



**HARRIS COUNTY HOSPITAL DISTRICT**  
**MINUTES OF THE BOARD OF MANAGERS MEETING**  
**Thursday, September 30, 2004**  
**Board Room – Administration Building**

**BOARD MEMBERS PRESENT**

Ms. Mary Spinks, Chair  
Mr. Stephen H. DonCarlos, Vice Chair  
Mr. E. Dale Wortham, Secretary  
Dr. Daniel D. Louie, Asst. Sec.  
Mr. Elvin Franklin, Jr.  
Mr. Danny Jackson  
Mr. Jim Lemond (9:25)  
Mr. J. Evans Attwell  
Ms. Carolyn Truesdell

**BOARD MEMBERS ABSENT**

**OTHERS PRESENT**

Mr. David Lopez, Interim President & Chief Executive Officer  
Mr. Jack McCown, Harris County Purchasing Agent  
Mr. Kelly Johnson, Harris County Purchasing  
Attorney Mercedes Leal, County Attorney's Office  
Ms. Alision Huff, Commissioner Jerry Eversole's Office  
Ms. Catarina Gonzales, Judge Robert Eckels' Office (10:12)  
Ms. Suzanne McPherson, Commissioner El Franco Lee's Office  
Mr. Mark Fury, Commissioner Steve Radack's Office  
Administrative Staff  
Media  
Guests  
(Sign-in Sheets attached to permanent record)

**I. Call to Order and Record of Attendance**

Ms. Mary Spinks, Chair, called the meeting to order at 9:04 A.M. and noted that a quorum was present. The attendance was recorded.

**II. Approval of Minutes of Previous Meetings**

**Motion 04.9-389**

Moved by Mr. Wortham, seconded by Mr. DonCarlos, and unanimously approved, that the Board approve the minutes of the August 26, 2004 regular meeting of the Board of Mangers.

**Motion 04.9-390**

Moved by Mr. Wortham, seconded by Mr. DonCarlos, and unanimously approved, that the Board approve the minutes of the September 20, 2004 special called meeting of the Board of Mangers.

Ms. Spinks called on Dr. Louie, who called on Dr. Malinow to present the agenda item related to Special Presentation.

**III. Special Presentation**

A. Denied: The Crisis of America's Uninsured

Dr. Anna Malinow Chair, Health Care for all Texas shared with the Board information on a photography exhibit called, "Denied: The Crisis of America's Uninsured". She explained that it is a photography exhibit that depicts the consequences of the uninsured that will be shown at the Houston Public Library October 13-18, 2004. Dr. Malinow extended an invitation to the opening reception on October 13, 2004 at 5:30 p.m. She invited the District to join the more than thirty co-sponsors in Houston explaining that in doing so, no financial responsibility is assumed.

Following Dr. Malinow's presentation, Ms. Spinks asked Mr. Lopez to follow-up on the Hospital District becoming a co-sponsor.

**IV. Hear From Citizens**

*Ms. Tacy King* addressed the Board relating to the Mobil Health Unit at McWhirter Elementary School.

The following individuals addressed the Board relating to School-Based Clinics: *Ms. Belinda Box, Ms. Jerry Neal, Ms. Maryland Hendrix, Ms. Evelyn Henry* and *Mr. Patrick Jackson*.

*Mr. David Coldiron* addressed the Board relating to tax dollars spent for primary health care for undocumented patients.

*Ms. Brenda Maduzia* addressed the Board relating to alleged treatment she received at the Strawberry Health Center.

Ms. Spinks apologized to Ms. Maduzia and asked Mr. Lopez and Ms. Reyes to follow-up on her concerns.

Prior to the Reports of the Committees, Ms. Spinks welcomed our newest returning Board member, Mr. J. Evans Attwell.

## **V. Reports of the Committees**

Ms. Spinks called on Mr. DonCarlos to present items related to Joint Conference Committee.

### **A. Joint Conference Committee**

The Joint Conference Committee met September 8, 2004 and had discussions on the following items:

1. Discussion regarding the School-Based Clinic Program
2. Discussion regarding the recent JCAHO response

The following items did not go to Joint Conference Committee and are coming direct to the Board for approval:

#### **1. Motion 04.9-391**

Moved by Mr. DonCarlos, seconded by Mr. Jackson, and unanimously approved that, the Board approve the Appointments, Reappointments and Changes of Status for Members of the HCHD Medical Staff for September 2004 as recommended by the Medical Board.

