



**HARRIS COUNTY HOSPITAL DISTRICT
MINUTES OF THE BOARD OF MANAGERS MEETING**

Thursday, November 3, 2005

Board Room – Administration Building

BOARD MEMBERS PRESENT

Mr. J. Evans Attwell, Chair
Mr. Stephen H. DonCarlos, Vice Chair
Ms. Carolyn Truesdell, Secretary
Dr. Daniel D. Louie, Asst. Sec.
Mr. Danny Jackson
Mr. Jim Lemond
Ms. Mary Spinks

BOARD MEMBERS ABSENT

Mr. Elvin Franklin, Jr.
Mr. E. Dale Wortham

OTHERS PRESENT

Mr. David Lopez, President & Chief Executive Officer
Mr. George Masi, Chief Operating Officer
Mr. Kelly Johnson, Harris County Purchasing
Attorney Mercedes Leal, County Attorney's Office
Ms. Suzanne McPherson, Commissioner El Franco Lee's Office
Ms. Alison Huff, Commissioner Jerry Eversole's Office
Ms. Gloria Moreno, Commissioner Sylvia Garcia's Office
Mr. Mark Fury, Commissioner Steve Radack's Office
Ms. Catarina Cron, Judge Robert Eckels' Office
Administrative Staff
Media
Guests
(Sign-in Sheets attached to permanent record)

I. Call to Order and Record of Attendance

Mr. J. Evans Attwell, Chair, called the meeting to order at 9:03 A.M. and noted that a quorum was present. The attendance was recorded.

II. Approval of Minutes of Previous Meeting

Motion 05.11-463

Moved by Dr. Louie, seconded by Mr. Jackson, and unanimously passed, that the Board approve the minutes of the September 29, 2005 regular meeting of the Board of Managers.

Motion 05.11-464

Moved by Mr. Jackson, seconded by Ms. Truesdell, and unanimously passed, that the Board approve the minutes of the September 6, 2005 called meeting of the Board of Managers.

III. Hear from Citizens

Mr. Gene Flores addressed the Board regarding CPAC Machines that are no longer available for patients.

Ms. Lori Broughton addressed the Board regarding the mobile health van at McWhirter Elementary. She explained the tremendous need for continuation of this service and thanked the Board for its support.

Mr. Attwell announced that Agenda item VI. D will now be taken out of order. (9:10 a.m.)

IV. Purchasing

The Fiscal Affairs Committee did not meet and brings directly to the Board the following items:

A(1). Consideration of Recommendation regarding Approval of Purchases requiring Board Approval:

a. Motion 05.11-465

Moved by Ms. Truesdell, seconded by Ms. Spinks, and unanimously passed, that the Board ratify use of additional funds for AMN Healthcare, Inc. in the amount of \$77,000 to cover outstanding invoices for Travel Nursing Services required by Lyndon B. Johnson Hospital for the term August 1, 2004 through July 31, 2005. (Previous funding \$750,000, bringing total funding to \$827,000.)

b. Premier Group PP-LA-117; BM 05.6-269: Immunochemistry Testing

This item was pulled.

c. **Motion 05.11-466**

Moved by Ms. Truesdell, seconded by Ms. Spinks, and unanimously passed, that the Board approve ratification of purchase on an emergency basis to Baxter Hyland in the amount of \$80,630 for pharmaceutical product to provide antihemophilic factor to a patient.

d. **Motion 05.11-467**

Moved by Ms. Truesdell, seconded by Ms. Spinks, and unanimously passed, that the Board approve an award to Ortho Clinical Diagnostics Div. of Johnson & Johnson through Cardinal Healthcare in the estimated amount of \$238,215 for Blood Bank Analyzers and Reagents for the term January 1, 2006 through December 31, 2006.

e. **Motion 05.11-468**

Moved by Ms. Truesdell, seconded by Ms. Spinks, and unanimously passed, that the Board approve utilization of contracts to Chiron distributed through F.F.F. Enterprises, Inc. (Fluvirin) - \$186,660 and GlaxoSmithKline distributed through F.F.F. Enterprises, Inc. (Fluarix) - \$236,280 for total amount of \$422,940 to provide influenza vaccine.

