



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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August 20, 2021

Superintendent Jose Moreno
Robstown ISD
801 N First Street
Robstown, TX 78380

The two-year term for your Appraisal District Board of Directors representative occupying Place 7 expires on December 31, 2021. Place 7 represents the participating taxing units of City of Agua Dulce, City of Bishop, City of Driscoll, City of Robstown, Agua Dulce ISD, Banquete ISD., Bishop ISD, Driscoll ISD, London ISD, and Robstown ISD. Your representative is elected by a vote of the taxing units that Place 7 represents. This letter initiates the election process for Place 7.

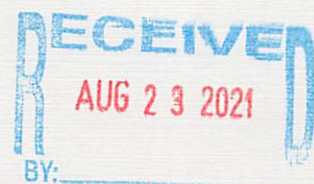
Nominations: Each taxing unit above may nominate a person for Place 7. Attachment 1 provides information on nominee qualifications that must be adhered to. Nominations should be made by resolution of your governing board, signed by the presiding officer and secretary, and then mailed to be received by me at 201 N. Chaparral, Suite 206, Corpus Christi, TX 78401 by September 30, 2021. On this date the nominations will cease, I will prepare a ballot based on the nominations received and mail a copy of the ballot to each of the taxing entities listed above. Attached is a sample nominating form as well as a listing of the taxing entities in Place 7 and the votes allocated to each for your use in carrying the election process.

Voting: The number of votes allocated to each taxing entity is listed on the attached page. The vote total of each taxing entity is tabulated based on the prior year's tax levy assessed by each unit. The levy for each taxing entity is divided by the total of levies assessed by the all the taxing entities represented by Place 7. The resulting quotient is multiplied by 1,000 (the total votes available). The resulting product from this function is the votes allocated to the taxing entity.

Sincerely,

A handwritten signature in blue ink, appearing to read "R Canales", with a horizontal line underneath.

Ramiro "Ronnie" Canales, RPA, CTA
Chief Appraiser



To the taxing entities that will participate in the election of the Place 7, Board of Directors, Nueces County Appraisal District.

1. Enclosed is the Resolution Form to allow you to nominate a person for Place 7, Board of Directors, Nueces County Appraisal District. If your governing body wishes to make a nomination, it should be sent to the Chief Appraiser before September 30, 2021. Please email to Esissamis@nuecescad.net and mail the signed paper copy to the Chief Appraiser.
2. Upon receipt of the nominations, a ballot will be prepared by the Chief Appraiser and sent to you. Do not cast ballots at this time. For your information, the following is a tabulation of the number of eligible votes your taxing unit is entitled to cast at the proper time.

Eligible votes within Place 7, Board of Directors Nueces County Appraisal District.

A majority is 501 votes or more.

<u>Name of Voting Taxing Entity</u>	<u>Number of Votes</u>
Agua Dulce ISD	49
Banquete ISD	188
Bishop CISD	227
Driscoll ISD	29
London ISD	190
Robstown ISD	211
City of Agua Dulce	2
City of Bishop	21
City of Driscoll	2
City of Robstown	81
	1,000

Thank you for your participation.

NOMINATION FOR PLACE 7, BOARD OF DIRECTORS, NUECES COUNTY APPRAISAL DISTRICT

RESOLUTION

BE IT RESOLVED, by the governing board of _____, that _____, is nominated for Place 7, Board of Directors, Nueces County Appraisal District.

Signed: _____
Board President/Mayor

Date: _____

Signed: _____
Secretary

Date: _____

Only the following taxing entities are eligible to make a nomination for Place 7, Board of Directors:

- Agua Dulce ISD
- Bishop CISD
- London ISD
- City of Agua Dulce
- City of Robstown
- Banquete ISD
- Driscoll ISD
- Robstown ISD
- City of Driscoll
- City of Bishop

If you do not wish to make a nomination, no action is required.

Please mail this form or similar Resolution in order to be received by September 30, 2021 to:

Ramiro "Ronnie" Canales
Nueces County Appraisal District
201 N Chaparral, Suite 206
Corpus Christi, TX 78401

(Please also email to Esissamis@nuecescad.net on or before the due date.)

