



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

Thursday, February 23, 2012

Board Room – Administration Building

BOARD MEMBERS PRESENT

Mr. Stephen DonCarlos, Chair
Ms. Carolyn Truesdell, Vice Chair
Mr. E. Dale Wortham, Secretary
Mr. Elvin Franklin, Jr.
Dr. George Santos
Ms. Daisy Stiner
Dr. Atul Varadhachary (9:35 a.m.)
Mr. Lawrence Finder
Mr. TJ Tijerina, Jr.

BOARD MEMBERS ABSENT

OTHERS PRESENT

Mr. David Lopez, President & Chief Executive Officer
Mr. Kelly Johnson, Harris County Purchasing Agent
Ms. Vivian Groce, Harris County Assistant Purchasing Agent
Mercedes Leal, County Attorney's Office
Dr. Matthew Wall, Chairman, Medical Executive Board
Dr. Jose Garcia, AMS
Ms. Peggy Boice, Judge Ed Emmett's Office
Mr. Mark Fury, Commissioner Steve Radack's Office (left at 10:01 a.m.)
Ms. Elizabeth Neal, Commissioner Jack Cagle's Office (9:28 a.m.)
Administrative Staff
Guests
(Sign-in Sheets attached to permanent record)

I. Call to Order and Record of Attendance

Mr. Stephen DonCarlos, Chair, called the meeting to order at 9:11 a.m. and noted that a quorum was present. The attendance was recorded.

II. Approval of Minutes of Previous Meetings

Motion 12.2-15

Moved by Ms. Truesdell, seconded by Mr. Franklin, and unanimously passed, that the Board approve the minutes of the January 26, 2012 Board of Managers Meeting.

III. Special Presentations

Mr. Okezie recognized the LBJ Trauma Team for the work done with the trauma recertification at LBJ.

Dr. Mattox made a presentation of flags flown in Iraq and Afghanistan. Both are temporarily available for viewing at Holly Hall before permanent display at Ben Taub.

IV. Hear from Citizens

There were no citizens present to speak.

V. Consideration of Approval of Recommendations and Acceptance of Agenda Items Identified as Consent Agenda Items

Motion 12.2-16

Moved by Mr. Wortham, seconded by Dr. Santos, and unanimously passed, that the Board approve items V.A1a to V.A1hh.

A. Items related to Purchasing

A(1). Consideration of Purchasing Recommendations Requiring Board Approval:

- a. approve additional budgeted funds for Chopra Imaging Centers Inc. dba Advanced Diagnostics (\$521,700) and One Step Diagnostic (\$374,500) for ultrasound services in the estimated multi-vendor additional amount of \$896,200 for the term July 1, 2011 through June 30, 2012 (Board previously approved funds in the amount of \$1,942,972 for the same term).
- b. approve additional budgeted funds and an extension for PharMedium Services, LLC (\$98,800) and Unique Pharmaceuticals, Ltd. (\$303,000) for sterile admixing pharmaceuticals in the estimated multi-vendor additional amount of \$401,800 for the extended term March 1, 2012 through May 31, 2012 (Board previously approved funds in the amount of \$1,600,000 for the term March 1, 2011 through February 29, 2012).
- c. approve additional budgeted funds for Hellmuth, Obata + Kassabaum, L.P. for professional architectural and engineering design services, consultation, and construction oversight for the construction of the Radiation Therapy and Diagnostic Imaging

Center and Parking Garage in the estimated additional amount of \$101,400 (Board previously approved funds in the amount of \$4,779,041).