#### **2. Motion 04.9-392**

Moved by Mr. DonCarlos, seconded by Mr. Franklin, and unanimously approved that, the Board approve the Medical Board Report as in the handout attached. (Appendix "A").

Mr. DonCarlos called on Dr. Michael Stewart to present the agenda item related to the AMS Report.

#### **3. AMS Report**

Dr. Stewart reported on the AMS Affiliation Agreement; the Capacity Study by Phase 2 Consultants; and the RVU Billings for Self-Pay Patients.

**No action was taken on this item as it was presented for information only.**

Ms. Spinks called on Mr. Danny Jackson to present the agenda items related to Fiscal Affairs Committee.

### **B. Fiscal Affairs Committee**

The Chair, Mr. Jackson, reported that the Fiscal Affairs Committee did not meet and brings the following agenda items direct to Board for approval:

1. Items related to Purchasing

A. (1). Purchasing Recommendations requiring Board Approval

a. **Motion 04.9-393**

Moved by Mr. Jackson, seconded by Mr. DonCarlos, and unanimously approved that, the Board approve an award, on the basis of best proposal meeting requirements, to GE Betz for an estimated amount of \$66,037 to provide water treatment chemicals and services for the term October 1, 2004 through September 30, 200t with four (4) one-year renewal options.

b. **Motion 04.9-394**

Moved by Mr. Jackson, seconded by Mr. DonCarlos, and unanimously approved that, the Board approve an award, on the basis of overall lowest bid meeting specifications, to Elite Personnel Consultants, Inc. d/b/a Evins Temporaries for an estimated amount of \$1,000,000 to provide temporary personnel for the term September 1, 2004 through July 31, 2005 with three (3) one-year renewal options.

c. **Motion 04.9-395**

Moved by Mr. Jackson, seconded by Mr. DonCarlos, and unanimously approved that, the Board approve utilization of the Group Purchasing Organization Premier Partners Contract, for an award on the basis of lowest price contract, to FFF Enterprises, Inc. in the amount of \$411,000 for Influenza Vaccine for the 2004 – 2005 season.

d. **Motion 04.9-396**

Moved by Mr. Jackson, seconded by Mr. DonCarlos, and unanimously approved that, the Board approve utilization of the Group Purchasing Organization Premier Partners Contract for an

award, on the basis of lowest priced, to Abbott Laboratories, Inc. for an estimated amount of \$229,464 to provide upgraded hematology analyzers, reagents, consumables and service for the term October 1, 2004 through August 31, 2005.

e. **Motion 04.9-397**

Moved by Mr. Jackson, seconded by Mr. DonCarlos, and unanimously approved that, the Board approve an award, on the basis of low bid, to Bayer HealthCare LLC, Diagnostics Division for an estimated amount of \$129,125 to provide an HIV-1 Genotyping System for the term August 1, 2004 through July 31, 2005 with four (4) one-year renewal options.

f. **Motion 04.9-398**

Moved by Mr. Jackson, seconded by Mr. DonCarlos, and unanimously approved that, the Board approve utilization of the Group Purchasing Organization Premier Partners Contract, on the basis of sole source, to Medline Industries, Inc. through Cardinal Health, Inc. for an estimated amount of \$167,443 to continue to provide standard surgical set-up kits for the operating rooms throughout the Hospital District for the term June 1, 2004 through Mary 31, 2005.

g. **Motion 04. 9-399**

Moved by Mr. Jackson seconded by Mr. DonCarlos, and unanimously approved that, the Board approve ratification of purchases made for the following:

Stambush Health Care Services	\$ 72,000
Intelistaf Healthcare Inc.	48,000
Supplemental Health Care	44,000
CareerStaff Unlimited Inc. Houston	24,000
Platinum Select LP	24,000
Pro Rehab, Inc.	<u>24,000</u>
	\$236,000

in the amount of \$236,000 for providing Physical Therapy Services for the term March 1, 2004 through September 30, 2004.

h. **Motion 04.9-400**

Moved by Mr. Jackson, seconded by Mr. DonCarlos, and unanimously approved that, the Board approve additional funds for the second renewal year to Ventana Medical Systems, Inc. for an estimated amount of \$40,000 for Immunohistochemistry Staining and Special Staining System for the term January 1, 2004 through December 31, 2004

i. **Motion 04.9-401**

Moved by Mr. Jackson, seconded by Mr. DonCarlos, and unanimously approved that, the Board approve additional funds for Iron Mountain Records Management for an estimated amount of \$146,541 to provide funds for the destruction of 17,033 cubic feet of radiology and business records and to cover outstanding invoices for the months of June through September 2004.

