

ORDINANCE NO. 2005-52

**AN ORDINANCE OF THE CITY COUNCIL OF WYLIE, TEXAS
ESTABLISHING A POLICY REGARDING FUNDING REQUESTS
RECEIVED BY NOT-FOR-PROFIT ORGANIZATIONS; PROVID-
ING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT;
PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR
AN EFFECTIVE DATE.**

WHEREAS, the City of Wylie, Texas annually receives requests for donations of public funds for various purposes; and

WHEREAS, these requests for donations of public funds have impacts on the fiscal stability of the City of Wylie; and

WHEREAS, the Wylie City Council wants to adopt a donation policy that provides public funds in a fiscally responsible manner to appropriate, qualified not-for-profit organizations providing services to the citizens of the City; and

WHEREAS, the Wylie City Council wants to adopt a donation policy that provides guidance to not-for-profit organizations on the procedures for requesting donations.

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

Section 1. That the City Council hereby adopts a policy as it relates to funding requests from not-for-profit organizations as detailed in Attachment "A".

Section 2. That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 3. Should any paragraph, sentence, subdivision, clause, phase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of the whole.

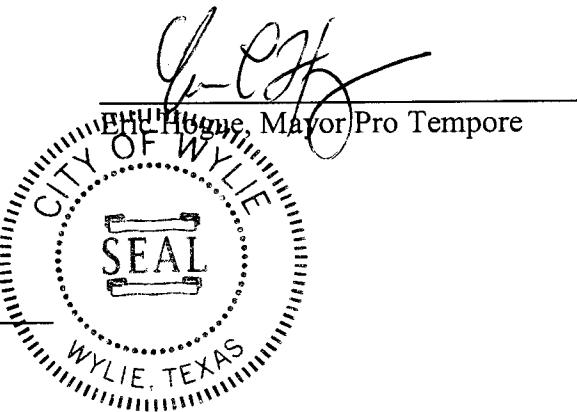
Section 4. This ordinance shall be in full force and effect from and after its adoption by the City Council and publication of its caption as the law and the City Charter provide in such cases.

Section 5. This policy will become effective for the 2006-07 budget cycle and beyond.

DULY PASSED AND APPROVED by the City Council of the City of Wylie, Texas
on this 11th day of October, 2005.

ATTEST:


Carole Ehrlich, City Secretary



Date of publication in *The Wylie News* – October 19, 2005

Attachment "A"

The City of Wylie Policy on Requests for the Donation of Public Funds In Support of Not-For-Profit Organizations

Purpose:

The City of Wylie is committed to providing financial assistance to not-for-profit organizations that provide assistance to its citizens.

In funding not-for-profit organizations, the City of Wylie will:

1. Encourage the not-for-profit organizations to provide services that meet specific needs of Wylie citizens.
2. Provide "last resort" capital or operating budget support to not-for-profit organizations.
3. Supplement (not supplant) funding from other sources available to not-for-profit organizations.
4. Provide limited funds to encourage the not-for-profit organizations to seek alternative resources of funds, donated materials and volunteer labor.
5. Relate specifically to measurable levels of service provided to City citizens.
6. Promote accountability through reporting of services provided.

Procedures:

The presentation and consideration of requests for expenditures of public funds by the City Council in support of not-for-profit organizations will be evaluated based on the following guidelines and criteria:

1. Requests for the donation of public funds to not-for-profit organizations must be submitted to the Wylie City Manager's Office on or before May 1, of each year for consideration in the operating budget process.
2. An emergency request may be submitted at anytime provided:
 - a. The request was not reasonably foreseeable on or before May 1, budget process deadline, or
 - b. The essential function of the requesting not-for-profit organization would be irreparably harmed if delayed to the next budget process cycle.
3. Organizations requesting the donation of public funds from the City of Wylie are required to complete the City's Request Form (Exhibit "A").

