

**NUECES COUNTY HOSPITAL DISTRICT
BOARD OF MANAGERS
Board Legislative Committee - Regular Meeting
Tuesday, June 27, 2023 at 11:45 AM**

AGENDA

1. WELCOME

2. ROLL CALL OF COMMITTEE MEMBERS

___ Arthur Granado, Chairman
___ Vishnu V. Reddy, M.D.
___ Judge Mariana Garza

3. CALL TO ORDER, ESTABLISHMENT OF QUORUM, MEETING POSTING CONFIRMATION, AND CLOSED MEETING NOTICE

A. Call to order.

B. Establish quorum.

C. Confirm posting of Meeting's public notice in accordance with Texas Open Meetings Act, Texas Government Code, Chapter 551.

D. Public notice is hereby given that the Committee may elect to go into Closed Meeting session(s) at any time during the meeting to discuss any matter(s) listed on the agenda when so authorized by the provisions of the Open Meetings Act, Texas Government Code, Chapter 551.

4. ANNOUNCEMENT ON DISCLOSURE OF CONFLICTS OF INTEREST. Any Conflicts of Interest or Appearance of a Conflict of Interest with items on this agenda shall be declared at this time. Members with conflicts will refrain from voting and are asked to refrain from discussion on such items. Conflicts discovered later in the meeting shall be disclosed at that time.

5. PUBLIC COMMENT - Persons attending in-person and wishing to comment on any item(s) on the agenda or any subject within the Committee's responsibilities must sign-in on the "Agenda Item Request to Speak" form provided at the entrance of the Committee meeting room at least five (5) minutes prior to commencement of the meeting. Persons attending via audio or video conference and wishing to comment on any item(s) on the agenda or any subject within the Committee's responsibilities must verbally notify the presiding officer of their desire to comment when the officer calls for public comment from those attending via audio and video conference. Commenters shall limit their comments to three (3) minutes, except that Commenters addressing the Committee through a translator

shall limit their comments to six (6) minutes.

6. CONSENT AGENDA - The Consent Agenda consists of those agenda items which are routine, administrative in nature, not in need of separate attention, and which a Committee member has not requested be discussed separately. If requested to be discussed separately, that agenda item will be removed from the Consent Agenda by the presiding officer to the Regular Agenda and discussed as a part of the Regular Agenda at the appropriate time. All remaining items listed under the Consent Agenda will be voted upon in a single vote:

A. Approve Legislative Committee Regular Meeting minutes of May 23, 2023. 3

7. REGULAR AGENDA - The Regular Agenda consists of those agenda items which are non-routine, not administrative in nature, or otherwise in need of separate attention. Each Regular Agenda item will be voted upon separately if action is required:

A. Receive final information on 88th Texas Session Legislative Agenda:

1. H.B. 4844 - Relating to the use of a broker for the sale of real property by the Nueces County Hospital District. (**INFORMATION**) 6

8. ADMINISTRATOR'S BRIEFING:

A. No additional Legislative Committee meetings scheduled.

9. ADJOURN

**MINUTES
BOARD OF MANAGERS
NUECES COUNTY HOSPITAL DISTRICT
LEGISLATIVE MEETING
MAY 23, 2023**

The Nueces County Hospital District Board of Managers met at 11:45 a.m., Tuesday, May 23, 2023 in the NCHD Board Room at 555 N. Carancahua, Suite 950 – A Corpus Christi, Texas.

HOSPITAL DISTRICT REPRESENTATIVES:

Jonny F. Hipp	Administrator/CEO
Belinda Espinoza	Assistant Administrator, Administrative Services
Donna Littlefield	Director, Accounting & Finance
Mary Esther Guerra	Assistant County Attorney
Melissa Quintanilla	Executive Assistant/Human Resources
Carmina Hernandez Moreno	Administrative Assistant

OTHERS PRESENT:

Craig Desmond	Corpus Christi Spohn Hospital – via Zoom
Becky Rios	Corpus Christi Spohn Hospital – via Zoom

1. WELCOME

2. ROLL CALL OF COMMITTEE MEMBERS

 Y__ Arthur Granado, Chairman
 X__ Vishnu V. Reddy, M.D.
 Y__ Judge Mariana Garza

**MINUTES
BOARD OF MANAGERS
LEGISLATIVE MEETING
MAY 23, 2023**

**3. CALL TO ORDER, ESTABLISHMENT OF QUORUM, MEETING POSTING
CONFIRMATION, AND CLOSED MEETING NOTICE**

A. Call to order – Mr. Arthur Granado, Chairman
The meeting was called to order by Mr. Granado at 11.45 a.m.

B. Establish quorum – Mr. Granado
A quorum was present with two members in attendance.

**Arthur Granado, Chairman – PRESENT
Judge Mariana Garza, Member – PRESENT
Vishnu V. Redd, M.D., Member – ABSENT**

C. Confirm posting of Meeting's public notice in accordance with Texas Open Meetings Act, Texas Government Code, Chapter 551.