- d. approve fourth and final renewal option for A-1 Delivery Services Inc. for courier services in the estimated amount of \$185,500 for the term March 1, 2012 through February 28, 2013.
- e. award on the basis of low quote per item for Contract Resource Group (\$826), Ofis (\$15,893), HBI Office Solutions (\$154,390), Vanguard Environments (\$331,271), and Jimenez Contract Services (\$639,927) for office furniture for the Smith Clinic Building Project in the total multi-vendor amount of \$1,142,307.
- f. award on the basis of highest overall evaluation for Skanska USA Building, Inc. for Construction Manager at Risk for demolition and build-out of the GI Lab Project at Lyndon B. Johnson General Hospital in the amount of \$91,072.
- g. approve purchase for SimplexGrinnell (TXMAS-5/03FAC010-1) for maintenance and services for the fire alarm systems in the estimated amount of \$205,013 for the term March 1, 2012 through February 28, 2013.
- h. approve the first of four renewal options for Midwest Employers Casualty Co. through Alamo Insurance Group, Division of Brown & Brown Insurance Services of San Antonio, Inc. for excess workers' compensation and employer's liability insurance in the estimated amount of \$225,615 for the term March 31, 2012 through March 31, 2013.
- i. approve the fourth and final renewal option for MC AnalyTXs, Inc. for claims payment analysis tool/service in the estimated amount of \$150,000 for the term February 18, 2012 through February 17, 2013.
- j. approve an exemption from the competitive bid requirements and the first of five renewal options for Baylor College of Medicine for health services for School-Based Teen Clinic Program in Precinct 1 in the estimated amount of \$150,000 for the term April 5, 2012 through April 4, 2013.
- k. approve the second of four renewal options for Press Ganey Associates, Inc. for patient satisfaction and HCAHPS surveys, employee surveys and physician surveys in the estimated amount of \$608,397 for the term March 1, 2012 through February 28, 2013.

- l. award on the basis of low quote for General DataTech, L.P. for maintenance and support for Cisco equipment in the amount of \$675,401 for the term March 1, 2012 through February 28, 2013.
- m. award on the basis of low quote for NetSynch Network Solutions for Cisco Intrusion Detection Hardware in the amount of \$444,282.
- n. ratify the second of four renewal options for Performance Management Services, Inc. for Nursing Competency Assessment System in the estimated amount of \$120,000 for the term December 1, 2011 through November 30, 2012.
- o. award on the basis of best bids meeting specifications by class for AMO Sales and Services, Inc. (\$43,610) and Merck Sharp & Dohme, Corp., for Merck & Co., Inc. (\$101,250) for outpatient pharmaceutical products in the estimated multi-vendor amount of \$144,860 for the term March 1, 2012 through February 28, 2013.
- p. approve additional budgeted funds for Epic Systems Corporation for software licenses true-up for Epic clinical applications in the estimated additional budgeted funds in the amount of \$1,201,313 for the term April 1, 2011 through March 31, 2012 (Board previously approved funds in the amount of \$2,644,714 for the same term).
- q. ratify the second of three renewal options for Boston Scientific Corporation for drug eluting stents and related products in the estimated amount of \$505,714 for the term January 1, 2012 through December 31, 2012.
- r. approve an exemption from the competitive bid requirements for Baylor College of Medicine for various medical services to eligible HIV-infected patients in the estimated amount of \$871,210 (Ryan White Grant Funds) for the term March 1, 2012 through February 28, 2013.
- s. award on the basis of best proposals meeting requirements for Corporate Move Consulting Inc. (move consultant) and A-Rocket Relocation Services (movers) for District-wide move consultant and movers in the estimated amount of \$950,000 for the move consultant and \$550,000 for the mover for a one-year initial term with four one-year renewal options.
- t. approve funding on the basis of product standardization for Cardinal Health 200 LLC (PP-NS-566) (\$124,197) and Covidien, a Tyco Healthcare Group, LP The Kendall Company (PP-NS-567) (\$147,197) for suction canisters, yankauers and tubing in the estimated multi-vendor amount of \$271,394 for the term March 1, 2012 through February 28, 2013.

