

SAN PATRICIO COUNTY APPRAISAL DISTRICT  
BOARD OF DIRECTORS MEETING

December 13, 2016

John Curlee - Chairman of the Board, presided over the regular meeting of the Board of Directors for the San Patricio County Appraisal District scheduled for Tuesday, December 13, 2016 at 9:00 a.m.

*Present:* John Curlee, Bill Wilson, Dalia Sanchez, Dr. Anne Matula, Jan Whiteley, Rufino Lozano-Chief Appraiser, Diana Moss-Secretary.

*Absent:* None

*Visitors:* Nancy Vasquez and Robert Cuevas – Linebarger Goggan, Kenneth Berry – Becon International Inc / Port of Corpus Christi LP, Andrew Wright and Paula Johnson – Harris Govern, Dominic LaPenotiere, Adrain Garza, Lissa Sauls – ACT, JoAnn Ehmann – Ingleside on the Bay, Brad Domangue - Thomspson & Horton, Troy Mircovich – Ingleside ISD, Judge Terry Simpson, David Wendel, Norma Jean Rivera- San Patricio County.

*Public Comments:* Kenneth Berry with Becon International, Inc., General Partner of Port of Corpus Christi, LP addressed the Board. He said that his concern was unlawful refusal of Rufino H Lozano, Chief Appraiser with the San Patricio County Appraisal District recognize Port of Corpus Christi, LP's ownership of an 89.75 acre tract of land in Ingleside, Texas, and correct and conform tax records and maps. He went on during his statement to give the timeline when all this transfer should have taken place. It was also stated that if these steps are not fully implemented and accomplished by 2:00 o'clock pm on Wednesday, December 14, 2016, Port of Corpus Christi LP will file a suit against Mr. Lozano, in his individual capacity, for any and all damages, cost, expenses and attorney's fees as allowed by law, occasioned by his intentional, malicious and personal sabotage of Port of Corpus Christi LP's title and its transaction with ExxonMobil.

Mr. Berry said Mr. Lozano serves as Chief Appraiser at the pleasure of this Board, pursuant to and in accordance with Section 6.05 of the Texas Tax Code. Accordingly, if this Board does not compel Mr. Lozano's implementation of and performance of the steps demanded in this letter by Port of Corpus Christi LP by the deadline stated in the preceding paragraph, Port of Corpus Christi LP will assume that this Board is complicit in Mr. Lozano's intentional and malicious sabotage of Port of Corpus Christi LP's title and its transaction with ExxonMobil, and will sue each member of this Board in his or her personal capacity as well.

He went on to say Port of Corpus Christi LP sincerely hopes that this Board will exercise its authority to correct this unwarranted and egregious malfeasance and abuse of authority by Mr. Lozano immediately in accordance with the terms of this letter.

The minutes from the Board of Directors meeting on Tuesday, December 13, 2016 continued.

Mr. Berry said to be absolutely clear however, Port of Corpus Christi LP will no longer stand idly by while Mr. Lozano abuses his office to carry out a personal vendetta, to the detriment of not only Port of Corpus Christi LP, but also the citizens and school children of Ingleside.

Mr. Berry left the Board a copy of his statement, Correction Sheriff's Tax Deed, Resolution # 242-04-15 Resolution Authorizing Correction Sheriff's Tax Deed and copy of the survey of the 89.75 acres.

Before Mr. Berry left, Mr. Lozano asked Mr. Berry if he could have a copy of all documents presented before the Board for the Appraisal District's records and Mr. Berry stated "no".

Troy Mircovich, Superintendent with Ingleside ISD addressed the Board and offered any information from them since Ingleside ISD were owners of the property that was just discussed by Mr. Berry. Mr. Mircovich went into details how the school obtained the property.

*Minutes:* The Board considered and reviewed the minutes from the regular meeting on November 15, 2016. A motion was made by Dr. Matula with a second to the motion by Mrs. Sanchez. The motion carried unanimously.

*Accounts Payable:* The Board considered and reviewed the accounts payable from November, 2016. A motion was made by Mrs. Sanchez to approve the accounts payable with a second to the motion by Mrs. Whiteley. The motion carried unanimously.

*Survey Cards:* The Board considered and reviewed the survey cards for November, 2016.

*Data Issue between Linebarger ACT and Harris Govern:* There were 1,800 accounts that were affected by the UDI accounts over six years. We are working through those accounts to get them corrected. The only way to correct them at this point is to work on those accounts manually. From this time forward, the parent account number will not change. Harris Govern is trying to work with Mr. Lozano and ACT to make sure these accounts are correct. Mrs. Sanchez said they are still finding freeze ceilings that are incorrect; there were two more the other day. The Board wants this to resolve as quickly as possible with no additional cost to any party. The Board would encourage a tracking of time to fix the problem. The Board would like to add additional training to the Appraisal District staff to keep this from causing a continuing problem. Andrew Wright state the Appraisal District has a very supportive staff and they have only been in the system 5 months. We just need to keep the communication open and address these problems as they become known. ACT indicated they are doing this job as a service and no additional charges are being assessed. Mr. Lozano stated that HG and ACT have a plan and are moving forward on to the past UDI's. With the UDI's that come in today and in the future there wouldn't be any issues, this only affected those that were converted. Mr. Curlee asked if HG and ACT put their heads together before you leave town.

The Board took a short break between 9:53 am to 10:08 am.

The minutes from the Board of Directors meeting on Tuesday, December 13, 2016 continued.

