



March 22, 2023

Armin Mizani
Mayor
City of Keller
P. O. Box 770
Keller, Texas 76244

Dear Mr. Mizani,

I am writing today to inform you of the results of the outcome of the recall election regarding Ms. Kathryn Wilemon's position on the Tarrant Appraisal District Board of Directors. As prescribed under Section 6.033 (c) of the Texas Property Tax Code, I have counted the votes that have been submitted to my office and have determined that a sufficient number of votes, necessary to recall her, have been cast. I am also required to immediately deliver written notice of the outcome of this process.

The attached Notice of Outcome of Recall Election serves that purpose. At this time, 569 votes have been cast to recall Ms. Wilemon. The next step in this process will be for those taxing unit entitled to cast votes in the recall process to begin to determine her replacement through a nomination process and subsequent vote.

The attached notice lays out the next steps along with the governing law. If you have any questions regarding this matter please do not hesitate 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





March 22, 2023

NOTICE OF OUTCOME OF RECALL ELECTION

The Chief Appraiser of the Tarrant Appraisal District has counted the votes cast in favor of the recall of Ms. Kathryn Wilemon as a member of the Tarrant Appraisal District Board of Directors and determined that the 569 votes cast, so far, in favor of recall exceed a majority of the 869 votes cast for her in the appointment of Appraisal District Board for the 2022-2023 term. As provided by Section 6.033 (c), the outcome of the recall election is that Ms. Wilemon is recalled and now ceases to be a member of the TAD Board.

On February 22, 2023 the City of Keller filed with me as Chief Appraiser of TAD, a resolution calling for the recall of Ms. Kathryn Wilemon as a member of the TAD Board of Directors. The filing of this resolution initiated the recall process provided in Section 6.033 of the Texas Property Tax Code. In accordance with Section 6.033 (a)¹, I delivered the Notice of Call for Recall on March 6, 2023 to “the presiding officer of the governing body of each taxing unit entitled to vote in the appointment of [members of the TAD Board]”.

Under the provisions of Section 6.033 (a)-(b), the following taxing units that cast votes for appointment of Ms. Wilemon to the TAD Board for the 2022-2023 term were entitled to participate in the recall process. The number of each such taxing unit’s votes in the recall was the same as the number 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

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.

As permitted by Section 6.033 (b)², the City of Keller has cast 4 votes in favor of the recall, the City of Mansfield has cast 50 votes in favor of the recall and Tarrant County has cast 515 votes in favor of the recall. At this time, no other taxing units have delivered resolutions to the chief appraiser. See the attached resolutions.

Section 6.033 (c)³ requires me to count the votes cast in favor of the recall and, if the number of votes in favor of the recall of Ms. Wilemon equals or exceeds a majority of the votes cast for her in the appointment of the TAD Board for the 2022-2023 term, to immediately deliver written notice of the outcome of the recall election. That equal-or-exceeds number is 435. With 569 votes having been cast in favor of the recall, Ms. Wilemon is recalled and now ceases to be a member of the TAD Board of Directors.

Subsection 6.033 (c) requires me to deliver the NOTICE OF OUTCOME OF RECALL ELECTION to “the presiding officer of the [TAD Board] and of the governing body of each taxing unit that voted in the recall election”. I am sending copies of this notice not only to those persons but also to all other members of the TAD Board, the presiding officers of all taxing units entitled by Section 6.03 (a)-(c) to vote in the appointment of members of the TAD Board.

² 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.

³ Section 6.033(c) provides: Not later than the 10th day after the last day provided by this section for voting in favor of the recall, the chief appraiser shall count the votes cast in favor of the recall. If the number of votes in favor of the recall equals or exceeds a majority of the votes cast for the member in the appointment of the board, the member is recalled and ceases to be a member of the board. The chief appraiser shall immediately notify in writing the presiding officer of the appraisal district board of directors and of the governing body of each taxing unit that voted in the recall election of the outcome of the recall election. If the presiding officer of the appraisal district board of directors is the member whose recall was voted on, the chief appraiser shall also notify the secretary of the appraisal district board of directors of the outcome of the recall election.

