

ORDINANCE NO. 0-2023-37

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, APPROVING THE APPOINTMENT OF DIRECTORS FOR POSITION NUMBERS FOUR AND FIVE TO THE BOARD OF DIRECTORS FOR REINVESTMENT ZONE NO. 4; SETTING FORTH OTHER PROVISIONS RELATED THERETO; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council has adopted Ordinance No. 0-2016-90 designating one contiguous area within the City of Tyler, Texas as Reinvestment Zone Number Four ("Zone No. 4") under the provisions of Chapter 311 of the Texas Property Tax Code; and

WHEREAS, Ordinance No. O-2016-90 originally set forth a Board of Directors for the Zone composed of nine members, including seven positions appointed by the Mayor and confirmed by City Council, and two positions appointed by other participating taxing jurisdictions; and

WHEREAS, Ordinance No. O-2017-51, amended the Board membership to reduce the number of board members appointed by the Mayor and confirmed by the City Council to four (4) members, and provided three (3) board positions to be appointed by the Smith County Judge for the duration of Smith County's participation, and two (2) board positions to be appointed by the TJC Board of Trustees for the duration of Tyler Junior College's participation; and

WHEREAS, per Ordinance No. O-2017-51, the established Board of Directors for Zone No. 4 now consists of nine (9) members, being positions One (1) through Four (4), to be nominated and appointed by the Mayor, positions Five (5) through Seven (7) being appointed by the County of Smith, Positions Eight (8) and 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 1/27/21, the City Council adopted Ordinance No. 0-2021-12, making certain appointments to the Board of Directors for Reinvestment Zone No. 4; and

WHEREAS, the City Council hereby approves the nomination and appointment of the duly qualified persons listed below to Position 4 on the Board of Directors for Zone No. 4 for the terms as described; and

WHEREAS, the City Council hereby approves the nomination and appointment by Smith County of the duly qualified person listed below to Position 5 on the Board of Directors for Zone No. 4 for the term 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 Parts 2—are either (i) qualified voters of the City or (ii) at least 18 years of age and own real property in the Zone, and /or (iii) are designated representatives of property owners in the Zone.

PART 2. Consent To and Approval of Appointment to the Board of Directors of Reinvestment Zone Number Four

That the City Council does hereby consent to and approve of the appointment to the Board of Directors of Reinvestment Zone Number Four, City of Tyler, Texas, of the duly qualified persons to Director Position 4 and 5 as described below:

<u>Name and Address</u>	<u>Position</u>	<u>Term Expires</u>
Mayor Donald P. Warren	One/Chairperson	06-14-2023
Councilmember Broderick McGee	Two	06-14-2024
Councilmember James Wynne	Three	06-14-2023
Councilmember Stuart Hene	Four	06-14-2024
Commissioner, Pct 4, Ralph Caraway, Sr.	Five (County)	06-14-2023
Casey Murphy, County Communications Director	Six (County)	06-14-2024
Commissioner, Pct 1, Neal Franklin	Seven (County)	06-14-2023
David Hudson, TJC Board of Trustees	Eight (TJC)	06-14-2024
Eight (TJC)		
Sarah Van Cleef, TJC CFO	Nine (TJC)	06-14-2023

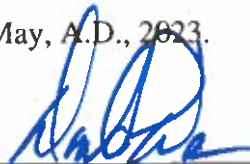
PART 3. **Open Meetings**

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 in accordance with the Tyler City Charter.

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



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

ATTEST:


CASSANDRA BRAGER, CITY CLERK

APPROVED:


DEBORAH G. PULLUM, CITY ATTORNEY