4. Each not-for-profit organization's application for funds will be screened by the City Manager's Office to ensure the guidelines and criteria are met.
5. Presentations of qualified applicant requests will be made at a City Council meeting appropriate to the operating budget process, to include a Public Hearing.
6. 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 for the next budget cycle.
7. City Council donations to not-for-profit organizations will be based on the benefit to the public and the priorities of community outcomes.

Eligibility Criteria:

At a minimum, the not-for-profit organizations will meet the following qualifying criteria to receive public funds:

1. The organization will be a non-profit, tax exempt 501(c) (3) corporation, in good standing with the State of Texas, and must have an active Board of Directors in compliance with IRS Section 501 (c) (3).
2. The organization will have been operating successfully for at least two years prior to the application deadline.
3. The organization will have sufficient funding support to meet ongoing operating costs and obligations.
4. The organization is not currently receiving other funding from the City of Wylie.
5. If previously funded by the City of Wylie, the organization must have successfully fulfilled all prior contractual obligations, or explain reasons for non-compliance.
6. Services and programs are need-based, nondiscriminatory, and provided to the citizens of the City of Wylie.
7. Services and programs are provided through means that are more cost effective than the City government could provide.
8. Services and programs supplement or extend the services and programs by the City.
9. Services and programs are able to fill gaps that may exist between those of the City and the needs of the community.
10. The organizations are able to verify their not-for-profit status and submit detailed financial documents for review by City staff, including, but not limited to:
 - a. Federal tax identification number;
 - b. Copy of 501(c)(3) nonprofit status certification letter; and
 - c. Certificate of liability insurance.

Restrictions on the Use of Public Funds:

The City of Wylie will not fund the following:

1. No more than 25% of the public funds request may be for salaries; however, under unusual circumstances, exceptions may be approved by the City Council.
2. Social functions, parties, receptions, fund-raising benefits, refreshments, or beverages.
3. Licensing fees of any kind.
4. Underwriting, investments, stocks, bonds, or any financial obligation.
5. Interest and/or depreciation on loans, fines, penalties, or costs of litigation.

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. These standards include, but are not limited to:

1. Submission of a current list of the organization's Board of Directors, officers, and staff.
2. Submission of the organization's bylaws and mission statement.
3. Submission of the most recent audited financial statement and/or detailed budget as part of the application process.
4. Submission of end-of-year financial report to the City after the donation is granted.

REQUEST FOR PUBLIC FUNDS FORM

Submit to: Office of the City Manager
City of Wylie
2000 Highway 78 North
Wylie, Texas 75098

Telephone: 972-442-8121

Fax: 972-442-4302

Deadline: May 1, _____

Name of Organization: _____

Address of Organization: _____

Telephone of Organization: _____

Name(s) of Contact Person: _____

Federal Tax ID: _____

Requested Donation Amount: _____

List of Attachments:

- ____ Copy of 501 (c) (3) Nonprofit Status Certification Letter.
- ____ Certificate of Liability Insurance.
- ____ Copy of Organization Bylaws and Mission Statement.
- ____ Current List of Board of Directors, Officers, and Staff.
- ____ Copy of the most recent Audited Financial Statement and/or Budget

Briefly describe the purpose, programs, and accomplishments of the organization:

How is the organization governed and managed?

What is the geographic service area of the organization?

If the organization serves outside the City of Wylie, please indicate the number or percentage of Wylie citizens served:

Has the organization previously applied for a donation of public funds from the City of Wylie? Yes No If "Yes" briefly describe the details and outcome of the request:

What is the intended use of the requested donation of public funds?

What benefit to the citizens of Wylie (educational, economic, health, etc.) will result from the requested donation of public funds?

Explain how the organization will evaluate the results of the use of this donation of public funds:

The undersigned do hereby attest that the above information is true and correct to the best of our knowledge.