j. **Motion 04.9-402**

Moved by Mr. Jackson, seconded by Mr. DonCarlos, and unanimously approved that, the Board approve additional funds and an extension for Abbott Laboratories, Inc. – Diagnostic Division for an estimated amount of \$194,375 (estimated for three months) for General Chemistry and Immunochemistry Analyzers for the term September 1, 2004 through November 30, 2004.

k. **Motion 04.9-403**

Moved by Mr. Jackson, seconded by Mr. DonCarlos, and unanimously approved that, the Board approve additional funds for Medical Reimbursement of America, LLC for an estimated amount of \$80,000 for additional commissions due to the vendor for the term October 18, 2003 through October 17, 2004.

l. **Motion 04.9-404**

Moved by Mr. Jackson, seconded by Mr. DonCarlos, and unanimously approved that, the Board approve additional funds and an extension for the following: American Nursing Services of Texas, Inc.; CN Nursing Services; Caring Hands Med & Rehab Services, Inc.; Caring Professional Health Services, Inc.; Columbia Personnel Services, LC; Evins Personnel Consultants, Inc; Face to Face Healthcare Services, LLC; The Advanced Health Educations Center dba MedRelief Staffing; Guaranteed Nursing Staff; Infinity Staffing; Joicen Medical Services; Omega Healthcare/Staffing Services; Pleasant Health Services, Inc.; PM Medical Personnel, Inc.; Prime Staff; Professional Nurses Staff; Pro-Touch Nurses, Inc. dba Protouch Staffing Inc.; Qualicare Staffing Services; Select Medical Staffing, Inc.; Sisters of Grace Health Services, Inc.; Staff Connection; Star Healthcare Services; States Health, Inc., dba States Health Care Services; Tri Star Medical Staffing, Inc.; and UltraStaff for an estimated amount of \$1,000,000 to continue providing temporary healthcare professionals to supplement the Hospital District nursing staff as needed during personnel shortages and emergencies for the term October 1, 2004 through October 31, 2004 or until new contracts are in place.

m. **Motion 04.9-405**

Moved by Mr. Jackson, seconded by Mr. DonCarlos, and unanimously approved that, the Board approve utilization of the Group Purchasing Organization Premier Partners Contract for Beckman Coulter (PP-LA-114) for an estimated amount of \$246,000 for Chemistry Analyzers, Reagents and Consumables for the term November 17, 2003 through November 30, 2004 or until new contracts are in place.

n. **Motion 04-9-406**

Moved by Mr. Jackson, seconded by Mr. DonCarlos, and unanimously approved that, the Board approve utilization of the Group Purchasing

Organization Premier Partners Contract for a contract to Hill-Rom Company Inc. (PP-CE-005) in the amount of \$248,404 for 42 VersaCare Beds.

o. **Motion 04.9-407**

Moved by Mr. Jackson, seconded by Mr. DonCarlos, and unanimously approved that, the Board approve the fourth and final renewal option for Bio-Rad Laboratories, Inc. for an estimated amount of \$104,100 for Whole Blood Analyzer Reagents for Hemoglobin A1C Tests for the term October 1, 2004 through September 30, 2005.

p. **Motion 04.9-408**

Moved by Mr. Jackson, seconded by Mr. DonCarlos, and unanimously approved that, the Board approve the third of four (4) renewal options for Abbott Laboratories Diagnostic Division for an estimated amount of \$530,630 for Analyzer, Reagents and related supplies to perform Hepatitis and HIV Testing for the term October 1, 2004 through September 30, 2005.

q. **Motion 04.9-409**

Moved by Dr. Louie, seconded by Ms. Truesdell, and unanimously approved that, the Board approve an exemption from the competitive bid requirements and renewal of contract to Affiliated Medical Services in the amount of \$109,400,050 to provide physician staffing and services for the Hospital District for the term July 1, 2004 through June 30, 2005.

This item was pulled for discussion.