D. Public notice is hereby given that the Committee may elect to go into Closed Meeting session(s) at any time during the meeting to discuss any matter(s) listed on the agenda when so authorized by the provisions of the Open Meetings Act, Texas Government Code, Chapter 551.

4. ANNOUNCEMENT ON DISCLOSURE OF CONFLICTS OF INTEREST. Any Conflicts of Interest or Appearance of a Conflict of Interest with items on this agenda shall be declared at this time. Members with conflicts will refrain from voting and are asked to refrain from discussion on such items. Conflicts discovered later in the meeting shall be disclosed at that time.

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No one to speak in public comment.

**MINUTES
BOARD OF MANAGERS
LEGISLATIVE MEETING
MAY 23, 2023**

6. **REGULAR AGENDA** - The Regular Agenda consists of those agenda items which are non-routine, not administrative in nature, or otherwise in need of separate attention. Each Regular Agenda item will be voted upon separately if action is required:

A. Receive information on 88th Texas Session Legislative Agenda, as amended. (**INFORMATION**)

B. Receive information on select Bills in the 88th Texas Session Legislative Session. (**INFORMATION**)

7. **ADMINISTRATOR'S BRIEFING:**

A. Next scheduled regular Committee meeting (meeting's date, time, and location subject to change):

1. Next Meeting: Tuesday, June 27, 2023, 11:45 AM in NCHD Board of Managers Meeting Room at 555 North Carancahua Street, Room 950-A, Corpus Christi, Texas 78401.

8. **ADJOURN**

Motion to adjourned Judge Garza and seconded by Mr. Granado.
Meeting adjourned at 11:54 a.m.

Texas Legislature Online History

Bill: HB 4844

Legislative Session: 88(R)

Council Document: 88R 8300 MPF-F

Last Action: 06/18/2023 E Effective immediately

Caption Version: Enrolled

Caption Text: Relating to the use of a broker for the sale of real property by the Nueces County Hospital District.

Author: Herrero

Sponsor: Hinojosa

Subjects: NUECES COUNTY HOSPITAL DISTRICT (D0134)
Special Districts & Authorities--Hospital (I0750)
REAL ESTATE BROKERS (S0214)

Companion: SB 2056 by Hinojosa, Identical

House Committee: County Affairs

Status: Out of committee

Vote: Ayes=8 Nays=0 Present Not Voting=0 Absent=1

Senate Committee: Local Government

Status: Out of committee

Vote: Ayes=9 Nays=0 Present Not Voting=0 Absent=0

Actions: (descending date order)

Viewing Votes: Most Recent House Vote | Most Recent Senate Vote

	Description	Comment	Date ▼	Time	Journal Page
E	Effective immediately		06/18/2023		
E	Filed without the Governor's signature		06/18/2023		6206
E	Sent to the Governor		05/24/2023		5335
S	Signed in the Senate		05/23/2023		2478
H	Signed in the House		05/22/2023		4736
H	Reported enrolled		05/20/2023	05:49 PM	4754
H	Senate passage reported		05/19/2023		4617
S	Record vote		05/19/2023		2169
S	Passed		05/19/2023		2169
S	Read 3rd time		05/19/2023		2169
S	Record vote		05/19/2023		2169
S	Three day rule suspended		05/19/2023		2169
S	Vote recorded in Journal		05/19/2023		2169
S	Read 2nd time & passed to 3rd reading		05/19/2023		2169
S	Rules suspended-Regular order of business		05/19/2023		2169
S	Placed on intent calendar		05/19/2023		
S	Committee report printed and distributed		05/17/2023	06:25 PM	
S	Recommended for local & uncontested calendar		05/17/2023		
S	Reported favorably w/o amendments		05/17/2023		2063
S	Vote taken in committee		05/16/2023		
S	Testimony taken in committee		05/16/2023		
S	Considered in public hearing		05/16/2023		
S	Scheduled for public hearing on . . .		05/16/2023		
S	Posting rule suspended		05/15/2023		1920
S	Referred to Local Government		05/01/2023		1440
S	Read first time		05/01/2023		1440
S	Received from the House		05/01/2023		1408
H	Reported engrossed		04/28/2023	03:03 PM	2508