Signature

Signature

Print Name

Print Name

Title

Title

Date

Date

STATE OF TEXAS COUNTY OF COLLIN

Before me, the undersigned authority, on this day personally appeared Chad Engbrock, publisher of *The Wylie News*, a newspaper regularly published in Collin County, Texas and having general circulation in Collin County, Texas, who being by me duly sworn, deposed and says that the foregoing attached

City of Wylie
Ord. No. 2005-49, Ord. No. 2005-50,
Ord. No. 2005-52, Ord. No. 2005-53

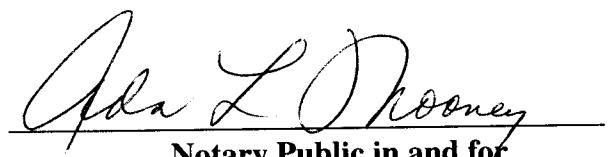
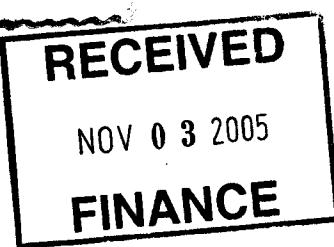
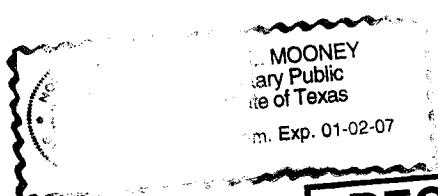
was published in said newspaper on the following dates, to-wit: Oct. 19, 2005



Chad Engbrock, Publisher

Subscribed and sworn before me on this 1st day of Nov, 2005

to certify which witness my hand and seal of office.



Ada L. Mooney
Notary Public in and for
The State of Texas

My commission expires 01/02/07

John Mondy, Alcalde
ATESTIGUA:
Carole Ehrlich,
Secretaria Municipal
21-2t-339-618 li

22-1t-1370-56li

At the Regular Meeting of
October 11, 2005 the Wylie
City Council passed and
approved four (4) ordinances.

**ORDINANCE
NO. 2005-49**

AN ORDINANCE OF THE
CITY OF WYLIE, TEXAS,
AMENDING ORDINANCE
NO. 98-16 (CONSOLIDATED
FEES AND CHARGES/FEES
SCHEDULE ORDINANCE),
SECTION 17.00 (ANIMAL
FEES AND CHARGES),
SUBSECTION 17.03
(IMPOUNDMENT AND
ADOPTION FEES); AND
ADDING SECTION 17.06
(LICENSE, REGISTRATION
FOR DANGEROUS DOG,
EUTHANASIA, DISPOSAL,
SURRENDER FEES AND
TRAP DEPOSITS); PROVID-
ING FOR REPEALING, SAV-
INGS AND SEVERABILITY
CLAUSES; AND PROVID-
ING FOR AN EFFECTIVE
DATE OF THIS ORDIN-
ANCE.

**ORDINANCE
NO. 2005-50**

AN ORDINANCE OF THE
CITY COUNCIL OF THE
CITY OF WYLIE, TEXAS,
HEREBY CHANGING THE
REGULAR CITY COUNCIL
MEETING DATES IN
NOVEMBER AND DECEMBER,
2005 AND SETTING
THE REGULAR CITY
COUNCIL MEETING
DATES FOR 2006 FOR THE
CITY OF WYLIE, TEXAS;
PROVIDING FOR SAVINGS,
REPEALING AND SEVER-
ABILITY CLAUSES; AND PRO-
VIDING FOR AN EFFECTIVE
DATE OF THIS ORDIN-
ANCE.

**ORDINANCE
NO. 2005-52**

AN ORDINANCE OF THE
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TEXAS ESTABLISHING A
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RECEIVED BY NOT-FOR-
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PROVIDING FOR THE
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PROVIDING A SEVERABILITY
CLAUSE; AND PRO-
VIDING FOR AN EFFECTIVE
DATE.