*Plan Assessment for Plan Year 2017 for the TCDRS:* Mr. Curlee said that this item was discussed at the last meeting and was tabled. Mr. Lozano informed the Board that they were considering either an employee matching percentage adjustment or a cost of living (COLA) to match what San Patricio County has which is 50% CPI that was implemented in 2009. After a lengthy discussion by the Board with inputs by the County Judge and Norma Jean Rivera, the Board moved forward with a motion. The motion was made Mr. Wilson for the Appraisal District approval of the change to retirement plan to a 250% match and a 9.57% contribution rate plus an AD&D Life rate of .08% for a total of 9.65%. A second to the motion was made by Dr. Matula. Mr. Curlee did a roll call vote with a four in favor to one opposing being Mrs. Sanchez.

*Status Update on Complaints from the TDLR:* The Board considered and reviewed the status update on complaints from Texas Department of Licensing and Regulation.

*Approval of Appraisal Review Board Members:* Mr. Lozano stated with the approval at the last meeting for Mitchell Wilson and Mary Carr. He asked the Board to consider one of these applicants as an auxiliary member. Mr. Lozano would like to have two panels going at the same time. Dr. Matula made a motion to accept Diamantina Ramirez of Sinton, Shawn Husted of Ingleside, Cristobal Martinez of Odem, and Irma Cantu of Sinton as an auxiliary member for two years and that the Board draws to determine who would serve as a one-year term left by Mrs. Cantu. A second to the motion was made by Mr. Wilson. The motion carried unanimously. Mr. Lozano said we have four individuals to serve on the Appraisal Review Board. Irma Cantu is an auxiliary. We need two for a two-year term and one one-year term. The Board drew names and Cristobal Martinez for a two-year term, Diamantina Ramirez for a one-year term, and Shawn Husted as an auxiliary member for two years.

*Appointment for Appraisal Review Board Chairperson and Secretary:* Mr. Lozano informed the Board that Diana Moss had an opportunity to ask Mary Carr to serve as Chairperson and Diane Brady to serve as Secretary and they both have agreed to those positions. A motion was made Dr. Matula to appoint Mary Carr as Chairperson and Diane Brady as Secretary with a second to the motion by Mrs. Sanchez. The motion carried unanimously.

*Hiring of Thompson & Horton, LLP to represent the CAD at TCEQ meetings:* Mr. Lozano asked the Board to consider hiring Thompson & Horton to represent the District during the TCEQ meetings. Brad Domangue, representative of Thompson & Horton, was present to address any concerns or questions the Board may have. The Board had a short discuss and answer time with Mr. Damongue and a decision was made to hold a meeting of the various entities that would be impacted by the industry at the TCEQ level. The meeting will be set after the first of the year and this item will be tabled until after the meeting can be held.

*Chief Appraiser Eligibility Confirmation for the Comptroller's Office:* The Board reviewed and considered the Chief Appraiser Eligibility Confirmation. A motion was made by Mrs. Whiteley to approve the form with a second to the motion by Dr. Matula. The motion carried unanimously.

The minutes from the Board of Directors meeting on Tuesday, December 13, 2016 continued.

*Compensation and/or Transfer for Unused Vacation Time:* The Board considered compensation for the unused vacation time for Mr. Lozano and Diana Moss. It was stated that with Mr. Lozano out during the end of the month of December when taxes are being paid it puts a hardship on the tax collector's office. A motion was made to compensate Mr. Lozano and Diana Moss for any unused vacation days for the 2016 year. A second to the motion was made by Dr. Matula. The motion carried unanimously.

*Litigation:* This item will be further discussed in Executive Session.

*Executive Session:* The Board went into Executive Session at 11:25 a.m.

*Open Session:* The Board went back into Open Session at 12:23 a.m.

Mr. Curlee stated that during Executive Session they discussed with council the letter received from Port of Corpus Christi, LP. After discussing with council the Board agrees that they have no authority to act on items requested in the letter.

*Report by Chief Appraiser:*

*a. Financial and Operation:* Mr. Lozano gave the financial and operations report.

*b. Re-Appraisal Plan:* Mr. Lozano said the Appraisal District are still working on their reappraisal for some of the entities. This year we are working on Aransas Pass, Taft, Odem, Mathis and Banquete areas. We are looking at the Sinton ISD area due to ratio study results, we notice some large deviations so we are focusing on those areas. We hope to be done with those appraisals by mid-January. Although we may not be totally finish until the end of February which will promote a tight timeline on the last week of internal ratios.

*c. MAP Review:* Mr. Lozano stated that we have already sent in the information on the MAP Review. There were some additional items that we are unable to fix due to timing and we hope to receive the report for this coming year.

*e. Taxpayer Information Handout:* Mr. Lozano went over the revised format on the Taxpayer Information Handout that was assisted by Dr. Matula. I hope we are more in line with the request by the Board. Dr. Matula asked the Board to take a look at the format and do any editing and revisit this again in January. Some of the request was adding page numbers, adding the contact information and adding a heading.


*New Business for Next Month Agenda:* Mr. Curlee asked to revise your requested days off for vacation. We need to add Thompson & Horton for TCEQ representation on the next agenda. Bring in the new employees at the next meeting to be introduced to the Board. The Board changed their meeting date from January 10<sup>th</sup> at 9:00 am to January 17<sup>th</sup> at 9:00 am.

The minutes from the Board of Directors meeting on Tuesday, December 13, 2016 continued.

*Adjourn:* The meeting was adjourned at 12:35 p.m. by Mr. Curlee.

  
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Chairman

  
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Secretary