- u. approve additional budgeted funds and an extension for The Standard Register Company (PP-MM-015) for forms and related products in the estimated additional budgeted amount of \$123,696 for the term January 1, 2012 through March 31, 2012 (Board previously approved funds in the amount of \$804,751 for the term October 1, 2010 through December 31, 2011).
- v. approve the second of four renewal options for Sysmex America, Inc. (PP-LA-265) for hematology analyzers for the Community Health Program clinics in the estimated amount of \$262,376 for the term April 1, 2012 through March 31, 2013.
- w. approve purchase on the basis of single source contract for Olympus America, Inc./Gyrus ACMI, LLC (PP-OR-778) for urological endoscopic products and equipment in the estimated amount of \$170,430.
- x. approve purchase as an exception to the Harris County Hospital District Purchasing Manual bid requirements for Triad Isotopes for radiopharmaceuticals/radiopharmaceutical distribution in the amount of \$372,878 (\$303,022 in funds for January 1, 2012 through March 31, 2012 – radiopharmaceuticals including C-14 Pytest; \$69,856 in funds for April 1, 2010 through December 31, 2011 – C-14 Pytest and related products only).
- y. award on the basis of best proposals meeting requirements for Acumed LLC, DePuy Orthopaedics, Inc., Smith & Nephew, Inc. on behalf of its Advanced Surgical Devices Division, and Stryker Orthopedics, a part of Howmedica Osteonics Corp. for orthopedic implants in the estimated multi-vendor amount of \$3,500,000 for a one year initial term with four one-year renewal options.
- z. approve revised award on the basis of best proposal meeting requirements for Stericycle, Inc. (Reusable Sharps Containers and Disposal Services) for reusable sharps containers and disposable services for medical waste, pharmaceutical waste and sharps in the estimated amount of \$164,418 for a one year initial term with four one-year renewal options.
- aa. award on the basis of best contract for Stericycle, Inc. (PP-FA-222) for waste management products and services in the amount of \$541,686 for a one year initial term with four one-year renewal options.
- bb. approve additional budgeted funds and an extension for Stericycle, Inc. for medical waste disposal in the estimated additional amount of \$208,333 for the term January 1, 2012 through March 31, 2012 (Board previously approved funds in the

amount of \$971,393 for the term October 1, 2010 through December 31, 2011).

- cc. award for The University of Texas Health Science Center at Houston on behalf of its Gulf Coast Regional Extension Center for technical assistance and consultation related to electronic health records in the estimated revenue amount of \$200,000 for a one year initial term.
- dd. approve the fourth and final renewal option for CareFusion Solutions, Inc. formerly Cardinal Health 301, LLC (PP-CE-383) for purchase/rental and maintenance of automation medication and supply distribution cabinets/medication and supply in the estimated amount of \$1,589,996 for the term March 1, 2012 through February 28, 2013.
- ee. approve additional budgeted funds for Network Cabling Services, Inc. – Class I (\$28,000) and NetVersant Solutions LLC – Catalogs and Class II-IV (\$95,000) for the installation and testing of a cable distribution system for the local area network at Quentin Mease Community Hospital and Holly Hall Administration Building in the estimated additional budgeted funds amount of \$123,000 for the term March 22, 2011 through March 21, 2012 (Board previously approved funds in the amount of \$225,000 for the same term).
- ff. approve additional funds for UnitedHealthcare Insurance Company-Dental, Standard Life Insurance (The Standard)-Basic Life and AD&D, and Davis Vision, Inc.-Vision for Dental DHMO and DPPO, Basic Life and AD&D, Voluntary Life and AD&D and Vision Coverage in the estimated additional amount of \$487,486 for the term March 1, 2011 through February 29, 2012 (Board previously approved funds in the amount of \$5,511,666 for the same term).
- gg. approve additional funds for Aetna Life Insurance Company for medical/prescription drug coverage and Employee Assistance Program “EAP” services in the estimated additional amount of \$186,697 for the term March 1, 2011 through February 29, 2012 (Board previously approved funds in the amount of \$85,086,729 for the same term).
- hh. ratify award for The University of Texas M.D. Anderson Cancer Center for radiation therapy and related services in the estimated amount of \$1,500,000 for the term November 1, 2011 through October 31, 2012 with four one-year renewal options.

