

## **ORDINANCE NO. 2014-11**

**AN ORDINANCE OF THE CITY OF WYLIE, TEXAS, AMENDING WYLIE'S CODE OF ORDINANCES NO. 2005-52, CHAPTER 2 (ADMINISTRATION), ARTICLE V (FINANCE), DIVISION 5 (DONATION OF PUBLIC FUNDS TO NOT-FOR-PROFIT ORGANIZATIONS), SECTIONS 2-161 (PURPOSE OF DIVISION), 2-162 (PROCEDURES), 2-163 (ELIGIBILITY CRITERIA), 2-165 (ACCOUNTABILITY) AND 2-166 (REQUEST FOR PUBLIC FUNDS FORM); PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.**

WHEREAS, the City Council of the City of Wylie, Texas ("City Council") has investigated and determined that the City of Wylie, Texas' ("City") Code of Ordinances No. 2005-52, as amended ("Code of Ordinances"), Chapter 2 (Administration), Article V (Finance), Division 5 (Donation of Public Funds to Not-For-Profit Organizations), Sections 2-161 (Purpose of Division), 2-162 (Procedures), 2-163 (Eligibility Criteria), 2-165 (Accountability) and 2-166 (Request for Public Funds Form), should be amended as set forth herein; and

WHEREAS, the City Council adopted Ordinance No. 2005-52 to establish a policy to provide guidance to not-for-profit organizations on the procedures for requesting donations of public funds from the City ("Donation Policy"); and

WHEREAS, the City Council desires to continue donating public funds in a fiscally responsible manner to qualified not-for-profit organizations which provide necessary services to the citizens of the City; and

WHEREAS, the City Council desires to amend the Donation Policy to streamline and clarify the process for requesting donations of public funds from the City; and

WHEREAS, the City Council has investigated and determined that it is in the best interest of the City and its citizens to amend the Code of Ordinances as set forth below.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS:**

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Amendment to the Code of Ordinances, Chapter 2 (Administration), Article V (Finance), Division 5 (Donation of Public Funds to Not-For-Profit Organizations), Sections 2-161 (Purpose of Division), 2-162 (Procedures), 2-163 (Eligibility Criteria), 2-165 (Accountability) and 2-166 (Request for Public Funds Form). The Code of Ordinances, Chapter 2 (Administration), Article V (Finance), Division 5

(Donation of Public Funds to Not-For-Profit Organizations), Sections 2-161 (Purpose of Division), 2-162 (Procedures), 2-163 (Eligibility Criteria), 2-165 (Accountability) and 2-166 (Request for Public Funds Form) are hereby amended as follows:

**“CHAPTER 2. ADMINISTRATION  
ARTICLE V. FINANCE  
DIVISION 5. DONATION OF PUBLIC FUNDS TO NOT-FOR-PROFIT  
ORGANIZATIONS**

**Sec. 2-161. Purpose of division.**

The City of Wylie may, from time to time, provide financial assistance to not-for-profit organizations that provide assistance to its citizens. In funding not-for-profit organizations, the City of Wylie will:

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**Sec. 2-162. Procedures.**

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- (1) Requests for the donation of public funds to not-for-profit organizations must be submitted to the city manager's office.
- (2) Organizations requesting the donation of public funds from the City of Wylie are required to complete the city's request form.
- (3) Each not-for-profit organization's application for funds will be screened by the city manager's office to ensure that the guidelines and criteria are met.
- (4) Presentations of qualified applicant requests will be made at a city council meeting, to include a public hearing.
- (5) Not-for-profit organizations whose requests do not meet the guidelines and criteria of this policy will be so notified and, if appropriate, invited to resubmit the request.
- (6) City council donations to not-for-profit organizations will be based on the benefit to the public and the priorities of community outcomes.

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**Sec. 2-163. Eligibility criteria.**

...

(10) ...

- d. A current list of the organization's board of directors, officers, and staff.
- e. The organization's bylaws and mission statement.
- f. Audited financial statements and/or detailed budgets for the two years prior to the date of the organization's request.

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**Sec. 2-165. Accountability.**

Not-for-profit organizations requesting donations of public funds will adhere to general accounting principles as set by law. Continued compliance with these standards is a criterion for possible future donations. Submission of an end-of-year financial report to the city after the donation is granted is required as a condition of the receipt of funds.

**Sec. 2-166. Request for public funds form.**

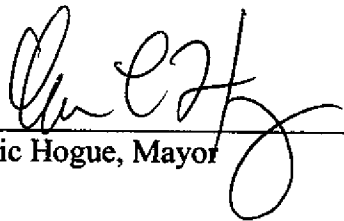
[NOTE: The form previously set forth in Section 2-166 is hereby removed – the form is on file and may be obtained in the City Secretary's Office.]”

**SECTION 3: Savings/Repealing Clause.** The Code of Ordinances shall remain in full force and effect, save and except as amended by this or any other ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed; but such repeal shall not abate any pending prosecution for violation of the repealed Ordinance, nor shall the repeal prevent prosecution from being commenced for any violation if occurring prior to the repeal of the Ordinance. Any remaining portions of conflicting ordinances shall remain in full force and effect.

**SECTION 4: Severability.** Should any section, subsection, sentence, clause and/or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City hereby declares that it would have passed this Ordinance, and each section, subsection, clause and/or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and/or phrases be declared unconstitutional and/or invalid.

**SECTION 5: Effective Date.** This Ordinance shall become effective from and after its passage.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, on this 25<sup>th</sup> day of March, 2014.**

  
Eric Hogue, Mayor

**ATTESTED TO BY AND  
CORRECTLY RECORDED BY:**

  
Carole Ehrlich, City Secretary