Mr. Jackson informed the Board that the corrected amount should be \$109,400,050. After much discussion, the Board asked for copies of the correspondence that has the back-up detail for this agenda item. The Board then asked that it receive all future correspondence that has back-up detail for payments relating to the Affiliated Medical Services Agreement.

r. **Motion 04.9-410**

Moved by Mr. Jackson, seconded by Mr. DonCarlos, and unanimously approved that, the Board approve the fourth and final renewal option for National Research Corporation for an estimated amount of \$472,490 to provide ongoing patient satisfaction surveys and analysis of results for the term January 1, 2005 through December 31, 2005.

s. **Motion 04.9-411**

Moved by Mr. Jackson, seconded by Mr. DonCarlos, and unanimously approved that, the Board approve the first of two (2) renewal options for an award to Diagnostic Products Corporation for an estimated amount of \$172,168 for supplemental Reagent Kits for the RIA Lab for the term October 1, 2004 through September 30, 2005.

t. **Motion 04.9-412**

Moved by Dr. Louie, seconded by Ms. Truesdell, and unanimously approved that, the Board approve, on the basis of sole source, fees for the Texas Medical Center Annual Assessment in the following amounts:

\$ 92,108 – maintenance for common areas  
44,807 – security for common areas  
\$136,915 – total amount

This item was pulled for discussion.

Mr. Bottoms explained to the Board that these fees are for the common maintenance and the security of the Medical Center and are our pro rata share for the acreage that Ben Taub occupies.

A.(2). Harris County Purchasing Transmittals of Completed Items under \$100,000 for Information Purposes Only

(a). Job 04/0253: Term Contract for Consultant/Consulting Firm to Assist in Maintaining and Obtaining Indirect Rate Agreements from the Federal Government

Transmittal of an award, on the basis of best proposal meeting requirements, to Federal Costing Concepts LLP (FCC) in the amount of \$25,000 +

(not-to-exceed \$4,000 expenses) to assist the Hospital District in maintaining and obtaining indirect cost rates from Federal Government for the term one year upon execution of Agreement with two (2) one-year renewal options.

- (b). Job 03/0311: Term Contract for Reagent Kits for the RIA Lab

Transmittal of the first of two (2) renewal options for an award to Bio-Rad Laboratories, Inc.; Kronus, Inc.; and Polymedco for an estimated amount of \$50,474 for Reagent Kits for the RIA Lab for the term October 1, 2004 through September 30, 2005.

- (c). Job 03/0362: Term Contract for Pressure Garments

Transmittal of the first of two (2) renewal options for an award to AMC Lifestyle Support - \$15,000; BSN-Jobst - \$5,000; and Memco Industrial & Safety Supply (formerly Edcor Safety) \$5,000 for a total estimated amount of \$25,000 for pressure garments for the term November 1, 2004 through October 31, 2005.

- (d). Job 03/0353: Term Contract for Esoteric Chemistry Testing Analyzer and Reagents

Transmittal of the first of two (2) renewal options for an award to Diagnostic Products Corporation for an estimated amount of \$76,559 for Esoteric Chemistry Testing Analyzer and Reagents for the term November 1, 2004 through October 31, 2005.

- (e). Premier Contract PP-NS-038: Term Contract for Obstetric Monitoring and Delivery Products

Transmittal of utilization of the Group Purchasing Organization Premier Partners Contract for an award to Clinical Innovations, Inc. through Specialty Med Care for an estimated amount of \$83,490 for the term June 1, 2004 through May 31, 2005.

(f). Premier Contract PP-NS-184: Term Contract for Suction Canisters, Yankauers & Tubing

Transmittal of utilization of the Group Purchasing Organization Premier Partners Contract for an award, on the basis of only bid, to Cardinal Health, Inc. for an estimated amount of \$54, 665 (estimated 6 month term) for suction canisters, yankauers & tubing for the term September 1, 2004 through February 28, 2005, or until microwaves are in place.

Dr. Louie asked that the Information Technology Committee Purchasing Agenda Items be approved at this time.

c. **Motion 04.9-413**

Moved by Mr. Jackson, seconded by Mr. Wortham, and unanimously approved, that the Board approve an award, on the basis of the highest bid, to Medtopia in the amount of \$10,859 (Revenue) to provide services for the sell of medical equipment for the Harris County Hospital District.

This item was taken out of order.

d. **Motion 04.9-414**

Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously approved, that the Board approve utilization of the Group Purchasing Organization Premier Partners Contract to Herman Miller, Inc. furniture through Corporate Express in the amount \$388,406 for furniture for nine (9) pharmacies.

This item was taken out of order.

Mr. Jackson called on Mr. Clifford Bottoms to present Agenda Items related to Other Financial Matters.

