

ORDINANCE NO. 0-2013-114

AN ORDINANCE APPROVING THE APPOINTMENT OF A CHAIRPERSON AND DIRECTORS FOR POSITION NUMBERS ONE THROUGH SIX TO THE BOARD OF DIRECTORS FOR REINVESTMENT ZONE NO. 1; APPROVING ADDITIONAL APPOINTMENTS BY SMITH COUNTY, TYLER JUNIOR COLLEGE AND TYLER INDEPENDENT SCHOOL DISTRICT FOR POSITION NUMBERS SEVEN THROUGH NINE TO THE BOARD OF DIRECTORS FOR REINVESTMENT ZONE NO. 1; AND SETTING FORTH OTHER PROVISIONS RELATED THERETO; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council has adopted Ordinance No. 0-1998-100 designating a contiguous area within the City of Tyler, Texas as Reinvestment Zone Number One ("Zone No. 1") under the provisions of Chapter 311 of the Texas Tax Code; and

WHEREAS, Ordinance No. 0-95-12 established Board of Directors for Zone No. 1 which shall consist of nine (9) members, being Positions One (1) through Six (6), to be nominated and appointed by the Mayor, Position Seven (7) being appointed by the County of Smith, Position Eight (8) being appointed by the Tyler Independent School District, 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 9 on the Board of Directors for Zone No. 1 for the terms as described; and

WHEREAS, the City Council hereby approves the nomination and appointment by Smith County, Tyler Independent School District and Tyler Junior College District of the duly qualified persons listed below to Positions 7 and 9 on the Board of Directors for Zone No. 1 for the terms as described below; and

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 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 One

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

<u>Name</u>	<u>Position</u>	<u>Term Expires</u>
Dean Cagle	One/Chairperson	01-01-2015
Fred Carl	Two/Secretary	01-01-2015
Sidney Green	Three	01-01-2014
Kathy Harry	Four	01-01-2014
Billy Hibbs, Jr.	Five/Vice Chairman	01-01-2015
Ed Wallace	Six	01-01-2014
JoAnn Hampton	Seven (County)	01-01-2014
Tosha Bjork	Eight (TISD)	01-01-2014
Sarah Van Cleef	Nine (TJC)	01-01-2014

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 That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 5. 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 11th day of December, 2013.



BARBARA BASS, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK

APPROVED:


DEBORAH G. PULLUM,
CITY ATTORNEY