Attachment 1

Eligibility: To be eligible to serve on a board of directors, an individual must be a resident of the CAD and must have resided in the CAD for at least two years immediately preceding the date of taking office.³⁵ This residency requirement does not apply to a county TAC serving as a nonvoting director.³⁷

An employee of a taxing unit that participates in the CAD is not eligible to serve on the board of directors, unless that individual also is a member of the governing body of the taxing unit or an elected official of a taxing unit.³⁸ Membership on the governing body of a taxing unit does not make an otherwise eligible individual ineligible to serve on the board of directors.³⁹

Owing delinquent property taxes disqualifies a person from serving on the CAD board of directors.⁴⁰ The person is ineligible if he or she owns property on which delinquent property taxes have been owed for more than 60 days after the date the person knew or should have known of the delinquency.⁴¹ This disqualification does not apply if the person is paying the delinquent taxes and any penalties and interest under an installment payment agreement or has deferred or abated a suit to collect the delinquent taxes.⁴²

³⁵ Tex. Tax Code §6.031(a)

³⁶ Tex. Tax Code §6.031(b)

³⁷ Tex. Tax Code §6.031(c)

³⁸ Tex. Att'y Gen. Op. JM-166 (1984)

³⁹ Tex. Tax Code §6.03(a)

⁴⁰ Tex. Tax Code §6.03(a)

⁴¹ Tex. Tax Code §6.03(a)

⁴² Tex. Tax Code §6.03(a)

⁴³ Tex. Tax Code §6.035(a)(2)

⁴⁴ Tex. Tax Code §6.035(a)(2)

⁴⁵ Tex. Tax Code §6.035(a)(2)

Degrees of Consanguinity and Affinity

1st DEGREE	2nd DEGREE	3rd DEGREE
<p>By Consanguinity</p> <ul style="list-style-type: none"> • Parents • Children <p>By Affinity</p> <ul style="list-style-type: none"> • Spouses of relatives listed under first degree consanguinity • Spouse • Spouse's parents • Spouse's children • Stepparents • Stepchildren 	<p>By Consanguinity</p> <ul style="list-style-type: none"> • Grandparents • Grandchildren • Brothers & sisters <p>By Affinity</p> <ul style="list-style-type: none"> • Spouses of relatives listed by second degree consanguinity • Spouse's grandparents • Spouse's grandchildren • Spouse's brothers & sisters 	<p>By Consanguinity</p> <ul style="list-style-type: none"> • Great grandparents • Great grandchildren • Nieces & nephews • Aunts & uncles <p>By Affinity</p> <ul style="list-style-type: none"> • No prohibitions

A person who has appraised property for compensation for use in proceedings or represented property owners for compensation in proceedings in the CAD at any time within the preceding three years is ineligible to serve on the board of directors.⁴³

A person is ineligible to serve on the board of directors if the individual is related within the second degree of consanguinity (blood) or affinity (marriage) to the following:

- an appraiser who appraises property for use in a proceeding under the Tax Code; or
- a person who represents property owners for compensation in proceedings under the Tax Code in the CAD.⁴⁴

A director who continues to hold office knowing he or she is related in this manner to the above named persons commits a Class B misdemeanor offense.⁴⁵

An individual is not eligible to be appointed to or to serve on the board of directors if an individual has a substantial interest in a business entity that is party to a contract or the individual is a party to a contract with the CAD.⁴⁶ This prohibition also applies to contracts with a taxing unit that participates in the CAD if the contract relates to the performance of an activity

governed by the Tax Code.⁴⁷ A CAD may not enter into a contract with a board member or with a business entity in which a board member has a substantial interest.⁴⁸ A taxing unit may not enter into a contract relating to the performance of an activity governed by the Tax Code with a board member in which the taxing unit participates or with a business entity in which a board member has a substantial interest.⁴⁹

An individual has substantial interest in a business entity if:

- the combined ownership of the director and the director's spouse is at least 10 percent of the voting stock or shares of the business entity; or
- the director or director's spouse is a partner, limited partner or officer of the business entity.⁵⁰



Term of Office and Vacancy: CAD directors serve two-year terms.⁵¹ Each term begins on Jan. 1 of an even-numbered year.⁵² The two-year term of office does not apply to the county TAC who serves as a nonvoting director.⁵³

⁴³ Tex. Tax Code §6.035(a-1)

⁴⁴ Tex. Tax Code §6.035(a)(1)

⁴⁵ Tex. Tax Code §6.035(b)

⁴⁶ Tex. Tax Code §6.036(a)

⁴⁷ Tex. Tax Code §6.036(a)

⁴⁸ Tex. Tax Code §6.036(b)

⁴⁹ Tex. Tax Code §6.036(c)

⁵⁰ Tex. Tax Code §6.036(d)

⁵¹ Tex. Tax Code §6.03(b)

⁵² Tex. Tax Code §6.03(b)

⁵³ Tex. Tax Code §6.03(b)

Degrees of Consanguinity and Affinity

1 st DEGREE	2 nd DEGREE	3 rd DEGREE
<p>By Consanguinity</p> <ul style="list-style-type: none"> • Parents • Children <p>By Affinity</p> <ul style="list-style-type: none"> • Spouses of relatives listed under first degree consanguinity • Spouse • Spouse's parents • Spouse's children • Stepparents • Stepchildren 	<p>By Consanguinity</p> <ul style="list-style-type: none"> • Grandparents • Grandchildren • Brothers & sisters <p>By Affinity</p> <ul style="list-style-type: none"> • Spouses of relatives listed by second degree consanguinity • Spouse's grandparents • Spouse's grandchildren • Spouse's brothers & sisters 	<p>By Consanguinity</p> <ul style="list-style-type: none"> • Great grandparents • Great grandchildren • Nieces & nephews • Aunts & uncles <p>By Affinity</p> <ul style="list-style-type: none"> • No prohibitions

A person who has appraised property for compensation for use in proceedings or represented property owners for compensation in proceedings in the CAD at any time within the preceding three years is ineligible to serve on the board of directors.⁴³

A person is ineligible to serve on the board of directors if the individual is related within the second degree of consanguinity (blood) or affinity (marriage) to the following:

- an appraiser who appraises property for use in a proceeding under the Tax Code; or
- a person who represents property owners for compensation in proceedings under the Tax Code in the CAD.⁴⁴

A director who continues to hold office knowing he or she is related in this manner to the above named persons commits a Class B misdemeanor offense.⁴⁵

An individual is not eligible to be appointed to or to serve on the board of directors if an individual has a substantial interest in a business entity that is party to a contract or the individual is a party to a contract with the CAD.⁴⁶ This prohibition also applies to contracts with a taxing unit that participates in the CAD if the contract relates to the performance of an activity

governed by the Tax Code.⁴⁷ A CAD may not enter into a contract with a board member or with a business entity in which a board member has a substantial interest.⁴⁸ A taxing unit may not enter into a contract relating to the performance of an activity governed by the Tax Code with a board member in which the taxing unit participates or with a business entity in which a board member has a substantial interest.⁴⁹

An individual has substantial interest in a business entity if:

- the combined ownership of the director and the director's spouse is at least 10 percent of the voting stock or shares of the business entity; or
- the director or director's spouse is a partner, limited partner or officer of the business entity.⁵⁰



Term of Office and Vacancy: CAD directors serve two-year terms.⁵¹ Each term begins on Jan. 1 of an even-numbered year.⁵² The two-year term of office does not apply to the county TAC who serves as a nonvoting director.⁵³

⁴³ Tex. Tax Code §6.035(a-1)

⁴⁴ Tex. Tax Code §6.035(a)(1)

⁴⁵ Tex. Tax Code §6.035(b)

⁴⁶ Tex. Tax Code §6.036(a)

⁴⁷ Tex. Tax Code §6.036(a)

⁴⁸ Tex. Tax Code §6.036(b)

⁴⁹ Tex. Tax Code §6.036(c)