2. Other Financial Matters

a. **Motion 04.9-415**

Moved by Mr. Lemond, seconded by Mr. Franklin, and unanimously approved, that the Board accept the July 31, 2004 Financial Report subject to final audit.

b. **Motion 04.9-416**

Moved by Mr. Jackson, seconded by Ms. Truesdell, and unanimously approved, that the Board accept the Second

Quarter Investment Report for June 2004 - August 31, 2004 subject to final audit.

c. **Motion 04.9-417**

Moved by Mr. DonCarlos, seconded Mr. Lemond, and unanimously approved, that the Board accept the Pension Plan Report for the period ended July 31, 2004 subject to final audit.

d. **Motion 04.9-418**

Moved by Mr. Lemond, seconded by Mr. DonCarlos, and unanimously approved, that the Board approve to set aside \$30 million of funds received for SFY02 and SFY03 UPL settlements in order to fund the capital expansion on the District's Strategic Plan.

e. **Motion 04.9-419**

Moved by Mr. Lemond, seconded by Dr. Louie, and unanimously approved, that the Board approve an Agreement between the CHRISTUS Fund and the Harris County Hospital District and acceptance of funding in the amount of \$35,000 for the FQHC Facilitation Fund.

Mr. Jackson asked about a study he previous requested on the possible impact FQHCs might have on the District.

f. **Motion 04.9-420**

Moved by Mr. Franklin, seconded by Mr. Jackson, and unanimously approved, that the Board approve an Agreement between the Susan G. Komen Breast Cancer Foundation Houston Affiliate and the Harris County Hospital District acceptance of funding in the amount of \$44,291.54.

g. **Motion 04.9-421**

Moved by Mr. Jackson, seconded by Ms. Truesdell, and unanimously approved, that the Board approve an Agreement between the Harris County Hospital District and the Harris County Area Agency on Aging and acceptance of funding in the amount of \$255,140.

Ms. Spinks called on Mr. E. Dale Wortham to present the Agenda Item related to the Personnel Committee.

### **C. Personnel Committee**

The Chair, Mr. Wortham, reported on the meeting of September 3, 2004; on recommendation of the Committee, the Board took the following action:

#### **Motion 04.9-422**

Moved by Mr. Wortham, seconded by Mr. Jackson, and unanimously approved that, the Board approve the following 401(k) Plan amendments and administrative operating directives:

- Amend 401(k) Plan to allow for immediate account updates for deferral changes, contribution changes;
- Amend 401(k) Plan to increase employee deferral percentages to allow for contributions between 1% and 75% of participant's compensation on a pre-tax basis up to the annual IRS limit;
- Elimination of Fidelity *Asset Manager* investment option and transfer all existing balances and future contributions to Fidelity *Puritan*® Fund;
- Removal of funeral expenses as a purpose for hardship withdrawals to meet I.R.S. Safe Harbor standards;
- Amend 401(k) Plan to allow electronic communication of participant indicative data (e.g. enrollment, loans, and withdrawals) between the Hospital District and Fidelity.

Ms. Spinks called on Mr. Elvin Franklin, Jr. to present the Agenda Item related to the Personnel Committee.

### **D. Clinic Committee**

The Chair, Mr. Franklin, reported on the meeting of September 3, 2004; on recommendation of the Committee, the Board took the following action:

#### **1. Motion 04.9-423**

Moved by Mr. Franklin, seconded by Mr. Wortham, and unanimously approved that, the Board approve a renewal Agreement between the Harris County Hospital District and the North Forest Independent School District to administer a School-Based Program at Smiley High School for the period September 1, 2004 through August 31, 2005.

#### **2. Motion 04.9-424**

Moved by Mr. Franklin, seconded by Mr. Wortham, and unanimously approved that, the Board approve a renewal Agreement between the Harris County Hospital District and the Houston Independent School District to administer a School-Based Program at Patrick Henry Middle School and Sherman Elementary School for the period September 1, 2004 through August 31, 2005.

3. **Motion 04.9-425**

Moved by Mr. Franklin, seconded by Mr. Wortham, and unanimously approved that, the Board approve an agreement between the Harris County Hospital District and Deer Park Independent School District to administer a School-Based Program at Deepwater Elementary School for the period September 1, 2004 through August 31, 2005. The Harris County Hospital District will not incur any additional cost for this school-based clinic.

4. **Motion 04.9-426**

Moved by Mr. Franklin, seconded by Mr. Wortham, and unanimously approved that, the Board approve a renewal Agreement between the Harris County Hospital District and the Channelview Independent School District to administer a School-Based Program at Channelview Independent School District Annex Campus for the period September 1, 2004 through August 31, 2005.