f. **Motion 05.11-469**

Moved by Ms. Truesdell, seconded by Ms. Spinks, and unanimously passed, that the Board approve the first of two (2) renewal options for The Lanair Co., Inc. in the estimated amount of \$250,000 to provide prosthetic, orthotic and pedorthotic devices for the term December 1, 2005 through November 30, 2006.

g. **Motion 05.11-470**

Moved by Ms. Truesdell, seconded by Ms. Spinks, and unanimously passed, that the Board approve the third and final renewal option for Medical Advocacy Services for Healthcare, Inc. (MASH) - \$800,000 (estimated) for the term October 18, 2005 through October 17, 2006 and October 23, 2005 through October 22, 2006 and NCO Financial Systems (NCO) - \$500,000 (estimated) for the term October 7, 2005 through October 6, 2006 and October 7, 2005 through October 6, 2006 for a total estimated amount of \$1,300,000 for third party

specialists to assist in the certification of emergency room (ER) patient accounts for Medicaid benefits, Supplemental Security Income-linked (SSI) Medicaid patient accounts, and patient accounts for the Temporary Assistance for Needy Families (TANF) Program and related Medicaid benefits.

h. **Motion 05.11-471**

Moved by Ms. Truesdell, seconded by Ms. Spinks, and unanimously passed, that the Board approve the second and final renewal option for Texas Kidney, Inc. d/b/a Southeast Houston Dialysis Center in the estimated amount of \$1,867,000 to continue to provide temporary outpatient chronic hemodialysis services to Hospital District patients.

i. **Motion 05.11-472**

Moved by Ms. Truesdell, seconded by Ms. Spinks, and unanimously passed, that the Board approve the third of four (4) renewal options for Medical Reimbursements of America, LLC in the estimated amount of \$245,900 to provide assistance in obtaining reimbursements from private insurance carriers for patient accounts arising from accidents and injuries for the term October 18, 2005 through October 17, 2006.

j. **Motion 05.11-473**

Moved by Ms. Truesdell, seconded by Ms. Spinks, and unanimously passed, that the Board approve an award on the basis of sole source to Tyco Healthcare Group through Cardinal Health 200 in the estimated amount of \$486,892 to provide general wound care products for the term October 1, 2005 through September 30, 2006.

k. **Motion 05.11-474**

Moved by Ms. Truesdell, seconded by Ms. Spinks, and unanimously passed, that the Board approve an award on the basis of lowest priced contract to Tyco Healthcare Group through Cardinal Health 200 in the estimated amount of \$152,450 to provide EKG electrodes, cables and leads for the term October 1, 2005 through September 30, 2006.

l. **Motion 05.11-475**

Moved by Ms. Truesdell, seconded by Ms. Spinks, and unanimously passed, that the Board approve an award on the basis of lowest priced contract to Kimberly-Clark through Cardinal Health 200 in the estimated amount of \$559,046 to provide surgical packs and gowns for the term October 1, 2005 through September 30, 2006.

m. **Motion 05.11-476**

Moved by Ms. Truesdell, seconded by Ms. Spinks, and unanimously passed, that the Board approve an award on the basis of best overall contract to Cardinal Health Medical Products through Cardinal Health 200 in the estimated amount of \$132,317 to provide ventilator supplies and humidification devices for the term October 1, 2005 through September 30, 2006.

n. **Motion 05.11-477**

Moved by Ms. Truesdell, seconded by Ms. Spinks, and unanimously passed, that the Board approve an award on the basis of best overall contract to Masimo Americas, Inc. through Cardinal Health in the estimated amount of \$769,834 to provide pulse oximetry equipment and supplies for a five-year term effective upon execution of the Agreement.

o. **Motion 05.11-478**

Moved by Ms. Truesdell, seconded by Ms. Spinks, and unanimously passed, that the Board approve an award on the basis of only proposal received to Pharmacy Healthcare Solutions, Ltd. in the estimated amount of \$1,750,000 for the Indigent Patient Drug Reimbursement Program (Product Recovery Services) for the term one-year upon execution of Agreement with five (5) one-year renewal options.

