

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEER PARK
AUTHORIZING REPRESENTATION IN IRS MATTER AND DELEGATING
AUTHORITY TO EXECUTE FORM 2848 IRS POWER OF ATTORNEY**

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 Deer Park, related to the City of Deer Park’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 Deer Park; 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 Deer Park, an authorized official of the City of Deer Park must execute a Form 2848 IRS Power of Attorney authorizing the attorneys to represent the City of Deer Park before the IRS; and

WHEREAS, the City Council finds it necessary and proper to authorize Mayor Jerry L. Mouton, Jr. to execute a Form 2848 on behalf of the City of Deer Park for such purpose;

NOW THEREFORE, IT IS HEREBY RESOLVED:

1. The City of Deer Park is hereby authorized to engage Mitchell Williams to represent the City of Deer Park 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 Deer Park.
2. Mayor Jerry L. Mouton, Jr. 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 Deer Park before the IRS solely with respect any such proposed Penalties for tax years 2016 and 2017.

PASSED AND APPROVED this ____ day of _____, 2019

APPROVED:

ATTEST:

Jerry L. Mouton, Jr., Mayor

Shannon Bennett, City Secretary