5. **Motion 04.9-427**

Moved by Mr. Franklin, seconded by Mr. Wortham, and unanimously approved that, the Board approve a renewal Agreement between the Harris County Hospital District and the Galena Park Independent School District to administer a School-Based Program at Cloverleaf Elementary School for the period September 1, 2004 through August 31, 2005.

6. **Motion 04.9-428**

Moved by Mr. Franklin, seconded by Mr. Wortham, and unanimously approved that, the Board approval a renewal Agreement between the Harris County Hospital District and the Galena Park Community Resource and Training Center to administer a School-Based Program at the Community Resource and Training Center for the term September 1, 2004 through August 31, 2005.

7. **Motion 04.9-429**

Moved by Mr. Franklin, seconded by Mr. Wortham, and unanimously approved that, the Board approve a renewal Agreement between the Harris County Hospital District and the Clear Creek Independent School District for the use of a Mobile Unit at McWhirter Elementary School for the term September 1, 2004 through August 31, 2005.

8. **Motion 04.9-430**

Moved by Mr. Franklin, seconded by Mr. Wortham, and unanimously approved that, the Board approve a Facility Use Agreement between the Harris County Hospital District and People with AIDS Coalition – Houston for the purpose of operating a Child Care Program for children whose parent(s) or guardian(s) is/are HIV + and who are receiving services provided by the Harris County Hospital District. The term of this agreement shall commence upon signature by both parties (the “Effective Date”) and continue through February 28, 2006.

Ms. Spinks called on Dr. Daniel Louie to present the items related to the Information Technology Committee

**E. Information Technology Committee**

The Chair, Dr. Louie, reported on the meeting of September 3, 2004; on recommendation of the Committee, the Board took the following action:

1. Report on the Status of the Information Systems Strategic Projects

Mr. Tim Tindle recommended that this report be postponed and a special IT Planning and Budget meeting be held where in depth information can be shared and a reporting format acceptable to the Board can be established.

**Motion 04.9-431**

Moved by Mr. Lemond, seconded by Mr. Wortham, and unanimously approved, that the Board approve to table the Report on the Status of the Information Systems Strategic Projects pending a special meeting.

**No action was taken on this item as it was presented for information only.**

2. Items Related to Purchasing

a. Purchases requiring Board Approval

1(a). **Motion 04.9-432**

Moved by Mr. DonCarlos, seconded by Mr. Franklin, and unanimously approved, that the Board approve the second year of a three (3) year agreement with Computer Associates International, Inc. in the amount of \$109,522 for MIPS Software License and Maintenance Fee for the IBM OA2 Z800 Mainframe for the term December 1, 2004 through November 30, 2005.

This item was taken out of order.

1(b). **Motion 04.9-433**

Moved by Mr. DonCarlos, seconded by Mr. Franklin, and unanimously approved, that the Board the third year of a three (3) year agreement with 3M Health Information Systems in the amount of \$129,232 for the annual software license and maintenance fees for 3M Encoder Application for the term October 28, 2004 through October 27, 2005.

This item was taken out of order

1(c). **Motion 04.9-434**

Moved by Mr. DonCarlos, seconded by Mr. Franklin, and unanimously approved, that the Board approve the second year of a three (3) year agreement with International Business Machines (IBM) Mainline Information Systems in the amount of \$445,692 for lease of the IBM z800 Series 2066-OA2 Mainframe for the term December 15, 2004 through December 14, 2005.

This item was taken out of order.

1(d). **Motion 04.9-435**

Moved by Mr. DonCarlos, seconded by Mr. Franklin, and unanimously approved, that the Board approve the following:

- 1) Miscellaneous cables, nuts and bolts: vendor(s) to be determined - \$1,500; 2) Century Business Equipment (Job 03/0122): Canon 2060P Fax

Machine - \$1,578; 3) Devolve (CISV): wire/cable - \$15,809; 4) NetVersant (CISV): wire/cable - \$15,153; 5) CST Corporation (Job 04/0043): telephone equipment - \$22,605; 6) Hewlett-Packard (WSCA): a) 4200 N LaseJet Printer - \$15,158; b) 500 sheet tray/paper feeder - \$4,641; c) 170X External JetDirect Box (Printer Server) - \$6,324; and d) Centronix Parallel Printer Cable - \$510; 7) SimplexGrennel (CISV): wire/cable - \$33,905; 8) CompuCom (CISV): a) Cisco Catalyst 6000 AC Power Supply - \$11,724; b) APC Smart-UPS 3000 RM 5U 120V - \$6,935; c) CPI Data Equipment Rack - \$639; d) Panduit Vertical Cable Manager - \$2,400; and e) Lexmark 2491 Forms Cashier Printer - \$24,860; and 9) Dell (CISV): OptiPlex GX280, Small Minitower Computer w/17" FP Monitor - \$67,760 for the total amount of \$231,501 for the Pharmacy Technology Expansion and Remodeling Project.

