



March 3rd, 2023

Michael Evans, Sr.
Mayor
City of Mansfield
1200 E. Broad Street
Mansfield, Texas 76063

Dear Mr. Evans:

On February 21, 2023 the City of Keller initiated the recall process under 6.033 of the Texas Property Tax Code in an effort to recall Ms. Kathryn Wilemon who sits on the Tarrant Appraisal District's Board of Directors. The resolution passed by the City of Keller was delivered to me on February 22, 2023.

On February 22, 2023 Ms. Wilemon submitted her resignation from the Tarrant Appraisal District Board of Directors. The resignation came after the City of Keller initiated the recall process under Texas Property Tax Code, section 6.033.

There are two different provisions in the Tax Code for filling a vacancy on the Appraisal District Board of Directors. Section 6.033 addresses the recall provision and Section 6.03(l) addresses the vacancy provision. The Appraisal District's attorney, that provides council to the board, provided advice to the board concerning these two provisions. He concluded that since Ms. Wilemon has resigned from the Board of Directors, this resignation created a vacancy on the board and the provision under 6.03(l) should move forward. Since the recall process was only initiated it is now canceled as a result of the vacancy.

In accordance with Section 6.033 of the Texas Property Tax Code, I am sending you the required Notice of Call for Recall of Ms. Kathryn Wilemon along with enclosures. If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeff Law", is written over a horizontal line.

Jeff Law
Executive Director
Chief Appraiser

JL:jw
Enclosures





THE OFFICE OF THE CITY SECRETARY

Mr. Jeff Law
Chief Appraiser
Tarrant Appraisal District
2500 Handley-Ederville Road
Fort Worth, Texas 76118

Re: Call for Recall of TAD Board Member Kathryn Wilemon

Dear Chief Appraiser Law,

On February 21, 2023, the City Council of the City of Keller unanimously passed Resolution No. 4627 calling for a recall of TAD Board member Kathryn Wilemon pursuant to Section 6.033 of the Texas Tax Code. Also, within Resolution No. 4627 the City Council of the City of Keller casts its four (4) votes in favor of the recall of TAD Board member Kathryn Wilemon. Enclosed herewith is a certified copy of Resolution No. 4627.

Please proceed with the required steps to notify the other jurisdictions of this recall request and the procedure and timeline to vote in favor or opposition of this recall.

Please let me know if you have any questions.

Sincerely,

Kelly Ballard
City Secretary

Enclosure: Certified copy of Resolution No. 4627

STATE OF TEXAS

COUNTY OF TARRANT

CERTIFICATION

I hereby certify, in the performance of the functions of my office, that the attached instrument is a full, true and correct copy of Resolution No. 4627, dated February 21, 2023, as the same appears of record in my office and that said document is an official record from the public office of the City Secretary of the City of Keller, Tarrant County, State of Texas, and is kept in said office.

I further certify that I am the City Secretary of the City of Keller, that I have legal custody of said record, and that I am a lawful possessor and keeper and have legal custody of the records in said office.

In witness whereof I have hereunto set my hand and affixed the official seal of said office this 22nd day of February, 2023.




Kelly Ballard, City Secretary

RESOLUTION NO. 4627

A RESOLUTION CALLING FOR A RECALL AND CASTING VOTES TO RECALL KATHRYN WILEMON FROM THE TARRANT APPRAISAL DISTRICT BOARD OF DIRECTORS PURSUANT TO SECTION 6.003(B) OF THE TEXAS TAX CODE.

WHEREAS, the City of Keller is a "taxing unit entitled to vote in the appointment of board members" under Section 6.03 of the Texas Tax Code and by Resolution No. 4454 passed by the City Council on December 7, 2021, cast its allocated four (4) votes for the appointment of Kathryn Wilemon to the TAD Board for the 2022-2023 term; and

WHEREAS, Ms. Wilemon currently serves as the Chair of the Tarrant Appraisal District Board of Directors; and

WHEREAS, pursuant to Section 6.033(a) of the Texas Tax code, the City of Keller is entitled to call for the recall of a member of the board of directors and, in accordance with Section 6.033(b), may cast its votes in favor of the recall in the same resolution in which it called for the recall; and

WHEREAS, the City of Keller desires to call for the recall of Kathryn Wilemon, and by the same resolution, cast its votes in favor of the recall.