Section 6.033 (d)⁴ sets out how a new member of the TAD board shall be appointed. It provides the taxing units that were entitled to vote in the recall election of Ms. Wilemon shall appoint a new board member. Each taxing unit, listed above, may nominate one candidate by resolution adopted by its governing body. The governing body's presiding officer shall submit the name of the unit's nominee to the chief appraiser on or before the 30th day after the date the taxing unit receives the notification from the chief appraiser.

After the nominations from the taxing unit above have been received by the chief appraiser, I will prepare a ballot, listing the candidates nominated in alphabetical order, and deliver the ballot to the presiding officer of the taxing units entitled to vote listed above.



Jeff Law, Chief Appraiser

⁴ Section 6.033(d) provides: If a vacancy occurs on the board of directors after the recall of a member of the board under this section, the taxing units that were entitled to vote in the recall election shall appoint a new board member. Each taxing unit is entitled to the same number of votes as it originally cast to appoint the recalled board member. Each taxing unit entitled to vote may nominate one candidate by resolution adopted by its governing body. The presiding officer of the governing body of the unit shall submit the name of the unit's nominee to the chief appraiser on or before the 30th day after the date it receives notification from the chief appraiser of the result of the recall election. On or before the 15th day after the last day provided for a nomination to be submitted, the chief appraiser shall prepare a ballot, listing the candidates nominated alphabetically according to each candidate's surname, and shall deliver a copy of the ballot to the presiding officer of the governing body of each taxing unit that is entitled to vote. On or before the 15th day after the date on which a taxing unit's ballot is delivered, the governing body of the taxing unit shall determine its vote by resolution and submit it to the chief appraiser. On or before the 15th day after the last day on which a taxing unit may vote, the chief appraiser shall count the votes, declare the candidate who received the largest vote total appointed, and submit the results to the presiding officer of the governing body of the appraisal district and of each taxing unit in the district and to the candidates. The chief appraiser shall resolve a tie vote by any method of chance.



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
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.



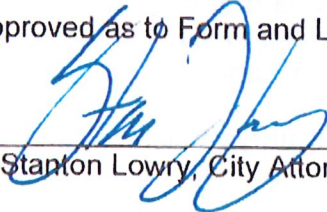
CITY OF KELLER, TEXAS

BY: 
Armin R. Mizani, Mayor

ATTEST:


Kelly Ballard, City Secretary

Approved as to Form and Legality:


L. Stanton Lowry, City Attorney

CERTIFICATION

STATE OF TEXAS §
COUNTY OF TARRANT §

I, Susana Marin, City Secretary of the City of Mansfield, Texas, hereby certify that the attached document is a true and correct copy of:

Resolution RE-4004-23

duly adopted by the City Council of the City of Mansfield, Texas, at a meeting of said Council on the 20th day of March, A.D. 2023.

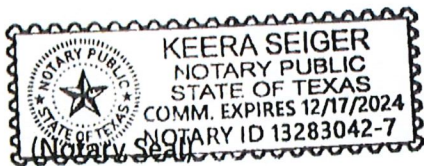
S. Marin

Susana Marin, TRMC
City Secretary
City of Mansfield, Texas

STATE OF TEXAS §
COUNTY OF TARRANT §

BEFORE ME, the undersigned authority, a Notary Public for the State of Texas, on this day personally appeared Susana Marin, City Secretary of the City of Mansfield, Texas, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 21st day of February, A.D. 20 23.



K Seiger

Notary Public for the State of Texas

My Commission Expires:

12/17/2024

RESOLUTION NO. RE-4004-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, CASTING VOTES IN FAVOR OF THE RECALL OF A MEMBER OF THE TARRANT APPRAISAL DISTRICT BOARD OF DIRECTORS PURSUANT TO SECTION 6.033(B) OF THE TEXAS TAX CODE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Kathryn Wilemon currently serves as the Chair of the Tarrant Appraisal District (TAD) Board of Directors; and,

WHEREAS, the City of Mansfield is a “taxing unit entitled to vote in the appointment of board members” under Section 6.03 of the Texas Tax Code (Code) and by Resolution No. RE-3809-21 passed by the City Council on December 13, 2021, cast its allocated fifty (50) votes for the appointment of Kathryn Wilemon to the TAD Board for the 2022-2023 term; and,

WHEREAS, on February 21, 2023, the City of Keller has called for the recall of Kathryn Wilemon and cast its votes in favor of the recall in the manner provided by Section 6.033(a)-(b) of the Code; and,

WHEREAS, pursuant to Section 6.033(b), the City of Mansfield is entitled to cast its votes in favor of such recall.

