

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS REQUIRING ALL NON-PROFIT BOARDS GOVERNED BY JOINT ADVISORY COMMITTEES AND THOSE RECEIVING FUNDING FROM THE CITY OF MISSION TO SUBMIT 990 FILINGS AND ANNUAL FINANCIAL REPORTS TO THE CITY MANAGER ANNUALLY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Mission, is a home-rule municipality; and

WHEREAS, the City of Mission commissioned various advisory committees by Ordinance to serve in a dual capacity as an advisory board to the City of Mission and as a board to a non-profit organization as allowed by the non-profit's charter, to be identified as joint advisory committees; and

WHEREAS, the City of Mission may provide funding to the non-profit component of such joint advisory committees and other non-profit organizations providing a service to the City of Mission and/or its citizens; and

WHEREAS, such non-profit boards governed by a joint advisory committee and/or funded non-profit organizations must be a 501(c)(3) non-profit as outlined in Section 501(c)(3) of the Internal Revenue Code (IRC); and

WHEREAS, the Internal Revenue Service (IRS) requires that such 501(c)(3) non-profits must submit three (3) years of consecutive Form 990 filings (Return of Organization Exempt from Income Tax); and

WHEREAS, the City has determined that it is in the best interest of the City of Mission to request 990 Filings and Annual Financial Reports from such non-profits annually to ensure they remain in compliance with the IRC and provide transparency to the City of Mission as a critical partner and funding agency.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS:

Section 1. The City Council of the City of Mission, Texas hereby declares that such non-profits stated herein will be required to submit 990 filings and Annual Financial Reports on an annual basis to the City Manager not later than 120 days from the end of their fiscal year.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND APPROVED this 11th day of November, 2024.

Norie Gonzalez Garza, Mayor

ATTEST:

Anna Carrillo, City Secretary