A (2). Transmittals of Completed Items **(For Informational Purposes)**

- a. transmittal of the fourth and final renewal option for Travelers Lloyd's Insurance Company through John L. Wortham & Son, L.P. to provide physical damage coverage for mobile health units and catastrophe coverage for scheduled vehicles in the estimated amount of \$28,369 for the term April 1, 2012 through April 1, 2013.
- b. transmittal of the second of four renewal options for Rosetta Stone Ltd. for a web-based foreign language learning system in the estimated amount of \$49,500 for the term February 1, 2012 through January 31, 2013.
- c. transmittal of purchase on the basis of sole source for Hologic, Inc. to provide two Hologic Full Field Digital Mammography Systems to allow remote reading of breast studies in the estimated amount of \$60,000.
- d. transmittal of award on the basis of low bid for Creative Office Furniture, Inc. to reupholster and refurbish waiting room seating in the amount of \$55,914.
- e. transmittal of the fourth and final renewal option for C+R Awards Incentive, Inc. for service awards in the estimated amount of \$22,500 for the term March 1, 2012 through February 28, 2013.
- f. transmittal of additional budgeted funds for Wilson Architectural Group, Inc. and ESPA Corp. for professional architectural and engineering services for construction projects in the estimated additional budgeted funds amount of \$32,000 (Board previously approved funds in the amount of \$3,448,555).
- g. transmittal of the first of four renewal options for Sterling Readiness Rounds LLC for a Tracer Template Program related to Joint Commission Standards in the estimated amount of \$94,410 for the term March 24, 2012 through March 23, 2013.
- h. transmittal of purchase on the basis of only quote for Microsoft Corporation (DIR-SDD-821) for Microsoft Premier Support Services in the amount of \$89,333 for the term upon execution of Agreement through October 17, 2012.
- i. transmittal of purchase on the basis of low quote for Dell Marketing LP for maintenance and support for Pointsec encryption software used to maintain and protect Patient Health Information and USB devices in the amount of \$99,374 for the term April 12, 2012 through April 11, 2013.

- j. transmittal of purchase on the basis of lowest price contract for CareFusion 211, Inc. to provide three respiratory ventilators in the amount of \$48,916.
- k. transmittal of award on the basis of lowest priced proposal for Hologic, Inc. to provide a breast MRI computer aided detection software system in the estimated amount of \$45,100 (year 1).
- l. transmittal of the third of four renewal options for Siemens Healthcare Diagnostics, Inc. (Siemens) to provide Hepatitis C Virus (HCV) genotype testing in the estimated amount of \$95,896 for the term March 1, 2012 through February 28, 2013.
- m. transmittal of award on the basis of best bid for Zeno Imaging (Category II) for facsimile machines in the estimated amount of \$45,200 for the term March 1, 2012 through February 28, 2013 with four one-year renewal options.
- n. transmittal of renewal and extended term on the basis of sole source for Sunquest Information Systems, Inc. for Sunquest Collection Manager Software and InterSystems Cache License Maintenance in the estimated amount of \$64,538 for the term August 1, 2011 through September 30, 2012.
- o. transmittal of additional budgeted funds for Processor & Chemical Services, Inc. dba P&C X-Ray Services for repair services for radiology equipment in the additional budgeted funds amount of \$49,875 for the term October 15, 2011 through October 14, 2012 (Board previously approved funds in the amount of \$29,750 for the same term).
- p. transmittal of award on the basis of only proposal received for Volcano Corporation to provide one coronary intravascular ultrasound system in the estimated amount of \$95,000.
- q. transmittal of purchase on the basis of low quote for Dell Marketing LP for maintenance, support and software subscription licenses of Symantec Archiving E-Discovery Solution in the amount of \$77,180 for the term March 4, 2012 through March 3, 2013.

Agenda Item V.G. was pulled.

Motion 12.02-17

Moved by Mr. Wortham, seconded by Mr. Franklin, and unanimously passed, that the Board approve agenda items V.B. – V.F. and V.H - V.J.

- B. Renewal of an Agreement between the Harris County Hospital District and the Dallas County Hospital District, The Parkland Foundation for Texas/Oklahoma AIDS Education and Training Center funded under Ryan White HIV/AIDS Treatment Extension Act Part F to provide

state of the art education and treatment, training and consultation, and support to healthcare professionals treating HIV-infected patients in the not-to-exceed amount of \$100,000 for the term July 1, 2012 through June 30, 2013.

