

ORDINANCE NO. O-2025-36

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, APPROVING THE APPOINTMENT OF POSITION 1/CHAIRPERSON AND DIRECTORS FOR POSITION NUMBERS THREE, FIVE, SEVEN, NINE AND TEN 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. O-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, on 1/27/21, the City Council adopted Ordinance No. O-2021-12, making certain appointments to the Board of Directors for Reinvestment Zone No. 4; and

WHEREAS, on 8/24/22, the City Council adopted Ordinance No. O-2022-82, making certain appointments to the Board of Directors for Reinvestment Zone No. 4; and

WHEREAS, on 5/10/23, the City Council adopted Ordinance No. O-2023-37, making certain appointments and amendments to the Board of Directors for Reinvestment Zone No. 4; and

WHEREAS, on 7/12/23, the City Council adopted Ordinance No. O-2023-57, making certain appointments to the Board of Directors for Reinvestment Zone No. 4; and

WHEREAS, on 10/11/2023, the City of Tyler Ordinance No. O-2023-96 adopted the Reinvestment Zone Number Four, City of Tyler, Texas, Amended and Restated Final Project and Finance Plan (the "Amended Plan"), and for the extended term to 2060; and

WHEREAS, on 5/22/2024, the City of Tyler Ordinance No. O-2024-60 amended the Board of Directors composition, which retained the number of board members appointed by the Mayor and confirmed by the City Council to four (4) members, provided four (4) board positions to be appointed by the Smith County Judge for the duration of Smith County's participation, and maintained two (2) board positions to be appointed by the TJC Board of Trustees for the duration

of Tyler Junior College's participation, 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 5/22/2024, the City Council adopted Ordinance No. O-2024-62, 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 Chairperson (1) and to Position 3 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 persons listed below to Positions 5 and 7 on the Board of Directors for Zone No. 4 for the terms as described below; and

WHEREAS, the City Council hereby approves the nomination and appointment by the TJC Board of Trustees of the duly qualified persons listed below to Positions 9 and 10 on the Board of Directors for Zone No. 4 for the terms 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 each nominee listed in Part 2 is at least 18 years of age and:
 - 1. If the Board is covered by Texas Local Government Code Section 311.009(a), is (i) a resident of the county in which the Zone is located or a county adjacent to that county; or (ii) owns real property in the Zone; OR
 - 2. If the Board is covered by Texas Local Government Code Section 311.009(b), (i) owns real property in the Zone; or (ii) is an employee or agent of a person that owns real property 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 terms to the Board of Directors of Reinvestment Zone Number Four, City of Tyler, Texas, of the duly qualified persons to Director Position 4 as described below:

Name and Address	Position	Term Expires
<u>Mayor Donald P. Warren</u>	One/Chairperson	05-22-2026
Broderick McGee	Two/Vice Chair	05-22-2026
<u>Councilmember James Wynne</u>	Three	05-22-2027
Jay Ward	Four	05-22-2026
<u>Commissioner, Pct 4, Ralph Caraway, Sr.</u>	Five (County)	06-14-2027
Casey Murphy	Six (County)	05-22-2026
<u>County Judge, Neal Franklin</u>	Seven (County)	06-14-2027
Ed Nichols	Eight (County)	05-22-2026
<u>David Hudson, TJC Board of Trustees</u>	Nine (TJC)	06-14-2026
<u>Sarah Van Cleef, TJC CFO</u>	Ten (TJC)	06-14-2027

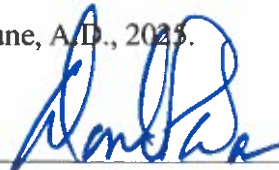
PART 3. Open Meetings

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 readily 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 25th day of June, A.D., 2023.



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

ATTEST:



CASSANDRA BRAGER, CITY CLERK



APPROVED:



DEBORAH G. PULLUM, CITY ATTORNEY