p. **Motion 05.11-479**

Moved by Ms. Truesdell, seconded by Ms. Spinks, and unanimously passed, that the Board approve a correction of job number and term for Gen-Probe for analyzer and reagents for GC/Chlamydia testing. The corrected term is September 1, 2005 through August 31, 2006 instead of the approved term of September 1, 2004 through August 31, 2005. The corrected

job number is 01/0207 instead of the approved job number of 04/0132.

q. **Motion 05.11-480**

Moved by Ms. Truesdell, seconded by Ms. Spinks, and unanimously passed, that the Board approve utilization of Harris County's contract with Ozarka Spring Water for the purchase of steam distilled and bottled water in the amount of \$20,000 for the term November 1, 2005 through October 31, 2006.

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

(These items do not require Board approval.)

a. Job 00/0240: Public and Inmate Coin & Coinless Pay Telephone Long Distance Service Only

Transmittal of the first and final five-year renewal option for Southwestern Bell Telephone for the estimated annual revenue of \$1,520 for public and inmate coin & coinless pay telephone long distance service only for the term October 16, 2005 through October 15, 2010.

b. Premier Contract PP-NS-275: Infant Diapers and Related Products

Transmittal of an award on the basis of sole source to Procter & Gamble through Cardinal Health 200 in the estimated amount of \$54,083 for infant diapers and related products for the term October 1, 2005 through September 30, 2006

c. Premier Contract PP-NS-260: Advanced Wound-Care Silver Dressings

Transmittal of purchase on the basis of best contract meeting specifications from ConvaTec through Cardinal Health 200 for advanced wound care-silver dressings in the estimated amount of \$26,616 for the term October 1, 2005 through September 30, 2006.

d. Premier Contract PP-NS-178: Respiratory Therapy: Nebulizers

Transmittal of purchase on the basis of lowest priced contract for respiratory therapy products from Cardinal Healthcare Medical Products through Cardinal Health 200 in the estimated

amount of \$62,469 for the term October 1, 2005 through September 30, 2006.

- e. Transmittal of Purchases for Categories of Goods and/or Services

Transmittal of purchases for the Hospital District in the amount of \$236,709 for sole source and Catalog Information Systems Vendors (CISV) designated by the Texas Building and Procurement Commission per the attached letter. (Appendix "A").

The Information Technology Committee did not meet and brings directly to the Board the following:

- A(1). Consideration of Recommendations regarding Purchases requiring Board approval

- a. **Motion 05.11-481**

Moved by Ms. Truesdell, seconded by Ms. Spinks, and unanimously passed, that the Board approve additional funds for DIR through SBC Communications, Inc. in the amount of \$330,000 (\$673,100 previously approved funds for a total of \$1,003,100) for additional networking and infrastructure upgrades associated with the PACS (Picture Archiving Communications System) Project.

- A(2). Transmittal of Completed Purchases Under \$100,000

- a. Transmittal of the first of two (2) renewal options for Brother's Business Equipment, Century Business Equipment, Inc. Southwest Business Machines and T.M. Office Systems, Inc. for the total estimated amount of \$15,000 to provide facsimile maintenance for the term November 9, 2005 through November 8, 2006.

V. Reports of the Committees

Mr. Attwell called on Mr. DonCarlos to present the agenda item related to Joint Conference Committee.

A. Joint Conference Committee

The Joint Conference Committee did not meet and brings directly to the Board the following:

1. **Motion 05.11-482**

Moved by Mr. DonCarlos, seconded by Mr. Jackson, and unanimously passed, that the Board approve the appointments, reappointments and changes of status for members of the HCHD Medical Staff for October 2005 as recommended by the Medical Board.

2. **Motion 05.11-483**

Moved by Mr. DonCarlos, seconded by Mr. Lemond, and unanimously passed, that the Board accept the Medical Board Report as included in the packet. (Appendix "B")

3. **Motion 05.11-484**

Moved by Mr. DonCarlos, seconded by Dr. Louie, and unanimously passed, that the Board accept the Report on Performance Improvement Activities as included in the packet.

