

# DRAFT

## RESOLUTION OF THE AUSTIN NEIGHBORHOODS COUNCIL REGARDING 501(c)(3) status

**WHEREAS**, as a 501(c)(3), ANC can receive tax-deductible donations, improving its fundraising opportunity; and

**WHEREAS**, as a 501(c)(3), ANC is eligible to receive in-kind donations, such as professional team collaborations tools; and

**WHEREAS**, as a 501(c)(3), ANC can continue to advocate on issues for neighborhoods and residents; and

**WHEREAS**, as a 501(c)(3), ANC can continue to collaborate with other advocacy groups who share ANC's interests; **NOW, THEREFORE**,

**BE IT RESOLVED THAT** the ANC Executive Committee will amend the articles of incorporation as follows, with gold text being inserted and red text being removed:

### **ARTICLE 4 PURPOSES**

The purposes for organizing the Corporation are to perform charitable activities within the meaning of Internal Revenue Code Section 501(c)(3) and Texas Tax Code Section 11.18(c). The purposes for which the corporation is formed are exclusively charitable and educational within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as now in effect or as it may hereafter be amended (hereafter the "Internal Revenue Code"). In particular, this includes:

- To make a positive contribution through the betterment of our neighborhoods and the promotion of civic education and awareness.
- To act as a coordinating body for the efforts of Austin area neighborhood groups, which shall remain as autonomous groups,
- To encourage and assist in the formation of new neighborhood groups,
- To act as a clearinghouse for information and to provide information on neighborhood issues to individual neighborhoods,
- To research ~~these~~ plans, zoning changes, resolutions, ordinances, and legislation which affect neighborhoods in the Austin area and to make specific recommendations within the limits of our 501(c)(3) status,
- To provide its members information and education through forums, seminars, etc. on those subjects relating to neighborhood concerns.,

### **ARTICLE 8 RESTRICTIONS AND REQUIREMENTS**

No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to, any member, trustee, director, or officer of the corporation, or any private shareholder or private individual, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered to or for the corporation for carrying out the purposes set forth

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herein. The directors, officers and committee members, however, may not receive compensation for their services in those capacities.

In addition, the Corporation shall not participate in or intervene in, directly or indirectly, any political campaign on behalf of any candidate for public office or in any partisan activity

### **ARTICLE 9 DISSOLUTION**

In the event that the corporation should ever dissolve, any remaining assets and property of the corporation shall, after paying or making provision for the payment of all liabilities of the corporation and for necessary expenses thereof, be applied exclusively for exempt 501(c)(3) purposes to accomplish the charitable and educational purposes for which the corporation is organized by distributing such assets to one or more Charitable Organization or Organizations with similar purposes. In the event of voluntary dissolution, such Charitable Organization or Organizations shall be selected by the directors of the corporation, in their discretion, subject to approval of the plan of distribution which may, pursuant to Texas law, be required by the Texas Secretary of State, Attorney General of the State of Texas, and/or the court having jurisdiction over a *cy pres* proceeding with regard to such assets and property. In no event shall any of the assets be distributed to any trustee, director, or officer of the corporation, or any private shareholder or private individual.

**BE IT FURTHER RESOLVED THAT** The Executive Committee shall register the ANC as a 501(c)(3) organization.

**Presented to ANC Membership: May 22, 2019**

**Membership Approved:**

**Sponsor Contact:**

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