⁵⁰ Tex. Tax Code §6.036(d)

⁵¹ Tex. Tax Code §6.03(b)

⁵² Tex. Tax Code §6.03(b)

⁵³ Tex. Tax Code §6.03(b)

Conflicts of Interest

Board members are subject to conflict of interest provisions in law, including Tax Code Section 6.036 which excludes certain individuals from serving on the board of directors. Local Government Code Chapter 171 applies to all local officials, including boards of directors of CADs. Local Government Code Chapter 176 applies to officers of political subdivisions of the state.⁷⁵

For more information, see the Texas Ethics Commission's conflict of interest forms at www.ethics.state.tx.us/filinginfo/conflict_forms.htm.

⁶⁷ Tex. Tax Code §6.034(g)
⁶⁸ Tex. Tax Code §6.034(g)
⁶⁹ Tex. Tax Code §6.034(h)
⁷⁰ Tex. Tax Code §6.03(l)
⁷¹ Tex. Tax Code §6.03(l)
⁷² Tex. Tax Code §6.03(l)
⁷³ Tex. Tax Code §6.03(l)
⁷⁴ Tex. Tax Code §6.034(i)
⁷⁵ Tex. Local Government Code §171.001(1) and §176.001(3) and (4)

Sec. 6.036. Interest in Certain Contracts Prohibited.

(a) An individual is not eligible to be appointed to or to serve on the board of directors of an appraisal district if the individual or a business entity in which the individual has a substantial interest is a party to a contract with:

- (1) the appraisal district; or
- (2) a taxing unit that participates in the appraisal district, if the contract relates to the performance of an activity governed by this title.

(b) An appraisal district may not enter into a contract with a member of the board of directors of the appraisal district or with a business entity in which a member of the board has a substantial interest.

(c) A taxing unit may not enter into a contract relating to the performance of an activity governed by this title with a member of the board of directors of an appraisal district in which the taxing unit participates or with a business entity in which a member of the board has a substantial interest.

(d) For purposes of this section, an individual has a substantial interest in a business entity if:

- (1) the combined ownership of the individual and the individual's spouse is at least 10 percent of the voting stock or shares of the business entity; or
- (2) the individual or the individual's spouse is a partner, limited partner, or officer of the business entity.

(e) In this section, "business entity" means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, or other entity recognized by law.

(f) This section does not limit the application of any other law, including the common law relating to conflicts of interest, to an appraisal district director.

(Enacted by Acts 1989, 71st Leg., ch. 796 (H.B. 432), § 5, effective September 1, 1989.)

Sec. 6.036. Interest in Certain Contracts Prohibited.

(a) An individual is not eligible to be appointed to or to serve on the board of directors of an appraisal district if the individual or a business entity in which the individual has a substantial interest is a party to a contract with:

- (1) the appraisal district; or
- (2) a taxing unit that participates in the appraisal district, if the contract relates to the performance of an activity governed by this title.

(b) An appraisal district may not enter into a contract with a member of the board of directors of the appraisal district or with a business entity in which a member of the board has a substantial interest.

(c) A taxing unit may not enter into a contract relating to the performance of an activity governed by this title with a member of the board of directors of an appraisal district in which the taxing unit participates or with a business entity in which a member of the board has a substantial interest.

(d) For purposes of this section, an individual has a substantial interest in a business entity if:

- (1) the combined ownership of the individual and the individual's spouse is at least 10 percent of the voting stock or shares of the business entity; or
- (2) the individual or the individual's spouse is a partner, limited partner, or officer of the business entity.

(e) In this section, "business entity" means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, or other entity recognized by law.

(f) This section does not limit the application of any other law, including the common law relating to conflicts of interest, to an appraisal district director.

(Enacted by Acts 1989, 71st Leg., ch. 796 (H.B. 432), § 5, effective September 1, 1989.)