**ORDINANCE
NO. 2005-53**

AN ORDINANCE OF THE
CITY OF WYLIE, TEXAS
AMENDING ORDINANCE
NO. 2005-41 (2005-2006
BUDGET) AND APPROV-
ING AN APPROPRIATION
OF FUNDS IN THE
AMOUNT OF \$2,610.00 FOR
THE PURPOSE OF ADDING
A CROSSING GUARD AT
THE INTERSECTION OF

sons are encouraged to attend
the public hearings and express
their opinions concerning the
proposed revisions. Anyone
unable to attend but wishing to
make their opinions a part of
the public record, may submit
written comments, complete
with name and address as well
as the address or tax identification
of the property owned, through
October 25, 2001, to the following
address. Telephone comments will not
be received.

**City of Wylie
Planning Department
2000 Highway 78 North
Wylie, Texas 75098**

Copies of the proposed revisions
to the Zoning Ordinance are available
for public review in the Planning
Department at the Municipal Building
at 2000 Highway 78 North, Wylie,
Texas, and at the Smith Public
Library at 800 Thomas Street,
Wylie, Texas.

22-1t-339-71 li

**Notice of Public Hearings
NOTICE IS HEREBY
GIVEN TO ALL INTER-
ESTED PERSONS, THAT:**

The Sachse Economic
Development Corporation pro-
poses to initiate a 4B Project
within the City of Sachse for
the purpose of transportation
improvements in a commercial
area near 6404 Highway 78
within the City of Sachse. The
purpose of the 4B Project is to
contribute to the retention or
expansion of primary employ-
ment or to attract major invest-
ment and industry to the City
of Sachse for the purpose of
creating jobs and expanding
the tax base. A public hearing
will be held by and before the
Sachse Economic

Development Corporation of
the City of Sachse, Texas on
the 9th day of November, 2005
at 7:00 p.m. in the City
Council Chamber of City Hall
of the City of Sachse, 5560
Highway 78, Sachse, Texas,
for all persons interested in the
above 4B Project. At said time
and place, all such persons
shall have the right to appear
and be heard. Of all said mat-
ters and things, all persons
interested in the things and
matters herein mentioned, will
take notice.

22-1t-1970-51 li

**Statement of Ownership,
Management and
Circulation**

The Wylie News, publication
number 626-520, is a weekly
newspaper, published 52 times
annually, with annual subscrip-
tion rates of \$23 and \$28.

The mailing address for the
office is 110 N. Ballard
Avenue, Wylie, TX 75098.
The mailing address for the

mail (carriers or other means)
the average number of copies per
issue during the preceding
12 months was 48, with the
number of copies of single
issue published nearest to fil-
ing date being 25.

Total distribution the aver-
age number of copies per issue
during the preceding 12
months was 4,057, with the
number of copies of single
issue published nearest to fil-
ing date being 4,081.

Copies not distributed the
average number of copies per
issue during the preceding 12
months was 274, with the
number of copies of single issue
published nearest to filing date
being 169.

Total distribution the aver-
age number of copies per issue
during the preceding 12
months was 4,331, with the
number of copies of single
issue published nearest to fil-
ing date being 4,250.

Percent paid and/or request-
ed circulation the average
number of copies per issue
during the preceding 12
months was 97.5%, with the
number of copies of single
issue published nearest to fil-
ing date being 98.1%.

The publication of
Statement of Ownership will
be printed in the Oct. 19, 2005
issue of *The Wylie News*.

22-1t-1723-71 li

**NOTICE OF PUBLIC
HEARING
ON PROPOSED CHANGES
TO THE
ZONING ORDINANCE
AND MAP
CITY OF WYLIE**

The Planning and Zoning
Commission and City Council
of the City of Wylie will hold
public hearings to consider
proposed revisions to the
Zoning Ordinance and Map,
specifically Article 3 related to
development regulations for
new residential uses as well as
infill residential and Article 4
related to development regulations
for nonresidential uses.
These hearings will be held as
follows:

Planning & Zoning
Commission: Tuesday,
October 4, 2005, 7:00 PM
City Council: Tuesday,
October 25, 2005, 6:00 PM

Each hearing will be held in
the following location:

Council Chambers of the
Municipal Complex
2000 Highway 78 North,
Wylie, Texas