

Memorandum

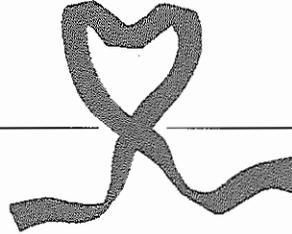
To: John Szerlag, City Manager
From: John M. Lamerato, Assistant City Manager/Finance and Administration
Tonni L. Bartholomew, City Clerk
Date: August 8, 2005
Subject: **Agenda Item** - Request for Recognition as a Nonprofit Organization Status from the Kimberly Anne Gillary Foundation for the Purpose of Obtaining a Charitable Gaming License

Attached is a request from Randall J. Gillary, President of the Kimberly Anne Gillary Foundation, seeking recognition as a nonprofit organization status for the purpose of obtaining a charitable gaming license to conduct a raffle and bingo on Labor Day weekend with proceeds to be used to purchase automated external defibrillators (AEDs) and training for Michigan high schools. It has been City Management's practice to support the approval of such requests.

The Kimberly Anne Gillary Foundation

201 West Big Beaver Road,
Suite 1020
Troy, MI 48084

Phone: (248) 528.0440
Fax: (248) 528.3412



August 3, 2005

Mayor Louise E. Schilling &
The Troy City Council
THE CITY OF TROY
500 West Big Beaver
Troy, MI 48084

Re: The Kimberly Anne Gillary Foundation's Application for "Recognition as a Non-Profit Organization" for the Purpose of Obtaining a Gaming License

Dear Mayor Schilling and City Council:

Attached please find the following documents on behalf of the Kimberly Anne Gillary Foundation. We are seeking to obtain recognition as a Non-Profit Organization for the Purpose of Obtaining a Gaming License:

- Blank "Local Governing Body Resolution for Charitable Gaming Licenses" form from Charitable Gaming Division—Lansing Michigan (#BSL-CG-1153(R7/02)).
- Documentation verifying the 501 (c)(3) status of the Kimberly Anne Gillary Foundation under Section 501(c)(3) of the Internal Revenue Code.
- A copy of our most recent Income Statement.
- A copy of our Articles of Incorporation.
- A copy of Form 872-C—Consent Fixing Period of Limitation Upon Assessment of Tax under Section 4940 of the Internal Revenue Code.
- The "Bylaws" for the Kimberly Anne Gillary Foundation.

My wife Sue and I established The Kimberly Anne Gillary Foundation, a 501 (c)(3) tax exempt corporation, after the death of our fifteen year old daughter Kimberly on April 3, 2000. She was a member of the Troy Athens Water Polo Team. Kimberly suffered a

cardiac arrest during a high school water polo game at Groves High School and was unable to be revived. We believe that if there had been an automated external defibrillator (AED) on site at the time of her cardiac arrest, Kim's chances of survival would have improved greatly. The mission of our Foundation is to ensure that every high school in Michigan has an automated external defibrillator (AED) and staff members trained in CPR and AED use. Our goal is to do what ever we can to prevent other families from going through what we did with the loss of our beloved Kimberly.

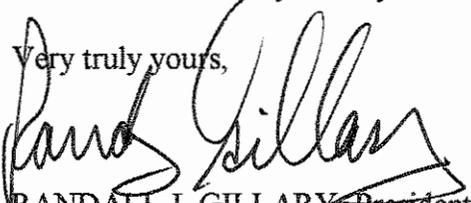
The Foundation has to date raised approximately \$689,000 and donated over 290 AEDs to Michigan high schools. The Foundation makes an unconditional gift of the AED to the high school and also pays for training for up to five people (\$175). There are about 915 high schools in Michigan. At a cost of approximately \$1,770 per unit and training, The Foundation will need about \$1.11 Million to complete its mission. All donations to The Kimberly Anne Gillary Foundation are fully tax deductible. All administrative expenses are paid by the Law Offices of Randall J. Gillary, P.C.

We are seeking a gaming license for a raffle and bingo to be held at the Blue Water Sportsman Club on Ravenswood Road near Port Huron on Labor Day weekend. Tickets will cost \$5.00 and all proceeds will be used to purchase automated external defibrillators (AEDs) and training for Michigan high schools.

We are respectfully asking that the Troy City Council adopt a resolution recognizing the Kimberly Anne Gillary Foundation as a Non-Profit Organization operating in the community for the purpose of obtaining a Charitable Gaming License.

Please feel free to contact me if you have any questions or would desire any additional information. Thank you for your consideration of our request.

Very truly yours,



RANDALL J. GILLARY, President

Enc.
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