

ORDINANCE NO. 0-2008-154

AN ORDINANCE APPROVING THE APPOINTMENT OF DIRECTORS FOR POSITION NUMBERS ONE THROUGH SEVEN TO THE BOARD OF DIRECTORS OF REINVESTMENT ZONE NUMBER THREE, CITY OF TYLER, AND APPOINTING THE CHAIR OF THE BOARD OF DIRECTORS OF ZONE NO. 3; AND SETTING FORTH OTHER PROVISIONS RELATED THERETO.

WHEREAS, the City Council has adopted Ordinance No. 0-2008-142 designating a contiguous area within the City of Tyler as Reinvestment Zone Number Three, City of Tyler, Texas ("Zone No. 3") under the provisions of Chapter 311 of the Texas Tax Code; and

WHEREAS, Ordinance 0-2008-142 established a Board of Directors for Zone No. 3 which shall consist of nine (9) members, being positions One (1) through Seven (7), to be nominated and appointed by the Mayor, and approved by the City Council; position No. 8 being nominated by the County of Smith, if the County approves payments of all or part of the tax increments attributable to the County, and Position No. 9 to be nominated by the Tyler Junior College District; and

WHEREAS, the City Council hereby nominates the appointment of the duly qualified persons listed below to Positions 1 through 7 for the terms as described below and requests the consent and approval of the City Council of such appointment; and

WHEREAS, the City Council hereby nominates and appoints the duly qualified person listed in Position 1, (insert name of Chairman), to serve as Chairman of the Board of Directors for the duration of his term and requests the consent and approval of the City Council of such appointment;

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 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 Section 3 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

That the City Council does hereby consent to and approve of the appointment to the Board of Directors of Reinvestment Zone Number Two, City of Tyler, Texas, of the duly qualified persons to Positions 1 through 7 as described:

| <u>Name and Address</u> | <u>Position</u> | <u>Term Expires</u> |
|-----------------------------------|-----------------|---------------------|
| Barbara Bass | One/Chairman | December 10, 2010 |
| Charles Alworth | Two | December 10, 2009 |
| Donald Sanders | Three | December 10, 2010 |
| Ralph Caraway | Four | December 10, 2009 |
| Nathaniel Moran | Five | December 10, 2010 |
| Steve Smith | Six | December 10, 2009 |
| Chris Simons | Seven | December 10, 2010 |
| County Commissioner JoAnn Hampton | Eight (County) | December 10, 2009 |
| Regent Clint Roxburgh | Nine (TJC) | December 10, 2010 |

PART 3. Appointment of Chairman of the Board of Directors

That the City Council does hereby consent to and approve of the appointment of (insert Name of Chair) as the Chairman of the Board of Directors of the Zone, and such person to serve in such position until December 10, 2009 or until his successor is appointed and qualified.

PART 4. Tyler Redevelopment Authority

City Council also approves and authorizes the appointment of Directors for Positions 1 thru Nine, in the same positions and terms, as set forth in Section 2 above, who shall also serve as Directors for the Local Government Corporation created pursuant to Chapter 431 of the Texas Transportation Code (Tyler Redevelopment Authority) for the purpose of managing and implementing the TIRZ on behalf of the City.


PART 5. 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 6. This Ordinance shall be effective on the date of passage in accordance with the Tyler City Charter.

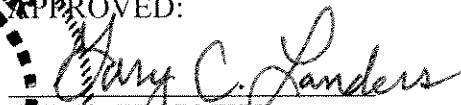
PASSED AND APPROVED on first reading on the 10th day of December, 2008.


BARBARA BASS, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK

APPROVED:


GARY C. LANDERS, CITY ATTORNEY