- C. Renewal of a Facilities Use Agreement between the Harris County Hospital District and Legacy Community Health Services for the use of space, at no cost, at Thomas Street Health Center to provide group-level intervention to eligible HIV-infected individuals for the term May 1, 2012 through April 30, 2013.
- D. Approval of naming opportunity (Pediatric and Adolescent Health Center – Bear Creek) for the new pediatric clinic location at 5870 North Highway 6, Houston, Texas.
- E. Approval of naming opportunity (Pediatric and Adolescent Health Center – Cypress) for the new pediatric clinic location at 12340 Jones Road, Houston, Texas.
- F. Authorization to Enter into Lease Option 15 of the Lease Agreement between the Harris County Hospital District and the City of Pasadena for approximately 35,564 square feet of space for the Strawberry Health Center/Eligibility Center. Lease option 15 is for the period of March 1, 2012 through February 28, 2013. The current lease payment of \$9,933.49/month will increase to \$10,252.06/month due to a 3.207% increase in Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) from December 2010 to December 2011.
- G. WITHDRAWN.
- H. Ratification of the Second Amendment of the Salary Reimbursement Agreement between the Harris County Hospital District and The University of Texas M.D. Anderson Center for the term January 1, 2010 through December 31, 2012.
- I. Acceptance of the KPMG 2012 Client Service Plan.
- J. Approval of Policy #7.28 – Continuous Electrocardiographic (ECG) Monitoring Criteria effective February 23, 2012.

VI. Reports of the Committees

A. Joint Conference Committee

Dr. Matthew Wall presented the credentialing changes for members of the HCHD medical staff for February 2012. Discussion ensued regarding DEA/DPS numbers. Dr. Santos noted that there are a few practitioners whose DEA and/or DPS licenses expire in a matter of days. It was stated that those with expired licenses get pulled and locked out of Epic. Ms. Jones stated that currently, 13 providers are not practicing after their licenses expired on January 31, 2012. Another 47 will be suspended at the end of February if their renewed licenses are not received. She stated that

the District has a contact person at DPS who they are working with. Dr. Santos addressed those applications that are pending DEA/DPS licenses. It was suggested that the District Board Chair appoint someone to review those that become complete (due to DPS/DEA numbers) between meetings. Formal ratification of these applications can be done prior to the next Board meeting. Discussion ensued. Mr. DonCarlos designated Dr. Varadhachary to review these applications. A copy of the report is available in the permanent record.

Motion 12.2-18

Moved by Mr. Wortham, seconded by Mr. Finder, and unanimously passed, that the Board approve item VI.A.1. and VI.A.2.

1. Approval regarding the Credentialing Changes for Members of the HCHD Medical Staff (February 2012).
2. Approval regarding the Credentialing Changes for Members of the HCHD Medical Staff (Pending Items, February 2012).

Motion 12.2-19

Moved by Mr. Finder, seconded Ms. Stiner, and unanimously passed, that the Board approve items VI.A.3-VI.A.11.

3. Approval of Recommendation regarding Replacement of Pediatric Endocrinology Clinical Privileges Forms for the Harris County Hospital District.
4. Approval of Recommendation regarding Replacement of Pediatric Gastroenterology Clinical Privileges Forms for the Harris County Hospital District.
5. Approval of Recommendation regarding Replacement of Pediatric General Surgery Clinical Privileges Forms for the Harris County Hospital District.
6. Approval of Recommendation regarding Replacement of Pediatric Pulmonology Clinical Privileges Forms for the Harris County Hospital District.
7. Approval of Recommendation regarding Replacement of Medical Genetics (Pediatric Service) Clinical Privileges Forms for the Harris County Hospital District.
8. Approval of Recommendation regarding Replacement of Neonatal-Perinatal Clinical Privileges Forms for the Harris County Hospital District.
9. Approval of Recommendation regarding Replacement of Certified Registered Nurse Anesthetist Clinical Privileges Forms for the Harris County Hospital District.

10. Approval of Recommendation regarding Replacement of Physician Assistant/Nurse Practitioner (Emergency Medicine Service) Clinical Privileges Forms for the Harris County Hospital District.
11. Approval of Recommendation regarding Creation of Pathologist Assistant Clinical Privileges Forms for the Harris County Hospital District.

B. Budget and Finance Committee

Mr. Norby presented the January 2012 Financial Report. Inpatient utilization was 2.9% greater than budget District wide. Charity and self-pay payor mix of 61.2% compared unfavorably to the budget of 57.1%. Emergency center visits were 22.5% less than budget. Clinic visits were 2.7% greater than budget. Discussion ensued. Total net revenue of \$95.5 million was \$9.5 million greater than budget. Total expenses were \$5.7 million (6.4%) greater than budget. District operating income for January was a gain of \$1.3 million. A copy of the report is available in the permanent record.

1. Motion 12.2-20

Moved by Mr. Wortham, seconded by Ms. Stiner, and unanimously passed, that the Board accept the January 2012 Financial Report subject to audit.