Mr. Attwell called on Mr. Danny Jackson to present the agenda items related to Fiscal Affairs.

B. Fiscal Affairs Committee

The Fiscal Affairs Committee did not meet and brings directly to the Board for approval the following items:

1. Financial Statement

The financial report for September 30, 2005 was included in the packets and reviewed by Ms. Gwen Huskey. She highlighted the following:

- For the month of September, the District reported a net profit of \$16.8 million
- Overall patient volume measured by equivalent patient days decreased by almost 11%
- On a year to date basis, District revenues exceed budget by \$44.3 million while expenses exceed budget by \$8.3 million, leaving the District a positive \$36.0 million variance to budget in operating income

Much discussion ensued.

Motion 05.11-485

Moved by Mr. Jackson, seconded by Mr. Lemond, and unanimously passed, that the Board accept the September 30, 2005 Financial Report subject to final audit.

2. **Motion 05.11-486**

Moved by Mr. Jackson, seconded by Ms. Truesdell, and unanimously passed, that the Board accept the Pension Plan Report for the period ended September 30, 2005 subject to final audit.

3. **Motion 05.11-487**

Moved by Ms. Truesdell, seconded by Ms. Spinks, and unanimously passed, that the Board approve acceptance of funding by the Harris County Hospital District/Gateway to Care in the amount of \$50,000 from Volunteer Houston to continue the Medical Reserve Corps Program.

4. Presentation of September 2005 Financial Statements of Community Health Choice, Inc.

Informational purposes only and no action required.

Mr. Attwell called on Ms. Alicia Reyes to present agenda items related to Clinic Committee.

C. Clinic Committee

The Clinic Committee met October 14, 2005 and brings forth the following items for approval:

1. **Items Related to Contractual Agreements**

a. **Motion 05.11-488**

Moved by Dr. Louie, seconded by Mr. Jackson, and unanimously passed, that the Board approve ratification of an amendment to an agreement between the Harris County Hospital District and the Health Resources and Services Administration to develop and demonstrate the efficacy of procedures and protocols using telemedicine equipment for consultation with dermatology and psychiatric specialties for patients seen at two community health centers for the term September 1, 2005 through August 31, 2006 and

acceptance of federal grant funds in the amount of \$235,695.

b. **Motion 05.11-489**

Moved by Dr. Louie, seconded by Mr. Jackson, and unanimously passed, that the Board approve ratification of an amendment to an agreement between the Harris County Hospital District and the Department of State Health Services: Diabetes Prevention and Primary Care Access Program for the term September 1, 2005 through August 31, 2006 and acceptance of funding in the amount of \$80,000.

c. **Motion 05.11-490**

Moved by Dr. Louie, seconded by Mr. Jackson, and unanimously passed, that the Board approve ratification of an amendment to an agreement between the Harris County Hospital District and Harris County to provide Comprehensive Outpatient Primary Care Services funded by Ryan White Title I to eligible HIV-infected individuals in the additional amount of \$300,000 for a total funding amount of \$5,266,340 for the term March 1, 2005 through February 28, 2006.

d. **Motion 05.11-491**

Moved by Dr. Louie, seconded by Mr. Jackson, and unanimously passed, that the Board approve ratification of an amendment to an agreement between the Harris County Hospital District and Harris County to provide Comprehensive Outpatient Primary Care Services funded by Ryan White Title I to eligible HIV-infected females in the additional amount of \$100,000 for a total funding amount of \$708,715 for the term March 1, 2005 through February 28, 2006.

e. **Motion 05.11-492**

Moved by Dr. Louie, seconded by Mr. Jackson, and unanimously passed, that the Board approve ratification of an agreement between the Harris County Hospital District and Dallas County Hospital District, The Parkland Foundation for Texas/Oklahoma AIDS Education and

Training Center under Ryan White Federal CARE Act to provide education on treatment, training, and consultation and support to healthcare professionals treating HIV+ patients in the amount of \$80,000 for the term July 1, 2005 through June 30, 2006.