This item was taken out of order.

1(e). **Motion 04.9-436**

Moved by Mr. DonCarlos, seconded by Mr. Franklin, and unanimously approved that, the Board approve the third of four (4) renewal options to Shared Technologies for an estimated amount of \$267,301 for 24 hour monitoring and maintenance of Meridian PBX; telephone system and telephone related equipment for the term November 1, 2004 through October 31, 2005.

This item was taken out of order.

1(f). **Motion 04.9-437**

Moved by Mr. DonCarlos, seconded by Mr. Franklin, and unanimously approved that, the Board approve additional funds and an extension of an award to DIR/TEX-AN 2000 through Verizon Wireless for an estimated amount of \$75,000 for wireless/cellular services for the term July 1, 2004 through December 31, 2004.

This item was taken out of order.

The following items did not go to Information Technology Committee and comes direct to Board for approval:

1. **Motion 04.9-438**

Moved by Ms. Truesdell, seconded by Dr. Louie, and unanimously approved that, the Board approve additional funds for an award to Cap Gemini in the amount of \$177,809 for Information Technology Consulting Services for extended support of general ledger/accounts payable/purchasing modules to support implementation of PeopleSoft for the term upon approval of the Board of Managers and until project is complete.

This item was taken out of order. Action was held until after Executive Session.

2. **Motion 04.9-439**

Moved by Dr. Louie, seconded by Ms. Truesdell, and unanimously approved that, the Board approve utilization of the Group Purchasing Organization Premier Partners Contract, on the basis of lowest priced contract, to Siemens Medical Solutions USA, Inc. in the amount of \$805,000 for Digital Imagine products.

This item was taken out of order.

Ms. Spinks called on Mr. Danny Jackson to present the item related to Buildings and Properties

**F. Buildings & Properties Committee**

The Chair, Mr. Danny Jackson, reported that the Buildings & Properties Committee did not meet and brings direct to Board the following items for approval:

1. **Motion 04.9-440**

Moved by Mr. Wortham, seconded by Mr. Franklin, and unanimously approved, that the Board award the nine (9) Community Health Center Pharmacy Renovation Project for construction services to Brothers Contracting Partner's, based on their best bid, in the amount of \$555,000 and that a \$55,500 owner's contingency allowance be established.

2. **Motion 04.9-441**

Moved by Mr. Franklin, seconded by Mr. DonCarlos, and unanimously approved, that the Board award the Northwest Health Center Canopy and Lobby Expansion Project for construction services to Trademark Construction, based on their best bid, in the amount of \$426,000 and that a \$42,600 owner's contingency allowance be established.

3. **Motion 04.9-442**

Moved by Mr. Wortham, seconded by Mr. Franklin, and unanimously approved, that the Board award the Ben Taub General Hospital Electrical Buss Duct Project for construction services to C.F. McDonald Electrical, based on their best bid, in the amount of \$294,869 and that a \$14,700 owner's contingency allowance be established. (This motion was rescinded per the following Board Motion.)

**Motion 04.9-448**

Moved by Mr. Lemond, seconded by Mr. Jackson, and unanimously approved, that the Board rescind Motion 04.9-442 for award of the Ben Taub General Hospital Electrical Buss Duct Project for construction services to C.F. McDonald Electrical in the amount of \$294,869 and a \$14,700 owner's contingency allowance.

This item will be brought back to the next scheduled Board meeting.

4. **Motion 04.9-443**

Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously approved, that the Board award the Administration Building Suite 280 Renovation Project for construction services to 3D/I, based on their best bid, in the amount of \$132,000 and that a \$13,200 owner's contingency allowance be established.

5. **Motion 04.9-444**

Moved by Mr. Franklin, seconded by Dr. Louie, and unanimously approved that, the Board authorize the Hospital District to enter into Lease Option 1 with South Loop Associates, L.P. (BNC) for the leasing of approximately 18,641 square feet of office space for a monthly lease rate of \$24,077.96 for the period November 1, 2004 through October 31, 2005.