Mr. Norby presented the January 2012 Pension Plan Report. A copy of the report is available in the permanent record.

2. Motion 12.2-21

Moved by Mr. Wortham, seconded by Mr. Franklin, and unanimously passed, that the Board accept the January 2012 Pension Plan Report subject to audit.

3. Presentation of January 2012 Financial Statements and Background and Strategic Priorities of Community Health Choice, Inc.

Mr. Janda presented the January 2012 Financial Statements of Community Health Choice, Inc. He also presented the background and strategic priorities of Community Health Choice, Inc. A copy of the report and presentation are available in the permanent record.

C. PI & Patient Safety Committee

1. Review, Discussion and Possible Action regarding the Harris County Hospital District (HCHD) Quality Scorecard

Dr. Sutton reviewed the Harris County Hospital District Quality Scorecard with the Board. It was noted that the scorecard was reviewed at length at the February Committee meeting. He reviewed those areas still needing improvement. Dr. Santos stated that he met with the PI team to review the PI implementations from last year. They are back on

track with these initiatives and a new draft proposal is being prepared for review. A copy of the report is available in the permanent record.

2. Review and Discussion regarding the Harris County Hospital District (HCHD) Triennial Joint Commission Survey

The Triennial Joint Commission Survey was deferred until Executive Session.

D. Legislative Committee

1. Update, discussion and possible action regarding activities in Austin relating to regulatory issues impacting HCHD, the 82nd Legislative Session and the HCHD legislative platform
2. Update, discussion and possible action regarding pending federal legislative, line items and policy issues affecting HCHD

Mr. Hillier presented the Legislative Committee Report. Dr. Santos asked that the Legislative Report be put in a written format for the Board.

VII. President/Chief Executive Officer's Report and Possible Action to Include: 1) Joint Commission Survey: Report; 2) 1115 Waiver: Report; and 3) Drug Enforcement Administration (DEA): Update on Registration Numbers

Joint Commission Survey: Report

The Joint Commission Survey Report was deferred until Executive Session.

1115 Waiver: Report

Mr. Lopez addressed the 1115 Wavier, stating that there is a lot of angst right now amongst the outlying counties. A Southeast Texas Regional Healthcare Planning website has been developed (setexasrhp.com). Workgroups are forming to prepare up to 47 needs assessments. The plan will be brought to the Board sometime in July. Discussion ensued. Mr. DonCarlos asked that the Board Office send dates of all advisory group meetings to all Board members. Further discussion ensued. Dr. Santos stated that there should be a clearer structure for supervising this process by way of a Board ad hoc committee. Mr. DonCarlos appointed Mr. Franklin, Dr. Santos, and Dr. Varadhachary to an ad hoc committee to address the 1115 waiver. Mr. Franklin asked for the administrative report to be in a written format in the future.

Drug Enforcement Administration (DEA): Update on Registration Numbers

The DEA Update on Registration Numbers was discussed under agenda item VI.A.1.

VIII. Executive Session

At 11:28 a.m., Mr. DonCarlos stated that the Board would go into Executive Session under Section 161.032 of the Texas Health & Safety Code, Texas Occupations Code 160.007, and Chapter 551 of the Texas Government Code Sections 071, 072, 074, and 076. Mr. DonCarlos stated that the regular meeting of the Board would reconvene at the close of Executive Session.

IX. Reconvene

Mr. Tijerina and Dr. Santos left before reconvening from Executive Session.

At 1:59 p.m., Mr. DonCarlos reconvened the meeting and stated that no action was taken in Executive Session.

A. Report by Senior Vice President of Corporate Compliance 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.

No action taken.

B. Report by the Chief Medical Officer regarding Quality of Medical and Health Care, pursuant to Tex. Health & Safety Code Ann. §161.032 and Tex. Occupations Code Ann. §160.007 to receive Peer Review and/or Medical Committee Report in Connection with the Evaluation of the Quality of Medical and Health Care Services.

No action taken.

C. Consultation with the County Attorney regarding Cause No. 2005-22988; *Encanto Real Utility District v. WRI Recycling, Inc.*; In the 165th Judicial District Court of Harris County, Texas, pursuant to Tex. Gov't Code Ann. §551.071 and Possible Action regarding this Matter upon Return to Open Session.