f. **Motion 05.11-493**

Moved by Dr. Louie, seconded by Mr. Jackson, and unanimously passed, that the Board approve an agreement between the Harris County Hospital District and Clear Creek Independent School District for School-based Health Services via a Mobile Unit at McWhirter Elementary School and acceptance of funding in the amount of \$28,728 for the expense of a nurse practitioner for the term December 1, 2005 through June 30, 2006.

g. **Motion 05.11-494**

Moved by Dr. Louie, seconded by Mr. Jackson, and unanimously passed, that the Board approve a Point of Entry Agreement between the Harris County Hospital District and Houston Area Community Services, Inc. to facilitate referrals to case management services for individuals who are HIV-infected for the term March 1, 2006 through February 28, 2007. Neither party will pay or receive compensation under this agreement.

h. **Motion 05.11-495**

Moved by Dr. Louie, seconded by Mr. Jackson, that the Committee recommend that the Board approve a Point of Entry Agreement between the Harris County Hospital and Amigos Volunteers in Education Services to facilitate access to primary care for individuals who are HIV+ for the term March 1, 2006 through February 28, 2007. Neither party will pay or receive compensation under this agreement.

2. **Items related to Reports**

Report regarding Ongoing Activities of the Council-at-Large

Mr. DeWitt McAfee thanked the Board, Administration and District staff for their support.

Ms. Lyllyan Bradshaw presented agenda items related to Personnel Committee.

D. Personnel Committee

The Personnel Committee did not meet and brings directly to the Board the following item:

Motion 05.11-496

Moved by Ms. Truesdell, seconded by Ms. Spinks, and unanimously passed, that the Board approve acceptance of the Annual Accounting Results of the Aetna Choice POS II Medical Plan for the policy period ending February 28, 2005.

Mr. Attwell called on Ms. Carolyn Truesdell who called on Mr. King Hillier and Ms. Mary Schneider to present agenda items related to the Governmental & Public Affairs Committee.

E. Governmental & Public Affairs Committee

The Governmental & Public Affairs Committee met October 14, 2005, discussed agenda item "1" and brings forth agenda item "2" for approval:

1. Report on State and Federal Legislative Update and Possible Consideration of Recommendations regarding Policy Issues and Appropriations affecting the Harris County Hospital District

Mr. Hillier gave a status report on the recent Congressional visits in Washington, D.C.. The key topics of the report were the Medicaid budget proposals in the House and Senate, the protection of IGTs for DSH and UPL, Ryan White Care Act Funding, Community Access Program funding, ASK Your Nurse, HR 3547, and S 1840 regarding 340B inpatient drug discounts.

Mr. Hillier also addressed the timeline of the appropriations process and Homeland Security funding and policy changes.

The Board and Mr. Hillier discussed the status in Texas of the Rider 84 trauma funding and regional UPL.

No action taken.

2. **Motion 05.11-497**

Moved by Mr. Jackson, seconded by Ms. Spinks, and unanimously passed, that the Board approve an Agreement

between the Harris County Hospital District and Mary Schneider for Intergovernmental Relations in an amount not to exceed \$150,000 (\$100,000 for services and \$50,000 reimbursement for reasonable travel and lodging expenses) for the term November 3, 2005 through November 2, 2006.

Ms. Nancy Brock presented a summary report on Katrina Activities for the period August 21, 2005 through October 29, 2005. (Appendix "C").

Mr. Attwell called on Ms. Mary Spinks who called on Mr. Lawrence Bell to present agenda items related to the Buildings & Properties Committee.

F. Buildings & Properties Committee

The Buildings & Properties Committee met October 14, 2005 and brings forth the following items:

1. **Motion 05.11-498**

Moved by Dr. Louie, seconded by Ms. Truesdell, and unanimously passed, that the Board authorize the Hospital District to enter into an Occupancy Agreement with the City of Houston for the Gateway to Care program based on an annual payment of \$1.00 and the services that the Gateway to Care program will provide as set out in Exhibit B of the occupancy agreement. (Appendix "D").

