



Barbara Canales

County Judge

October 22, 2021

Peter Zanoni
City Manager
1201 Leopard Street
Corpus Christi, Texas 78401

City Manager Zanoni:

I was quite surprised to learn that the City of Corpus Christi ("City") voted to withdraw from / dissolve the Corpus Christi – Nueces County Public Health District. Candidly, your push to dissolve our Public Health District in the midst of a global pandemic is reckless behavior (an irresponsible act by you made worse by your complete lack of notice to me (as the concurring partner per our contractual agreement)).

As you might expect, there are many matters that now require our attention. Some are core concerns before we even get to the dissolution you're now advocating.

1. The City – Nueces County Public Health District is governed by Texas Health and Safety Code ("Code") Chapter 121 Subchapter E. In part, this provision of the Code provides that a Public Health District may be established by "two or more counties," "two or more municipalities," "a county and one or more municipalities in the county," or "two or more counties and one or more municipalities in those counties." In other words, we have – and can only have – a Public Health District with two (2) or more members. Our City – Nueces County Public Health District has only two members: the City and Nueces County. A Public Health District cannot consist of only one (1) member (Code, section 121.041). As such, the City's proposed withdrawal is a dissolution of the Public Health District.
2. Your forced dissolution is not permitted. The City – Nueces County Reformation of the Cooperative Agreement to Operate a Public Health District ("Cooperative Agreement") was executed by the City and Nueces County on or about April 16, 2009. Article V, Section 4 states: "The Health District may be dissolved by joint agreement of Nueces County and the City of Corpus Christi." Given that there is no "joint agreement," there is no dissolution.

3. Moreover, the City's recent vote is void (or, at a minimum, voidable). Texas Open Meetings Act ("TOMA") section 551.041 requires posting of written notice of the "subject of each meeting held" The City's agenda item gave no indication that the City was contemplating dissolving our Public Health District. Let us ignore the City's complete failure to inform Nueces County of the City's intended action, but rather focus on the City's complete disregard for our community members' right to be given notice of the possible dissolution of the City – Nueces County Public Health District during this global pandemic.

These legal concerns must be dealt with.

Moreover, you (Peter Zaroni) made a false statement to members of our community who are relying upon the City – Nueces County Public Health District. You stated that our Public Health District would remain intact, and this is a false statement. Dissolving our Public Health District is the opposite of it remaining intact.

I know you've been frustrated with your lack of control of our Public Health District, but it is not yours to control (or mine to control). Our Legislature intended for health care professionals to independently make public health decisions. Good leadership requires support for our Public Health District – not your interference with vaccine management, obstruction of staffing efforts (Assistant Health Director), and push-back against sound medical decisions made by our Public Health Authority. Candidly, your frustration is not a compelling reason to abandon public health services.

If a dissolution or reorganization of our Public Health District is inevitable, then let us do it amicably and with proper processes (pursuant to the Code and our Cooperative Agreement). I will fully recommend that all interested parties engage in a mediation process so that public health interests are not compromised – and so that taxpayers' monies are not wasted because of your rash behaviors.

Finally, there are monetary grants in favor of our Public Health District. Your current efforts to dissolve our Public Health District put these grants in jeopardy. Our community's well-being depends upon these monetary grants (for staffing, delivery of vaccines, and other public health needs). These important issues should also be fully addressed by appropriate communications and processes.

Sincerely,

A handwritten signature in blue ink, appearing to read "Barbara Canales".

Barbara Canales
Nueces County Judge