

## **ORDINANCE NO. O-2021-12**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, APPROVING THE APPOINTMENT OF A CHAIRPERSON AND DIRECTORS FOR POSITION NUMBERS ONE THROUGH FOUR TO THE BOARD OF DIRECTORS FOR REINVESTMENT ZONE NO. 4; APPROVING ADDITIONAL APPOINTMENTS BY SMITH COUNTY AND TYLER JUNIOR COLLEGE FOR POSITION NUMBERS FIVE THROUGH NINE, TO THE BOARD OF DIRECTORS FOR REINVESTMENT ZONE NO. 4 AND APPROVING THE APPOINTMENT OF A CHAIRPERSON; 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**, the City Council hereby approves the nomination and appointment of the duly qualified persons listed below to Chairperson and to Positions 1 through 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 and Tyler Junior College District of the duly qualified persons listed below to Positions 5 through 9 on the Board of Directors for Zone No. 4 for the terms 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, 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 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 Chairperson and Director Positions 1 through 9 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             | 06-14-2022          |
| Councilmember James Wynne                    | Three           | 06-14-2023          |
| Councilmember Bob Westbrook                  | Four            | 06-14-2022          |
| Commissioner, Pct 4, JoAnn Hampton           | Five (County)   | 06-14-2023          |
| Casey Murphy, County Communications Director | Six (County)    | 06-14-2022          |
| Commissioner, Pct 1, Neal Franklin           | Seven (County)  | 06-14-2023          |
| David Hudson, TJC Board of Trustees          | Eight (TJC)     | 06-14-2022          |
| 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 27<sup>th</sup> day of January, A.D., 2021.



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

ATTEST:

  
CASSANDRA BRAGER, CITY CLERK



APPROVED:

  
DEBORAH G. PULLUM,  
CITY ATTORNEY