SUBTITLE C. MATTERS AFFECTING PUBLIC OFFICERS AND EMPLOYEES OF MORE THAN ONE TYPE OF LOCAL GOVERNMENT

Westlaw Computer Assisted Legal Research

Westlaw supplements your legal research in many ways. Westlaw allows you to

- update your research with the most current information
- expand your library with additional resources
- retrieve current, comprehensive history and citing references to a case with KeyCite

For more information on using Westlaw to supplement your research, see the Westlaw Electronic Research Guide, which follows the Preface.

CHAPTER 171. REGULATION OF CONFLICTS OF INTEREST OF OFFICERS OF MUNICIPALITIES, COUNTIES, AND CERTAIN OTHER LOCAL GOVERNMENTS

Section

- 171.001. Definitions.
171.002. Substantial Interest in Business Entity.
171.0025. Application of Chapter to Member of Higher Education Authority.
171.003. Prohibited Acts; Penalty.
171.004. Affidavit and Abstention From Voting Required.
171.005. Voting on Budget.
171.006. Effect of Violation of Chapter.
171.007. Common Law Preempted; Cumulative of Municipal Provisions.
171.008. Renumbered.
171.009. Service on Board of Corporation for No Compensation.
171.010. Practice of Law.

Cross References

Community centers for mental health and mental retardation, board of trustees, violation of this chapter, see V.T.C.A., Health & Safety Code § 534.0065.
County judge or county commissioner, service as officer or director or member of governing body of corporation, see V.T.C.A., Local Government Code § 81.002.
Water districts, award of contracts, see V.T.C.A., Water Code § 49.214.

§ 171.001. Definitions

In this chapter:

- (1) "Local public official" means a member of the governing body or another officer, whether elected, appointed, paid, or unpaid, of any district

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(including a school district), county, municipality, precinct, central appraisal district, transit authority or district, or other local governmental entity who exercises responsibilities beyond those that are advisory in nature.

(2) "Business entity" means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, or any other entity recognized by law.

Acts 1987, 70th Leg., ch. 149, § 1, eff. Sept. 1, 1987.

Historical and Statutory Notes

Prior Laws:

Acts 1983, 68th Leg., p. 4079, ch. 640, § 1.
Vernon's Ann.Civ.St. art. 988b, § 1.

Research References

Encyclopedias

TX Jur. 3d Public Officers & Employees
§ 226, Local Officers and Employees.

Brooks, 36 Tex. Prac. Series § 18.37, Conflict
of Interest - General Statute.

Treatises and Practice Aids

Brooks, 22 Tex. Prac. Series § 3.12, Conflicts
of Interest.

Notes of Decisions

Business entity 2
Home-rule cities 3
Local public official 1

now, this Chapter]. Op.Atty.Gen.1987, No.
JM-776.

A trustee of a Mental Health/Mental Retarda-
tion Community Center was a local public offi-
cer within Vernon's Ann.Civ.St. art. 988b (re-
pealed; see, now, this section). Op.Atty.Gen.
1986, No. JM-424.

1. Local public official

Vernon's Ann.Civ.St. art. 988 (repealed; see,
now, this section) prohibiting conflicts of inter-
est involving city officers was inapplicable to
home rule cities, and trial court therefore acted
properly in dismissing suit by citizens of home
rule city who sought to nullify city contracts on
ground of conflict of interest on part of mayor.
Woolridge v. Folsom (Civ.App. 1978) 564
S.W.2d 471. Municipal Corporations 231(1)

A member of the City of Dallas Planning and
Zoning Commission is a 'local public offi-
cial' subject to the requirements of chapter 171
of the Local Government Code which governs
conflicts of interest on the part of local public
officials. Op.Atty.Gen. 1994, No. DM-309.

An individual whose spouse operates a bail
bond business may be appointed as investigator
for the office of criminal district attorney and
perform the duties of such position without vio-
lating the prohibition against conflict of interest
by a local public official; though investigator is
a "local public official" within former Vernon's
Ann.Civ.St. art. 988b, § 1(1) [repealed; see,
now, this section], investigator's decision mak-
ing authority is not within ambit of former
Vernon's Ann.Civ.St. art. 988b [repealed; see,

2. Business entity

A city is not a "business entity" for purposes
of chapter 171 of the Local Government Code,
regulation of conflicts of interest of officers of
local governments. Op.Atty.Gen.1993, No.
DM-267.

