

ORDINANCE NO. 0-2013-9

AN ORDINANCE APPROVING THE APPOINTMENT OF CHAIRPERSONS AND DIRECTORS FOR POSITION NUMBERS ONE THROUGH SEVEN TO THE BOARDS OF DIRECTORS FOR REINVESTMENT ZONE NO. 2 AND REINVESTMENT ZONE NO. 3; APPROVING ADDITIONAL APPOINTMENTS BY SMITH COUNTY AND TYLER JUNIOR COLLEGE FOR POSITION NUMBERS EIGHT AND NINE TO THE BOARDS OF DIRECTORS FOR REINVESTMENT ZONE NO. 2 AND REINVESTMENT ZONE NO. 3; AND APPROVING THE APPOINTMENT OF CHAIRPERSON AND DIRECTORS FOR POSITION NUMBERS ONE THROUGH NINE TO THE TYLER REDEVELOPMENT AUTHORITY; AND SETTING FORTH OTHER PROVISIONS RELATED THERETO.

WHEREAS, the City Council has adopted Ordinance Nos. 0-2008-142 and 0-2008-38 designating two contiguous areas within the City of Tyler, Texas as Reinvestment Zone Number Two ("Zone No. 2") and Reinvestment Zone Number Three ("Zone No. 3") under the provisions of Chapter 311 of the Texas Tax Code; and

WHEREAS, Ordinance Nos. 0-2008-142 and 0-2008-38 established Boards of Directors for Zone No. 2 and Zone No. 3 which shall each consist 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, the City Council hereby approves the nomination and appointment of the duly qualified persons listed below to Chairperson and to Positions 1 through 7 on the Boards of Directors for Zone No. 2 and Zone No. 3 for the terms as described; and

WHEREAS, the City Council hereby approves the nomination and appointment by Smith County and Tyler Junior College District of the duly qualified persons listed below to Positions 8 and 9 on the Boards of Directors for Zone No. 2 and Zone No. 3 for the terms as described below; and

WHEREAS, Resolution No. R-2008-8 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. 2 and TIRZ No. 3; and

WHEREAS, the City Council hereby approves the nomination and appointment of the duly qualified persons listed below to Directors for Positions 1 through 9 on the Tyler Redevelopment Authority;

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

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, 3 and 4 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 Two

That the City Council does hereby consent to and approve of the appointment to the Board of Directors of Reinvestment Zone Number Two, City of Tyler, Texas, of the duly qualified persons to Chairperson and Director Positions 1 through 9 as described below:

<u>Name and Address</u>	<u>Position</u>	<u>Term Expires</u>
Mayor Barbara Bass	One/Chairperson	12-10-2014
Deputy Mayor Ralph Caraway	Two	12-10-2013
Councilman Darryl Bowdre	Three	12-10-2014
Councilman Sam Mezayek	Four	12-10-2013
Councilman Martin Heines	Five	12-10-2014
Councilman Mark Whatley	Six	12-10-2013
Councilman for District 6	Seven	12-10-2014
County Commissioner JoAnn Hampton	Eight (County)	12-10-2014
Tyler Junior College Board Member, Mike Coker	Nine (TJC)	12-10-2014

PART 3. 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 1 through 9 as described below:

<u>Name and Address</u>	<u>Position</u>	<u>Term Expires</u>
Mayor Barbara Bass	One/Chairperson	12-10-2014
Deputy Mayor Ralph Caraway	Two	12-10-2013

Councilman Darryl Bowdre	Three	12-10-2014
Councilman Sam Mezayek	Four	12-10-2013
Councilman Martin Heines	Five	12-10-2014
Councilman Mark Whatley	Six	12-10-2013
Councilman from District 6	Seven	12-10-2014
County Commissioner JoAnn Hampton	Eight (County)	12-10-2014
Tyler Junior College Board Member, Mike Coker	Nine (TJC)	12-10-2014

PART 4. Consent To and Approval of Appointment to the Board of Directors of the Tyler Redevelopment Authority

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 1 through 9 as described below:

<u>Name and Address</u>	<u>Position</u>	<u>Term Expires</u>
Mayor Barbara Bass	One/Chairperson	12-10-2014
Deputy Mayor Ralph Caraway	Two	12-10-2013
Councilman Darryl Bowdre	Three	12-10-2014
Councilman Sam Mezayek	Four	12-10-2013
Councilman Martin Heines	Five	12-10-2014
Councilman Mark Whatley	Six	12-10-2013
Councilman District 6	Seven	12-10-2014
County Commissioner JoAnn Hampton	Eight (County)	12-10-2014
Tyler Junior College Board Member, Mike Coker	Nine (TJC)	12-10-2014

PART 5. **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 6. This Ordinance shall be effective on the date of passage in accordance with the Tyler City Charter.

PASSED AND APPROVED on first reading on the 23rd day of January, 2013.



BARBARA BASS, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK

APPROVED:


GARY C. LANDERS, CITY ATTORNEY