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

- Section 1: That the City of Keller hereby calls for the recall of Kathryn Wilemon pursuant to Section 6.033(a) of the Texas Tax Code.
- Section 2: That the City of Keller hereby casts its four (4) allocated votes in favor of the recall of Kathryn Wilemon pursuant to Section 6.033(b) of the Texas Tax Code.
- Section 3: Further, the City Secretary is hereby directed to immediately forward a certified copy of this resolution to Mr. Jeff Law, Chief Appraiser, Tarrant Appraisal District, 2500 Handley-Ederville Road, Fort Worth, Texas 76118.

AND IT IS SO RESOLVED.

Passed by a vote of 7 to 0 on this the 21st day of February 2023.



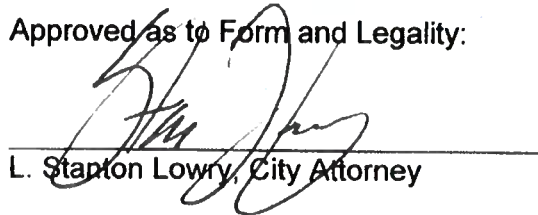
CITY OF KELLER, TEXAS

BY: 
Armin R. Mizani, Mayor

ATTEST:


Kelly Ballard, City Secretary

Approved as to Form and Legality:


L. Stanton Lowry, City Attorney



March 3, 2023

NOTICE OF CALL FOR RECALL: The City of Keller on February 22, 2023, filed with me as Chief Appraiser of Tarrant Appraisal District (TAD) the attached resolution calling for the recall of Ms. Katherine Wilemon as a member of TAD's Board of Directors (TAD Board).

Subsection 6.033(a)¹ of the Texas Property Tax Code requires me to deliver the NOTICE OF CALL FOR RECALL above to "the presiding officer of the governing body of each taxing unit entitled to vote in the appointment of [members of the TAD Board]". I am sending copies of this notice to the presiding officers of the governing bodies of all taxing units entitled by Section 6.03(a)-(c)² to vote in the appointment of members of the TAD Board.

As applied to TAD, Section 6.033(b)³ provides that the following taxing units that cast votes for appointment of Ms. Wilemon to the TAD Board for the 2022-2023 term are entitled to participate in the recall process, with each having in the recall process the same as the numbers of votes below that each cast for Ms. Wilemon in appointing her to the TAD Board:

Mansfield ISD	41
City of Grand Prairie	60
City of Hurst	10
City of Keller	4
City of Mansfield	50
City of N. Richland Hills	35
Tarrant County	515
<u>Tarrant County College</u>	<u>154</u>

Total votes cast	869
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As applied to this recall process, Section 6.033(b)³ provides that the governing body of each of these taxing units may vote to recall Ms. Wilemon by resolution submitted to me as chief appraiser on or before March 24, 2023. As permitted by Section 6.033(b), the City of Keller cast its 4 votes in the attached resolution.

¹ Section 6.033 (a) provides:

The governing body of a taxing unit may call for the recall of a member of the board of directors of an appraisal district appointed under Section 6.03 of this code for whom the unit cast any of its votes in the appointment of the board. The call must be in the form of a resolution, be filed with the chief appraiser of the appraisal district, and state that the unit is calling for the recall of the member. If a resolution

calling for the recall of a board member is filed under this subsection, the chief appraiser, not later than the 10th day after the date of filing, shall deliver a written notice of the filing of the resolution and the date of its filing to the presiding officer of the governing body of each taxing unit entitled to vote in the appointment of board members.

² As applied to TAD, Section 6.03 (a)-(c) provides that members of the TAD Board, other than the Tarrant County Tax Assessor-Collector as a non-voting member, are appointed to two-year terms beginning on January 1 of each even-numbered year by vote of the governing bodies of incorporated cities and towns, school districts, junior college district, and the county.

³ Section 6.033(b) provides:

On or before the 30th day after the date on which a resolution calling for the recall of a member of the board is filed, the governing body of a taxing unit that cast any of its votes in the appointment of the board for that member may vote to recall the member by resolution submitted to the chief appraiser. Each taxing unit is entitled to the same number of votes in the recall as it cast for that member in the appointment of the board. The governing body of the taxing unit calling for the recall may cast its votes in favor of the recall in the same resolution in which it called for the recall.