to meet the requirements of section 509(a)(1), (2), or (3). If, however, you do not meet these requirements for the 60 month period, you will be classified as a private foundation as of the first day of the first taxable year of the 60 month period.

If you satisfy the requirements of section 507(b)(1)(B) of the Code at the end of your 60 month period, you will not be subject to the provisions of section 507(a), (c), or (g) of the Code.

Grantors and donors may rely on the determination that you are not a private foundation until 90 days after the end of your advance ruling period. If you submit the required information within the 90 days, grantors and contributors may continue to rely on the advance determination until the Service makes a final determination of your foundation status.

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PAYNE FOUNDATION

You are required to file Form 990-PF, Return of Private Foundation or Section 4947(a)(1) Trust Treated as a Private Foundation, until you complete your 60 month termination and are classified as a section 509(a)(1) organization. Form 990-PF must be filed by the 15th day of the fifth month after the end of your annual accounting period. The law imposes a penalty of \$20 a day, up to a maximum of \$10,000 or 5 percent of your gross receipts (whichever is less), for failure to file a return on time unless there is reasonable cause for the delay. For organizations with gross receipts exceeding \$1,000,000 in any year, the penalty is \$100 per day per return, unless there is reasonable cause for the delay. The maximum penalty for an organization with gross receipts exceeding \$1,000,000 shall not exceed \$50,000. This penalty may also be charged if a return is not complete, so please be sure your return is complete before you file it.

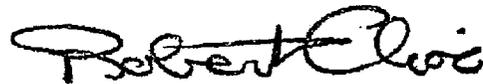
If you do not pay the tax imposed by section 4940 of the Code for any taxable year or years during the 60 month period, and it is subsequently determined that such tax is due for such year or years, you will be liable for interest in accordance with section 6601 of the Code. Since any failure to pay such taxes during the 60 month period is due to reasonable cause, the penalty under section 6651 with respect to the tax imposed by section 4940 shall not apply.

If the heading of this letter indicate that an addendum applies, the addendum enclosed is an integral part of this letter.

Because this letter could help resolve any questions about your exempt status and foundation status, you should keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,



Robert Choi
Director, Exempt Organizations
Rulings and Agreements

Enclosure(s):
Form 872

Letter 2245 (DO/CG)