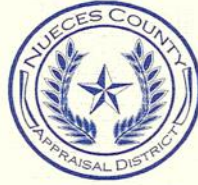


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KARA SANDS
CLERK OF THE COUNTY COURT
NUECES COUNTY, TEXAS



Nueces County Appraisal District
201 N. Chaparral, Ste. 206
Corpus Christi, Texas 78401-2503

Ramiro "Ronnie" Canales
Nueces County Chief Appraiser

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AGENDA
REGULAR MEETING FOR THE BOARD OF DIRECTORS
NUECES COUNTY APPRAISAL DISTRICT

The Board of Directors of the Nueces County Appraisal District will hold a Regular Meeting on **Wednesday September 9, 2020 after the Public Hearing at 9 A.M.** This meeting will be conducted via live stream (access instructions below) to consider the following agenda.

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact Irene Lugo at (361) 881-9978 at least 48 hours in advance so that appropriate arrangements can be attempted. Personas incapacitadas que desean atender esta junta favor de llamar a Irene Lugo a los menos 48 horas de antemano a (361) 881-9978 para hacer los apropiados arreglos.

Persons addressing the Board under the visitor's/audience comments and questions (Public Comment) portion of the meeting should limit their comments to a maximum of three (3) minutes.

Please be advised that the Open Meetings Act prohibits the Board of Directors from responding and discussing your comments at length. The law only authorizes them to do the following:

- a) make a statement of factual information, and or
- b) recite an existing policy in response to the inquiry, and or
- c) advise the entity that this subject will be placed on the agenda at a later date, and or
- d) receive information.

No board member, staff person or members of the audience shall berate, embarrass, accuse or show any personal disrespect for any member of the staff, board members or public at any board meeting. This policy is not meant to restrain a citizen's first amendment rights.

PUBLIC NOTICE is given that the Nueces County Appraisal District Board of Directors may go into a closed meeting (executive session) at any time during the meeting in order to discuss matters listed on the agenda, when authorized by the provisions of the Texas Government Code. In the event the board elects to go into a closed meeting (executive session) regarding any agenda item, the section or sections of the Open Meetings Act authorizing the closed meeting (executive session) will be publicly announced by the presiding officer.

The subjects listed below will be the items upon which formal action may be taken. The subjects do not have to be taken in the order listed here but may be brought up in any order at the discretion of the board.

Remote access instructions: Go to [http://www.nuecescad.net/Board of Directors Agendas and Minutes](http://www.nuecescad.net/Board_of_Directors_Agendas_and_Minutes) and click on the link "Live Stream" next to the meeting date for this meeting.

2. **INVOCATION**

3. **PLEDGE OF ALLEGIANCE**

4. **ROLL CALL OF THE BOARD OF DIRECTORS**

DIRECTORS:

Jerry Garcia, Chairman _____
Luis Elizondo, Vice Chairman _____
Leo Gonzalez, Secretary _____
Robert Adler _____
Armando Chapa _____
Gabriele Hilpold _____
Rex A. Kinnison _____
Butch Pool _____
Kevin Kieschnick, Ex Officio _____

NON-DIRECTORS:

Ramiro Canales, Chief Appraiser _____
Don Causey, Asst. Chief Appraiser _____
Tom Wheat, General Counsel _____
Robert Maupin, TLO _____

5. **CALL TO ORDER & DETERMINATION OF A QUORUM**

The meeting of the Board of Directors of the Nueces County Appraisal District will be called to order and let the record show that a quorum of the Board Members are present; that this meeting has been duly called; and that notice of this meeting has been posted in accordance with the Texas Open Meetings Act, Texas Government Code 551 and that any conflict of interest affidavits have been received and placed on file as required by law.