6. **Motion 04.9-445**

Moved by Mr. Jackson, seconded by Ms. Truesdell, and unanimously approved that, the Board authorize the Hospital District to enter into a new lease agreement with Petereit Investments, Inc., for the leasing of approximately 4,736 square feet of space for the E.A. Squatty Lyons Health Center. The lease rate will not exceed \$4,972.80 per month for year 2004 to 2007 and \$5,209.60 for years 2007 to 2009.

7. **Motion 04.9-446**

Moved by Mr. Franklin, seconded by Dr. Louie, and unanimously approved that, the Board award the Lyndon B. Johnson General Hospital Canopy and Main Entrance Vestibule Project for construction services to Hull & Hull, Inc. based on their best bid, in the amount of \$471,819 and that a \$23,600 owner's contingency allowance be established.

8. **Motion 04.9-447**

Moved by Mr. Franklin, seconded by Mr. Lemond, and unanimously approved that, the Board authorize the Hospital District to enter into a Architectural/Engineering agreement with Morris Architects for a fee not to exceed \$2,500,000 for the Old Ben Taub General Hospital Tower/Clinic Wing Replacement Project.

Mr. DonCarlos asked administration to tell the architects that we make absolutely sure that: 1) the parking garage has enough spaces for every one of our employees at Ben Taub that chooses to do so can park there; and 2) that we want this designed not for our needs today but to be flexible enough where twenty years from now we're not obsolete.

Ms. Spinks asked the Board to revisit item #3 for recision of the motion.

Ms. Spinks presented the Miscellaneous Agenda items.

**VI. Miscellaneous**

**A. Motion 04.9-449**

Moved by Mr. Jackson, seconded by Mr. DonCarlos, that the Board approve an Agreement between the Harris County Hospital District and Mary Schneider for Legislative Consultative Services for the term October 31, 2004 through October 30, 2005 for an amount not to exceed \$150,000. Following much discussion, an amendment was made by Mr. Wortham and

seconded by Mr. Franklin to delay approval for thirty days. This amendment was then followed by a motion by Mr. DonCarlos and seconded by Mr. Jackson to table until the next scheduled Board meeting.

Motion carried.

**B. Motion 04.9-450**

Moved by Dr. Louie, seconded by Ms. Truesdell, and unanimously approved, that the Board rescind Board Motion 04.8-364 approving an amount of \$103,215.65 for modification of the mid-year adjustment for services provided by The University of Texas Health Science Center at Houston (Oral and Maxillofacial Surgery Services) and approve a new amount of \$120,427.58 to cover the full term of the contract through March 31, 2005.

**VII. Executive Session**

At 11:48 A.M., Chair Mary Spinks stated that the Board would go into Executive Session under Chapter 551, Texas Government Code, Section 071 and 072 as permitted by law. She stated that the regular meeting of the Board would be reconvened at the close of the Executive Session.

**VIII. Reconvene**

At 1:54 P.M., Chair Mary Spinks reconvened the meeting and asked if there were further input to the agenda:

- A.** Discussion of Acquisition of Real Property in Connection with the Hospital District's 2015 Strategic Plan, pursuant to Tex. Gov't Code Ann. §551.072 and to take Appropriate Action regarding the Matter Upon return to Open Session

**No action was taken on this agenda item.**

- B.** Discussion of Response to Subpoena Duces Tecum issued by Department of Health and Human Services Office of Inspector General, pursuant to Tex. Gov't Code §551.071

**No action was taken on this agenda item.**

- C.** Consultation with County Attorney regarding the Terms of the Hospital District's Agreement with Cap Gemini Ernst & Young U.S. LLC and Authorizing the District to take appropriate action regarding the manner upon return to open session, pursuant to Tex. Gov't Code Ann. §551.071

**D.** Discussion and Authorization to file Suit against Ray C. Anderson, Clement B. Pink & State Farm Insurance Co. for Failure to Pay a Hospital Lien, pursuant to Tex. Gov't Code Ann. §551.071

**IX. Adjournment**

Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously accepted to adjourn the meeting.

There being no further business, the meeting adjourned at 1:55 P.M.

I certify that the foregoing are the Minutes of the Meeting of the Board of Managers of the Harris County Hospital District held at the Administration Building in Houston, Texas on September 30, 2004.

Mary C. Spinks, Chair  
Board of Managers  
Harris County Hospital District  
Houston, Texas

Mr. E. Dale Wortham, Secretary

Recorded by Anne McCowan