

**ORDINANCE NO. O-2023-36**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, APPROVING THE APPOINTMENT OF CHAIRPERSON AND DIRECTORS FOR POSITION NUMBERS THREE, FIVE, SEVEN AND EIGHT TO THE BOARD OF DIRECTORS FOR REINVESTMENT ZONE NO. 3; SETTING FORTH OTHER PROVISIONS RELATED THERETO; MAKING FINDINGS RELATED THERETO; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council has adopted Ordinance No. 0-2008-142 designating a 491 acre parcel of land within the City of Tyler, Texas as Reinvestment Zone Number Three ("Zone No. 3") under the provisions of Chapter 311 of the Texas Property Tax Code; and

**WHEREAS**, on 11/12/08, the City Council adopted Ordinance No. 0-2008-142 which established a Board of Directors for Zone No. 3 consisting of nine (9) members, being positions One (1) through Seven (7), to be nominated and appointed by the Mayor, position Eight (8) being appointed by the County of Smith, Position Nine (9) being appointed by the Tyler Junior College District, with one of the said members being nominated and appointed as the Chairperson by the Mayor, and all said appointments approved by the City Council; and

**WHEREAS**, on 4/23/08, the City Council adopted Resolution No. R-2008-8 which created the Local Government Corporation (the Tyler Redevelopment Authority), pursuant to Chapter 431 of the Texas Transportation Code and Chapter 394 of the Texas Local Government Code, to manage and implement TIRZ No. 3; and

**WHEREAS**, on 2/24/16, the City Council adopted Ordinance No. 0-2016-19, making certain appointments to the Board of Directors for Reinvestment No. 3 and to the Tyler Redevelopment Authority; and

**WHEREAS**, on 7/12/17, the City Council adopted Ordinance No. O-2017-50, making certain appointments to the Board of Directors for Reinvestment Zone No. 3 and to the Tyler Redevelopment Authority; and

**WHEREAS**, the City Council hereby approves the nomination and appointment of the duly qualified persons listed below to Chairperson and to Positions 3, 5 and 7 on the Board of Directors for Zone No. 3 for the terms as described; and

**WHEREAS**, the City Council hereby approves the nomination and appointment by Smith County of the duly qualified persons listed below to Position 8 on the Board of Directors for Zone No. 3 for the terms as described below;

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

**PART 1: Findings**

- (a) That the facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct and are adopted as part of this Ordinance for all purposes.
- (b) It is hereby found and declared that all of the nominees listed in Part 2 (i) are at least 18 years of age and either (ii) are residents of the county in which the Zone is located or a county adjacent to that county or (iii) own real property in the Zone.

**PART 2: Consent To and Approval of Appointment to the Board of Directors of Reinvestment Zone Number Three**

That the City Council does hereby consent to and approve of the appointment to the Board of Directors of Reinvestment Zone Number Three, City of Tyler, Texas, of the duly qualified persons to Chairperson and Director Positions 3, 5, 7 and 8 as described below:

<u>Name and Address</u>	<u>Position</u>	<u>Term Expires</u>
Mayor Donald Warren	One/Chairperson	12-10- <u>2025</u>
Councilmember Broderick McGee	Two	12-10-2023
Councilmember Shirley McKellar	Three	12-10-2024
Councilmember Stuart Hene	Four	12-10-2023
Councilmember James Wynne	Five	12-10-2024
Councilmember Lloyd Nichols	Six	12-10-2025
Councilmember Brad Curtis	Seven	12-10-2024
County Commissioner Ralph Caraway, Sr.	Eight (County)	12-10-2023

**PART 3: Open Meetings**

It is hereby found, determined and declared that a sufficient written notice of the date, hour, place and subject of the meeting of the City Council at which this Ordinance was adopted was posted at a place convenient and rapidly accessible at all times to the general public at the City Hall of the City for the time required by law preceding its meeting, as required by the Open Meetings Law, Texas Government Code, Ch. 551, as amended, and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter hereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

**PART 4:** Should any section, subsection, sentence, provision, clause or phrase be held to be invalid for any reason, such holding shall not render invalid any other section, subsection, sentence, provision, clause or phrase of this ordinance and same are deemed severable for this purpose.

**PART 5:** This Ordinance shall be effective on the date of passage and approval by the City Council.

**PASSED AND APPROVED** on this the 10th day of May, 2023.



DONALD P. WARREN, MAYOR  
OF THE CITY OF TYLER, TEXAS

ATTEST:

APPROVED:



CASSANDRA BRAGER, CITY CLERK



DEBORAH G. PULLUM,  
CITY ATTORNEY