6. **PUBLIC COMMENT**

7. **DISCUSSION AND/OR ACTION, CONSENT AGENDA**

- a) Approval of the minutes of the August 12, 2020 Regular Meeting
- b) Approval of September, 2020 Litigation Report
- c) Approval of the August, 2020 Disbursements

8. **DISCUSSION AND/OR ACTION RELATED TO THE APPROVAL OF THE 2021-2022 REAPPRAISAL PLAN**

9. **ACTION TO CONSIDER RENEWAL OF ALLESERO CONTRACT**



10. DISCUSSION AND APPROPRIATE ACTION ON A LEGAL SERVICES AGREEMENT AND AGREEMENT ADDENDUM FOR THE RETENTION OF PHIPPS DEACON PURNELL, PLLC FOR LEGAL SERVICES RELATED TO LITIGATION OVER INDUSTRIAL PROPERTY VALUATION. PURSUANT TO TEXAS GOVERNMENT CODE SEC. 2254.1036(A)(1), WRITTEN NOTICE IS PROVIDED OF THE FOLLOWING:

- 1) Nueces County Appraisal District is pursuing litigation in a dispute over industrial property valuation.**
- 2) Phipps Deacon Purnell, PLLC is a Texas law firm that specializes in complex economic damages litigation. Phipps Deacon Purnell, PLLC attorneys have obtained billion-dollar verdicts and settlements in cases against multinational conglomerate corporations and specialize in high-risk litigation. Phipps Deacon Purnell PLLC attorneys have a twenty-five-year track record of successful trial experience. Trial experience and risk tolerance are necessary for a vendor seeking successful resolution of litigation over industrial property valuation.**
- 3) The Nueces County Appraisal District and Phipps Deacon Purnell, PLLC began discussing representation in this litigation in July 2019. Subsequent agreements were executed in November 2019 and February 2020. No relationship can be official without approval from the Office of the Attorney General. This notice is required for approval by the Office of the Attorney General.**
- 4) The litigation over industrial valuation requires specialized expertise and contains financial risk. The attorneys and supporting personnel of the Nueces County Appraisal District do not have the adequate resources or expertise necessary to adequately pursue litigation of this scale while effectively performing their daily duties.**
- 5) A contract for legal services agreeing to payment based on hourly fees would be prohibitively expensive for successful representation in this matter. Hourly fees are not prohibitively expensive on a short-term limited basis, but would be prohibitively expensive for a successful final resolution in the matter.**
- 6) A contingency fee legal services agreement is in the best interests of the Nueces County Appraisal District and Nueces County residents because it allows the Nueces County Appraisal District to obtain a favorable ruling in a judicial proceeding over the valuation of industrial property with no financial risk to the Nueces County Appraisal District. The desired outcome in the litigation is for a finding in a judicial proceeding that is consistent with valuations developed by appraisers acting on behalf of the Nueces County Appraisal District.**



11. MOVE INTO EXECUTIVE SESSION PURSUANT TO THE TEXAS OPEN MEETINGS ACT, TEXAS GOVERNMENT CODE § 551.071 AND § AND § 551.074

Sec. 551.071. Consultation with Attorney; Closed Meeting.

A governmental body may not conduct a Private Consultation with its attorney except:

- (1) When the governmental body seeks the advice of its attorney about:
 - (a) Pending or contemplated litigation; or
 - (b) A settlement offer; or
- (2) on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.
 - Approval of invoices to be charged to Litigation fund

Sec. 551.074. Personnel Matters; Closed Meeting.

- (1) This chapter does not require a governmental body to conduct an open meeting:
 - (a) to deliberate the appointment, employment evaluation, reassignment, duties, discipline or dismissal of a public officer or employee; or
 - (b) to hear a complaint or charge against an officer or employee.
- (2) Subsection (a) does not apply if the officer or employee who is subject of the deliberation or hearing requests a public hearing.
 - Annual Review of Chief Appraiser

12. DISCUSSION AND/OR ACTION RELATIVE TO ITEMS DISCUSSED IN EXECUTIVE SESSION

13. TAXPAYER LIAISON OFFICER'S REPORT

14. CHIEF APPRAISER'S REPORT

15. SUGGESTED ITEMS FOR NEXT REGULAR MEETING AGENDA

16. ADJOURNMENT



SIGNED:



Ramiro "Ronnie" Canales, RPA
Chief Appraiser

