

ORDINANCE NO. 0-2010-118

AN ORDINANCE APPROVING THE APPOINTMENT OF DIRECTORS FOR POSITION NUMBERS ONE THROUGH SEVEN TO THE TYLER DEVELOPMENT AUTHORITY BOARD AND APPROVING ADDITIONAL APPOINTMENTS BY SMITH COUNTY AND TYLER JUNIOR COLLEGE FOR POSITION NUMBERS EIGHT AND NINE TO THE TYLER DEVELOPMENT AUTHORITY; AND SETTING FORTH OTHER PROVISIONS RELATED THERETO.

WHEREAS, the City of Tyler on December 10, 2008 entered into a tri-party agreement between the City, TIRZ No. 2 and the Tyler Development Authority giving the Tyler Development Authority the power to enter into development agreements, buy and sell land in fulfillment of a project plan, incur authority obligations in the form of notes and loans, and issue bonds with a pledge of tax increment revenues toward non-city debt service obligations subject to City Council authorization; and

WHEREAS, the City Council also approved and authorized the appointment of Directors for Positions 1 through 9, who shall also serve as Directors for the Local Government Corporation created pursuant to Chapter 431 of the Texas Transportation Code (Tyler Development Authority) for the purpose of managing and implementing TIRZ No. 2 and TIRZ No. 3 on behalf of the City; and

WHEREAS, the City Council hereby approves the nomination and appointment of Chairperson and Positions 1 through 7 to the Tyler Development Authority Board, for the terms as described; and

WHEREAS, the City Council hereby approves the nomination and appointment of Positions 8 and 9 of the Tyler Development Authority Board, by Smith County and Tyler Junior College District for the terms as described below; and

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. That the City Council approves and authorizes the appointment of Directors for Positions 1 through 9, in the same positions and terms, as set forth in Sections 2 and 3 above, who shall also serve as Directors for the Local Government Corporation created pursuant to Chapter 431 of the Texas Transportation Code (Tyler Development Authority) for

the purpose of managing and implementing TIRZ No. 2 and TIRZ No. 3 on behalf of the City as follows:

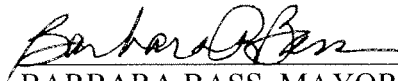
<u>Name and Address</u>	<u>Position</u>	<u>Term Expires</u>
Mayor Barbara Bass	One/Chairperson	12-10-2012
Deputy Mayor Ralph Caraway	Two	12-10-2011
Councilman Donald Sanders	Three	12-10-2012
Councilman Sam Mezayek	Four	12-10-2011
Councilman Martin Heines	Five	12-10-2012
Councilman Mark Whatley	Six	12-10-2011
Councilman Jason Wright	Seven	12-10-2012
County Commissioner JoAnn Hampton	Eight (County)	12-10-2012
Tyler Junior College Board Member, Mike Coker	Nine (TJC)	12-10-2012

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 the 10th day of November, 2010.


BARBARA BASS, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK

APPROVED:


GARY C. LANDERS, CITY ATTORNEY