2. **Motion 05.11-499**

Moved by Ms. Truesdell, seconded by Ms. Spinks, and unanimously passed, that the Board approve of the Hospital District entering into a new Interlocal Agreement with Harris County on behalf of its Public Infrastructure Department – Engineering Division, for the purpose of providing Wage Rate Compliance Services for a period of December 1, 2005 through November 30, 2006. The fee for this service will be for an amount not to exceed \$50,000. In addition, it is recommended that an additional services allowance of \$2,000 be established for mileage reimbursement.

3. **Motion 05.11-500**

Moved by Ms. Spinks, seconded by Dr. Louie, and unanimously passed, that the Board authorize the Hospital District to enter into Lease Option 2 with Kynto Ventures, LLC for 50 parking spaces at a rate not to exceed \$1,750 per month for a time period

of January 1, 2006 through December 31, 2006. (Represents an increase from \$30 to \$35 per space.)

4. Discussion regarding the Hospital District's Capital Improvement Program

This item was withdrawn.

Mr. Attwell presented the Miscellaneous Agenda Items.

VI. Miscellaneous Agenda Items

Mr. Jim Lemond departed the meeting at this time (11:40).

A. **Motion 05.11-501**

Moved by Dr. Louie, seconded by Mr. DonCarlos, and unanimously passed, that the Board approve ratification of an Agreement between the Harris County Hospital District and Interfaith Ministries for Greater Houston, C.A. to provide volunteers to serve children with exceptional and special needs in the Lyndon B. Johnson General Hospital. The liability of the District is limited to \$2,200, plus additional amounts certified available by the District for the purpose of satisfying the District's obligations under the terms and provisions of this agreement. This agreement is for the term July 6, 2005 through July 6, 2008.

Mr. Jim Lemond was not present for this portion of the meeting.

B. **Motion 05.11-502**

Moved by Mr. Jackson, seconded by Dr. Louie, and unanimously passed, that the Board approve a resolution committing the Harris County Hospital District Board of Managers and Administration support of Level III Trauma Services at Lyndon B. Johnson General Hospital.

Mr. Jim Lemond was not present for this portion of the meeting.

C. **Motion 05.11-503**

Moved by Mr. DonCarlos, seconded by Mr. Jackson and unanimously passed, that the Board approve an Agreement between the Harris County Hospital District and the Texas Department of State Health Services for inpatient hospital services provided to tuberculosis patients for a maximum amount of \$35,000 for the period September 1, 2005 through August 31, 2006. (Texas Department of State Health Services agrees to pay \$1,400 for a

maximum stay in the hospital of 10 days per patient if a third-party payor, including Medicaid and Medicare, is not obligated to reimburse the District.)

Mr. Jim Lemond was not present for this portion of the meeting.

Prior to the next agenda item VII, Mr. Lopez introduced Dr. Mary Holt Ashley who announced that she will retire effective January 31, 2006.

Dr. Ashley thanked the Board for the career opportunities she has had during her thirty-seven (37) years at the District.

D. Presentation and Possible Action regarding the Availability of the DeBakey High School Facility for Healthcare Purposes

This item was taken out of order (9:10 a.m.).

Following the viewing of a video of Dr. Michael DeBakey highlighting the history of the Michael E. DeBakey High School for Health Professions, Dr. Richard E. Wainerdi, Medical Center President presented a plan that included the current school relocating to new quarters in the Medical Center and the existing school building being transformed into a HCHD Ambulatory Care Center. The Houston Independent School District currently owns the property and would sell the building to the Hospital District for an estimated \$10 million.

Per Dr. Wainerdi, the land where the current school is located was given to the Houston Independent School District by the Texas Medical Center. Under the current proposal, HISD would give the land back to the Medical Center; the Medical Center would lease the land to the Hospital District for \$1 a year.

Mr. Richard Lindsay, senior project executive for the Houston Independent School District was also present and voiced HISD's support of the proposal.

Much discussion ensued.

No action was taken on this agenda item.

Mr. Attwell announced that the meeting will now return to the order of the agenda (9:40 a.m.) and called on Mr. Danny Jackson to present agenda items IV related to purchasing.

VII. Items Related to Miscellaneous Reports

Report on Internal Audit of the Cash Collections Processes of the Patient Business Services Department

No action required. Presented for information only.