H Statement(s) of vote recorded in Journal		04/28/2023		2356
H Record vote	RV#719	04/28/2023		2356
H Passed		04/28/2023		2356
H Read 3rd time		04/28/2023		2356
H Passed to engrossment		04/27/2023		2262
H Read 2nd time		04/27/2023		2262
H Placed on General State Calendar		04/27/2023		
H Considered in Calendars		04/25/2023		
H Committee report sent to Calendars		04/18/2023		
H Committee report distributed		04/17/2023	03:40 PM	
H Comte report filed with Committee Coordinator		04/17/2023		1617
H Reported favorably as substituted		04/12/2023		
H Committee substitute considered in committee		04/12/2023		
H Considered in public hearing		04/12/2023		
H Left pending in committee		04/05/2023		
H Testimony taken/registration(s) recorded in committee		04/05/2023		
H Committee substitute considered in committee		04/05/2023		
H Considered in public hearing		04/05/2023		
H Scheduled for public hearing on . . .		04/05/2023		
H Referred to County Affairs		03/23/2023	12:03 PM	858
H Read first time		03/23/2023		858
H Filed		03/10/2023		

AN ACT

relating to the use of a broker for the sale of real property by the Nueces County Hospital District.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter C, Chapter 281, Health and Safety Code, is amended by adding Section 281.061 to read as follows:

Sec. 281.061. NUECES COUNTY HOSPITAL DISTRICT; BROKER AGREEMENTS AND FEES FOR SALE OF REAL PROPERTY. (a) In this section:

(1) "Broker" means a person licensed as a broker under Chapter 1101, Occupations Code.

(2) "District" means the Nueces County Hospital District.

(3) "Fair market value" means the price that a property would bring in an arms-length transaction when offered for sale by a person who wishes, but is not obliged, to sell the property and when bought by a person who is under no necessity of buying the property. The value shall be determined as if the property were available for immediate possession and for use for any reasonable purpose.

(b) Except as provided by Subsection (c), the Nueces County Hospital District may contract with a broker to sell a tract of real property that is owned by the district.

(c) The district may not contract with a broker who is

1 related within the third degree of consanguinity or affinity, as
2 determined under Chapter 573, Government Code, to:

3 (1) a member of the board of hospital managers of the
4 district; or

5 (2) a public official who serves on the Nueces County
6 Commissioners Court.

7 (d) The district may pay a fee if a broker produces a ready,
8 willing, and able buyer to purchase a tract of real property.

9 (e) If a contract made under Subsection (b) requires a
10 broker to list the tract of real property for sale for at least 30
11 days with a multiple-listing service used by other brokers in the
12 county in which the real property is located, the district, on or
13 after the 30th day after the date the property is listed, may sell
14 the tract of real property to a ready, willing, and able buyer who
15 is produced by any broker with whom the district may contract under
16 Subsection (c) using the multiple-listing service and who submits
17 the most advantageous offer.

18 (f) The district must post a notice of intent to sell the
19 real property in a newspaper of general circulation, not less than
20 once, at least 30 days before the date the district accepts an offer
21 produced by a broker.

22 (g) The district may sell a tract of real property under
23 this section without complying with the requirements of Section
24 272.001, Local Government Code.

25 (h) The district may not sell a tract of real property under
26 this section for less than the fair market value of the tract of
27 real property, as determined by an independent appraisal prepared

1 by an appraiser certified under Chapter 1103, Occupations Code, and
2 obtained by the district in accordance with Subsection (j).

3 (i) The district may not sell a tract of real property under
4 this section to a buyer who:

5 (1) is related within the third degree of
6 consanguinity or affinity, as determined under Chapter 573,
7 Government Code, to:

8 (A) a member of the board of hospital managers of
9 the district;

10 (B) a public official who serves on the Nueces
11 County Commissioners Court; or

12 (C) the broker for the sale; or

13 (2) has a business or financial relationship with a
14 member of the board of hospital managers of the district or a public
15 official who serves on the Nueces County Commissioners Court that
16 could reasonably be expected to materially and adversely affect the
17 judgment of the member or public official.

18 (j) The district may not obtain an appraisal under
19 Subsection (h) from an appraiser who is related within the third
20 degree of consanguinity or affinity, as determined under Chapter
21 573, Government Code, to:

22 (1) a member of the board of hospital managers of the
23 district; or

24 (2) a public official who serves on the Nueces County
25 Commissioners Court.

26 SECTION 2. This Act takes effect immediately if it receives
27 a vote of two-thirds of all the members elected to each house, as

H.B. No. 4844

1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2023.

President of the Senate

Speaker of the House

I certify that H.B. No. 4844 was passed by the House on April 28, 2023, by the following vote: Yeas 139, Nays 2, 3 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 4844 was passed by the Senate on May 19, 2023, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor