

## **RESOLUTION 19-R-36**

**A RESOLUTION BY THE CITY OF ALVIN, TEXAS, DELEGATING AUTHORITY TO SIGN FORM 2848, IRS POWER OF ATTORNEY, TO THE CITY'S CHIEF FINANCIAL OFFICER; AND AUTHORIZING THE FIRM OF MITCHELL, WILLIAMS, SELIG, GATES & WOODYARD, PLCC (MITCHELL WILLIAMS), THE POWER TO NEGOTIATE AND ENGAGE IN SETTLEMENT DISCUSSIONS WITH THE INTERNAL REVENUE SERVICE ON BEHALF OF THE CITY OF ALVIN.**

**WHEREAS**, the TML MultiState Intergovernmental Employee Benefits Pool (the "Pool") may have failed to timely file IRS Forms 1094-C and 1095-C (the "Tax Forms") for the 2016 and 2017 federal tax years on behalf of the City of Alvin, related to the City of Alvin's provision of minimum essential health coverage to its employees; and

**WHEREAS**, the Pool has agreed to resolve any proposed imposition of penalties and fines by the IRS for the late filing of the Tax Forms (the "Penalties") on behalf of all affected members of the Pool, including the City of Alvin; and

**WHEREAS**, the Pool has engaged the law firm of Mitchell, Williams, Selig, Gates & Woodyard, PLLC ("Mitchell Williams") to represent the Pool and its members before the IRS with respect to any such Penalties, and the Pool shall be solely responsible for all communication with and payment of Mitchell Williams with regard to such matter; and

**WHEREAS**, in order for Mitchell Williams and its attorneys to communicate with the IRS regarding any Penalties proposed to be assessed against the City of Alvin, an authorized official of the City of Alvin must execute a Form 2848 IRS Power of Attorney authorizing the attorneys to represent the City of Alvin before the IRS; and

**WHEREAS**, the City of Alvin finds it necessary and proper to authorize the City of Alvin to execute a Form 2848 on behalf of the City of Alvin for such purpose;

### **NOW THEREFORE, IT IS HEREBY RESOLVED:**

1. The City of Alvin is hereby authorized to engage Mitchell Williams to represent the City of Alvin before the IRS with respect to resolving the proposed IRS Penalties that have been or may in the future be asserted against the City of Alvin.

2. The City of Alvin's Chief Financial Officer is hereby authorized to execute a Form 2848 IRS Power of Attorney, in the form attached hereto as Exhibit A, for the purpose of granting the attorneys listed therein the authority to represent the City of Alvin before the IRS solely with respect any such proposed Penalties for tax years 2016 and 2017.

**PASSED AND APPROVED** this the 5<sup>th</sup> day of September 2019.

**THE CITY OF ALVIN, TEXAS**

**ATTEST**

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Paul A. Horn, Mayor

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Dixie Roberts, City Secretary