VIII. Executive Session

At 11:52 A.M., Mr. Attwell stated that the Board would go into Executive Session under Section 161.032 of the Texas Health & Safety Code and 551 of the Texas Government Code, Section 071 and 072. He stated that the regular meeting of the Board would reconvene at the close of Executive Session.

IX. Reconvene

Per Ms. Carolyn Truesdell, Mr. Attwell departed the meeting at 12:05 P.M.

At 12:32 P.M., Mr. DonCarlos reconvened the meeting and asked if there were further input to the Agenda.

A. Report by Corporate Compliance Officer regarding Compliance with Medicare, Medicaid, HIPAA, and other Federal and State Health Care Program Requirements and a Status of Fraud and Abuse Investigations pursuant to Section 161.032 of the Texas Health & Safety Code

Presented as information only requiring no action.

B. 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 Possible Action regarding the Matter upon return to Open Session

Motion 05.11-504

Moved by Ms. Truesdell, seconded by Dr. Louie, and unanimously passed, that the Board approve extension of a contract with Locke, Liddell & Sapp law firm for six (6) months and allocation of an additional \$50,000 to the contract for assistance relating to the 2015 Strategic Plan.

Mr. Attwell and Mr. Lemond were not present for this portion of the meeting.

C. Consideration of a Proposed Resolution Authorizing \$216,000 to be paid to the Landowner in the Eminent Domain Proceeding filed

under Docket No. 817988; County Civil Court at Law Number 1; Harris County Hospital District v. Geary Michael Ashby, et al. pursuant to Tex. Gov't Code Ann. § 551.071, and to Take Appropriate Action regarding this Matter Upon Return to Open Session

Motion 05.11-505

Moved by Ms. Truesdell, seconded by Ms. Spinks, and unanimously passed, that the Harris County Hospital District, by and through its Board of Managers, approves and hereby authorizes \$216,000 to be paid to the landowner in the Eminent Domain proceeding filed under Docket No. 817988; County Civil Court At Law Number 1; Harris County Hospital District v. Geary Michael Ashby, et al.: The Landowner shall be permitted to withdraw the \$200,000 previously deposited with the Court, and Harris County Hospital District shall pay the additional sum of \$16,000 to: Roberts Markel Guerry, P.,C., Trust Account, 2500 City West Blvd., Ste. #1350, Houston, Texas 77042.

- D. Consultation with the County Attorney regarding the Status of Litigation involving LBJ Property Acquisition pursuant to Tex. Gov't Code Ann. § 551.071 and Possible Action regarding this Matter upon return to Open Session

Motion 05.11-506

Moved by Ms. Truesdell, seconded by Dr. Louie, and unanimously passed, that the Harris County Hospital District, by and through its Board of Managers, previously approved and authorized expenses not to exceed \$100,000 incurred by the County Attorney's Office in connection with the LBJ Hospital expansion project. The Board of Managers hereby approves and authorizes the additional amount of \$100,000 for expenses incurred by the County Attorney's Office for the LBJ Hospital Expansion Project, for a total amount not to exceed \$200,000.

Mr. Attwell and Mr. Lemond were not present for this portion of the meeting.

Motion 05.11-507

Moved by Dr. Louie, seconded by Mr. Jackson, and approved giving the County Attorney authority to negotiate a limited waiver of

executive session privilege in eminent domain litigation involving the LBJ property acquisition.

The motion carried four (4) to one (1) with the following vote:

Mr. Stephen DonCarlos – Aye

Ms. Carolyn Truesdell – Aye

Dr. Daniel Louie – Aye

Mr. Danny Jackson – Aye

Ms. Mary Spinks – Nay

X. Adjournment

Moved by Ms. Truesdell, seconded by Mr. Jackson, and unanimously accepted to adjourn the meeting.

There being no further business, the meeting adjourned at 12:35 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 November 3, 2005.

J. Evans Attwell, Chairman
Board of Managers
Harris County Hospital District
Houston, Texas

Carolyn Truesdell, Secretary

Recorded by Anne McCowan