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

SECTION 1.

Pursuant to Section 6.033(b) of the Code, the City of Mansfield hereby casts its fifty (50) allocated votes in favor of the recall of Kathryn Wilemon.

SECTION 2.

That the City Secretary is hereby directed to immediately forward a certified copy of this resolution to Jeff Law, Chief Appraiser of the Tarrant Appraisal District.

SECTION 3.

This Resolution shall take become effective from and after its passage in accordance with the Charter of the City of Mansfield, and it is accordingly so resolved.

PASSED AND APPROVED THIS THE 20TH DAY OF MARCH, 2023.



Michael Evans, Mayor

Resolution No. RE-4004-23
Page 2 of 2

23-5257

ATTEST:

Susana Marin

Susana Marin, City Secretary





TARRANT COUNTY COMMISSIONERS COURT

G. K. MAENIUS
COUNTY ADMINISTRATOR

March 21, 2023

Mr. Jeff Law
Chief Appraiser
Tarrant Appraisal District
2500 Handley Ederville Rd,
Fort Worth, TX 76118

Re: Recalling Kathryn Wilemon from the Tarrant Appraisal District Board of Directors

Dear Jeff,

Attached is the resolution casting Tarrant County's 515 votes in favor of recalling Kathryn Wilemon from the Tarrant Appraisal District Board of Directors pursuant to Texas Tax Code Section 6.033(b). On March 7, 2023, Tarrant County Commissioners Court, through Court Order #140454, approved the recall. Texas Tax Code Section 6.033(b) requires a taxing entity submit a resolution to the chief appraiser to vote for a recall. On March 21, 2023, Tarrant County Commissioners Court approved the required resolution through Court Order #140512.

Please let me know if you have any questions or concerns regarding this matter.

Sincerely,

G.K. Maenius

County Administrator



**TARRANT COUNTY COMMISSIONERS COURT RESOLUTION CASTING VOTES TO
RECALL KATHRYN WILEMON FROM THE TARRANT APPRAISAL DISTRICT BOARD
OF DIRECTORS PURSUANT TO SECTION 6.033(B) OF THE TEXAS TAX CODE**

WHEREAS, on February 21, 2023, the City of Keller passed a resolution calling for the recall of Tarrant Appraisal District Board Member Kathryn Wilemon pursuant to Texas Tax Code section 6.033(a); and

WHEREAS, Tarrant County Judge Tim O'Hare received a notice of recall from Tarrant Appraisal District Chief Appraiser Jeff Law dated March 3, 2023, informing Tarrant County the City of Keller filed its resolution with the Tarrant Appraisal District on February 22, 2023; and

WHEREAS, Texas Tax Code section 6.033(b) permits a taxing entity entitled to participate in the recall process to cast its votes by resolution before the 30th day on which a resolution calling for the recall is filed with an appraisal district, creating a deadline of March 23, 2023, for Tarrant County to vote on and submit a resolution to the chief appraiser regarding the recall of Kathryn Wilemon; and

WHEREAS, the Tarrant County Commissioners Court at its March 7, 2023, meeting passed Court Order number 140454 by four votes for and one vote against approving the recall of Kathryn Wilemon from the Tarrant Appraisal District Board; and

WHEREAS, Tarrant County cast five hundred and fifteen (515) votes for the appointment of Kathryn Wilemon to the Tarrant Appraisal District Board on November 9, 2021 in Court Order number 136783, and is entitled to cast the same number of votes pursuant to Texas Tax Code section 6.033(b) in favor of a recall.

IT IS THEREFORE RESOLVED that Tarrant County by this Resolution casts its five hundred fifteen (515) votes in favor of the recall of Kathryn Wilemon pursuant to Texas Tax Code section 6.033(b).

Approved and Ordered by the Tarrant County Commissioners Court this 21st of March 2023.

County Judge Tim O'Hare

Roy C. Brooks
Commissioner, Precinct 1

Gary Fickes
Commissioner, Precinct 3

Alisa Simmons
Commissioner, Precinct 2

Manny Ramirez
Commissioner, Precinct 4