

RESOLUTION NO. R-2023-37

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, SETTING A PUBLIC HEARING UNDER SECTION 311.003 OF THE TEXAS TAX CODE FOR THE AMENDMENT OF REINVESTMENT ZONE NUMBER THREE, CITY OF TYLER, TEXAS TO CONSIDER AMENDING THE TERM OF REINVESTMENT ZONE NUMBER THREE; AUTHORIZING THE ISSUANCE OF NOTICE BY THE CITY SECRETARY OF THE CITY OF TYLER, TEXAS, REGARDING THE PUBLIC HEARING; AND DIRECTING THE CITY OF TYLER, TEXAS TO PREPARE AN AMENDED AND RESTATED FINAL PROJECT AND FINANCE PLAN; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Tyler, Texas (the "City"), is authorized under Chapter 311 of the Texas Tax Code, as amended (the "Act"), to create a tax increment reinvestment zone within its corporate limits; and

WHEREAS, the City previously created Reinvestment Zone Number Three, City of Tyler, Texas (the "Zone") on November 12, 2008 by approving Ordinance No. O-2008-142 (the "Creation Ordinance"); and

WHEREAS, the City Council of the City (the "City Council") has determined it is in the best interest of the City to consider amending the term of the Zone; and

WHEREAS, the City Council wishes to hold a public hearing in accordance with Section 311.003 of the Act regarding the term amendment of the Zone as included in the *Reinvestment Zone Number Three, City of Tyler, Texas, Amended and Restated Final Project and Finance Plan* (the "Amended Plan"); and

WHEREAS, in order to hold a public hearing for the term amendment of the Zone, notice must be given in a newspaper of general circulation in the City no later than the 7th day before the date of the hearing in accordance with Section 311.003 of the Act; and

WHEREAS, the City Council has determined to hold a public hearing on August 23, 2023, on the amendment of the Zone.

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

PART 1. That a public hearing is hereby called for August 23, 2023, at 9:00 a.m., in the City Council Chamber, at Tyler City Hall, 212 N Bonner Avenue, Tyler, Texas 75710, for the purpose of hearing any interested person speak for or against: (i) the proposed amended term of TIRZ #3; and/or (ii) the concept of tax increment financing.

PART 2. That at such time and place the City Council will hear testimony regarding (i) the amended term of the Zone; and/or (ii) the concept of tax increment financing and will provide a reasonable opportunity for the owner of any property within the Zone to protest the term

amendment of the Zone. Upon closing the public hearing, the City Council will consider the adoption of an ordinance amending the Zone and other related matters.

PART 3. That attached hereto as **Exhibit A** is a form of the Notice of Public Hearing, the form and substance of which is hereby adopted and approved.

PART 4. That the City Secretary is hereby authorized and directed to cause said notice to be published in substantially the form attached hereto as **Exhibit A** in a newspaper of general circulation in the City no later than the 7th day before the date of the hearing on August 23, 2023.

PART 5. That before the August 23, 2023, hearing concerning the Zone, the City shall prepare an amended and restated final project and finance plan.

PART 6. That this Resolution shall be in full force and effect from and after its passage and it is accordingly so resolved.

PASSED AND APPROVED this the 9th day of August A.D., 2023.



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

ATTEST:



CASSANDRA BRAGER, CITY CLERK



APPROVED:



DEBORAH S. PULLUM,
CITY ATTORNEY

R-2023-37

Exhibit A

**CITY OF TYLER CITY COUNCIL
NOTICE OF PUBLIC HEARING ON
AMENDMENT OF REINVESTMENT ZONE NUMBER THREE, CITY OF TYLER,
TEXAS**

THE CITY OF TYLER CITY COUNCIL WILL HOLD A PUBLIC HEARING ON AUGUST 23, 2023 AT 9:00 A.M. IN THE CITY COUNCIL CHAMBER LOCATED AT TYLER CITY HALL, 212 N BONNER AVENUE., TYLER, TEXAS 75710, ON THE AMENDMENT OF REINVESTMENT ZONE NUMBER THREE, CITY OF TYLER, TEXAS AND ITS BENEFITS TO THE CITY OF TYLER AND TO PROVIDE A REASONABLE OPPORTUNITY FOR ANY OWNER OF PROPERTY WITHIN THE ZONE TO PROTEST THE PROPOSED TERM AMENDMENT OF THE ZONE. A REINVESTMENT ZONE NUMBER THREE, CITY OF TYLER, TEXAS, AMENDED AND RESTATED FINAL PROJECT AND FINANCE PLAN, INCLUSIVE OF THE PROPOSED TERM AMENDMENT, IS AVAILABLE IN THE OFFICE OF THE CITY SECRETARY AT 212 N BONNER AVENUE, TYLER, TEXAS 75710, AND IS AVAILABLE FOR PUBLIC INSPECTION. AT THE PUBLIC HEARING, ANY INTERESTED PERSON MAY SPEAK FOR OR AGAINST THE TERM AMENDMENT OF TIRZ #3, AND/OR THE CONCEPT OF TAX INCREMENT FINANCING. FOLLOWING THE PUBLIC HEARING, THE CITY COUNCIL WILL CONSIDER ADOPTION OF AN ORDINANCE AMENDING THE ZONE AND OTHER RELATED MATTERS.