

ORDINANCE NO. O-2017-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, APPOINTING DIRECTORS AND A CHAIRPERSON FOR THE BOARD OF DIRECTORS FOR TAX INCREMENT REINVESTMENT ZONE NO. ONE (TIRZ NO. 1); SETTING FORTH OTHER PROVISIONS RELATED THERETO; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council has adopted Ordinance No. O-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, the Bylaws of Zone No. 1 provide for a Board of Directors for Zone No. 1 consisting of nine (9) members serving two-year terms, six appointed by the City Council, one appointed by the governing body of Tyler Independent School District, one appointed by the governing body of Smith County, and one appointed by the governing body of Tyler Junior College District; and

WHEREAS, the Bylaws of Zone No. 1 provide for the Chairperson to be appointed by the City Council and to serve a term of one year; and

WHEREAS, Dean Cagle (Position One), Fred Carl (Position Two), and Billy Hibbs, Jr. (Position Five) were previously appointed by the City Council to serve as members of the Board with terms expiring January 1, 2016, per Ordinance No. 0-2014-26; and

WHEREAS, Sidney Green (Position Three), Kathy Harry (Position Four), and Ed Wallace (Position Six) were previously appointed by the City Council to serve as members of the Board with terms to expire January 1, 2018, and

WHEREAS, the City Council has determined that Dean Cagle should be appointed to continue serving as Chairman of the Board for an additional term expiring January 1, 2017;

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 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 reappointment 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, 2 and 5 as described below:

<u>Name</u>	<u>Position</u>	<u>Term Expires</u>
Dean Cagle	One/Chairperson (City)	01-01-2018
Fred Carl	Two/Secretary (City)	01-01-2019
Billy Hibbs, Jr.	Five/Vice Chairman (City)	01-01-2019

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. 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 January 2017.



MARTIN HEINES, MAYOR
OF THE CITY OF TYLER, TEXAS

A T T E S T:

APPROVED:



CASSANDRA BRAGER, CITY CLERK



DEBORAH G. PULLUM,
CITY ATTORNEY