Motion 12.2-24

Moved by Mr. Finder, seconded by Ms. Stiner, and unanimously passed that the Board approve the following resolution:

The District's President and CEO, David S. Lopez, is authorized to execute, for and on behalf of the Harris County Hospital District, a deed, from Harris County, the Harris County Department of Education, the Port of Houston Authority of Harris County, the Harris County Flood Control District, the Harris County Hospital District, the Klein Independent School District, on behalf of itself and the Harris County Education Department, the Lone Star College System (formerly known as the North Harris Montgomery Community College System), the Harris County Emergency Services District #11, the Harris County Emergency Services District #7, and the Encanto Real Utility District that conveys to Harris County approximately 83.2786 acres of land consisting of two, separate tracts of

land, one located in the James Cooper Survey, Abstract No. 189, and the other located in the F.H. Herring Survey, Abstract No. 369, Harris County, Texas, both being more particularly described in a deed of trust instrument recorded at County Clerk's File No. M600444 of the Official Public Records of Real Property of Harris County, Texas, the deed being incorporated herein by reference and made a part hereof for all intents and purposes as though fully set forth herein word for word.

- D. Consultation with the County Attorney regarding an automobile accident claim filed by Felicia Smith, pursuant to Tex. Gov't Code Ann. §551.071 and Possible Action regarding this Matter upon Return to Open Session.

No action taken.

- E. Consultation with the County Attorney regarding Cause No. 2011-07531; *Brenda Blaze v. Harris County Hospital District*; In the 234th Judicial District Court of Harris County, Texas, pursuant to Tex. Gov't Code Ann. §551.071 and Possible Action regarding this Matter upon Return to Open Session.

Motion 12.2-22

Moved by Mr. Finder, seconded by Dr. Varadhachary, and unanimously passed that the Board approve the following resolution:

The Harris County Hospital District, by and through its Board of Managers, approves and hereby authorizes the settlement of Cause No. 2011-07531; *Brenda Blaze v. Harris County Hospital District*; In the 234th Judicial District Court of Harris County, Texas in an amount not to exceed \$41,000, payable to Brenda Blaze and her attorney Craig R. Keener. David S. Lopez, President/CEO, is authorized to execute any agreement, release or other necessary documents to effect this settlement.

- F. Consultation with the County Attorney regarding possible litigation in connection with the District's Issuance of Auction Rate Bonds, pursuant to Tex. Gov't Code Ann. §551.071 and Possible Action regarding this Matter upon Return to Open Session.

Motion 12.2-23

Moved by Mr. Wortham, seconded by Mr. Franklin, and unanimously passed that the Board approve the following resolution:

The Harris County Hospital District, by and through its Board of Managers, authorizes the County Attorney to engage the law firms of Fishman Haygood Phelps Walmsley Willis & Swanson, LLP and Schneider Wallace Cottrell Brayton Konecky LLP to represent the Harris County Hospital District in any proceedings or litigation in connection with the Hospital District's issuance of auction rate bonds.

G. Consultation with the County Attorney regarding the District's Disposal of Waste, pursuant to Tex. Gov't Code Ann. §551.071 and Possible Action regarding this Matter upon Return to Open Session.

No action taken.

H. Discussion regarding the Acquisition of Real Property in Connection with the Harris County Hospital District's 2015 Strategic Plan, pursuant to Tex. Gov't Code §551.072 and Possible Action regarding this Matter upon Return to Open Session.

No action taken.

I. Discussion regarding the Deployment of Security Personnel and Security Devices at District Facilities pursuant to Tex. Gov't Code §551.076 and Possible Action regarding this Matter upon Return to Open Session.

No action taken.

J. Discussion regarding the Employment and Duties of the Administrator for the Board Office Pursuant to Tex. Gov't Code §551.074 and Possible Action regarding this Matter upon Return to Open Session.

No action taken.

X. Adjournment

Moved by Mr. Wortham, seconded by Mr. Finder, and unanimously accepted to adjourn the meeting.

There being no further business, the meeting adjourned at 2:02 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 February 23, 2012.

Mr. Stephen DonCarlos, Chair
Board of Managers

Mr. E. Dale Wortham, Secretary
Board of Managers