Section 171.004(a) of the Local Government
Code requires a member of an appraisal district
board who has performed property tax consult-
ing services in a taxpayer protest before the
appraisal district board to disclose the nature
and extent of the member's interest, but only if
the member has a substantial interest in a busi-
ness entity or real property involved in the
matter. Op.Atty.Gen.1993, No. DM-259.

A county auditor who is employed as the
executive director of a private, nonprofit hous-
ing corporation which receives funding from
the county is required to adhere to the require-
ments on regulation of conflicts of interest of
officers of local governments set forth in Chap-
ter 171 of the Local Government Code, if his
income as executive director exceeds 10 percent
of his gross income for the previous year. Op.
Atty.Gen. 1994, No. DM-303.

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§ 171.001
Note 2

(including a school district), county, municipality, precinct, central appraisal district, transit authority or district, or other local governmental entity who exercises responsibilities beyond those that are advisory in nature.

(2) "Business entity" means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, or any other entity recognized by law.

Acts 1987, 70th Leg., ch. 149, § 1, eff. Sept. 1, 1987.

Historical and Statutory Notes

Prior Laws:

Acts 1983, 68th Leg., p. 4079, ch. 640, § 1.
Vernon's Ann.Civ.St. art. 988b, § 1.

Research References

Encyclopedias

TX Jur. 3d Public Officers & Employees
§ 226, Local Officers and Employees.

Brooks, 36 Tex. Prac. Series § 18.37, Conflict of Interest -- General Statute.

Treatises and Practice Aids

Brooks, 22 Tex. Prac. Series § 3.12, Conflicts of Interest.

Notes of Decisions

Business entity 2
Home-rule cities 3
Local public official 1

now, this Chapter]. Op.Atty.Gen.1987, No. JM-776.

A trustee of a Mental Health/Mental Retardation Community Center was a local public officer within Vernon's Ann.Civ.St. art. 988b (repealed; see, now, this section). Op.Atty.Gen. 1986, No. JM-424.

1. Local public official

Vernon's Ann.Civ.St. art. 988 (repealed; see, now, this section) prohibiting conflicts of interest involving city officers was inapplicable to home rule cities, and trial court therefore acted properly in dismissing suit by citizens of home rule city who sought to nullify city contracts on ground of conflict of interest on part of mayor. *Woolridge v. Folsom* (Civ.App. 1978) 564 S.W.2d 471. Municipal Corporations § 231(1)

A member of the City of Dallas Planning and Zoning Commission is a 'local public official' subject to the requirements of chapter 171 of the Local Government Code which governs conflicts of interest on the part of local public officials. Op.Atty.Gen. 1994, No. DM-309.

An individual whose spouse operates a bail bond business may be appointed as investigator for the office of criminal district attorney and perform the duties of such position without violating the prohibition against conflict of interest by a local public official; though investigator is a "local public official" within former Vernon's Ann.Civ.St. art. 988b, § 1(1) [repealed; see, now, this section], investigator's decision making authority is not within ambit of former Vernon's Ann.Civ.St. art. 988b [repealed; see,

2. Business entity

A city is not a "business entity" for purposes of chapter 171 of the Local Government Code, regulation of conflicts of interest of officers of local governments. Op.Atty.Gen.1993, No. DM-267.

Section 171.004(a) of the Local Government Code requires a member of an appraisal district board who has performed property tax consulting services in a taxpayer protest before the appraisal district board to disclose the nature and extent of the member's interest, but only if the member has a substantial interest in a business entity or real property involved in the matter. Op.Atty.Gen.1993, No. DM-259.

A county auditor who is employed as the executive director of a private, nonprofit housing corporation which receives funding from the county is required to adhere to the requirements on regulation of conflicts of interest of officers of local governments set forth in Chapter 171 of the Local Government Code, if his income as executive director exceeds 10 percent of his gross income for the previous year. Op. Atty.Gen. 1994, No. DM-303.