

ORDINANCE NO. 040913-21

APPROVE AN ORDINANCE AUTHORIZING THE NEGOTIATION, EXECUTION, AND DELIVERY OF ALL DOCUMENTS NECESSARY TO TRANSFER OWNERSHIP OF BRACKENRIDGE HOSPITAL, INCLUDING CHILDREN'S HOSPITAL, TO THE TRAVIS COUNTY HOSPITAL DISTRICT; REPEALING ARTICLES 30 AND 36 OF TITLE 2-1 OF THE CITY CODE RELATING TO THE HOSPITAL SERVICES OVERSIGHT COMMITTEE AND THE MEDICAL ASSISTANCE PROGRAM AND RURAL MEDICAL ASSISTANCE PROGRAM JOINT ADVISORY BOARD; AND AUTHORIZING OTHER ACTION PRESCRIBED BY STATE LAW.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. FINDINGS.

- (A) The City of Austin has owned Brackenridge Hospital, a health facility including an acute care hospital facility, Children's Hospital of Austin, a medical office building, related support facilities and other assets (collectively "Brackenridge Hospital").
- (B) The City and Daughters of Charity Health Services of Austin, d/b/a Seton Medical Center (Seton) entered into a lease agreement (Seton Lease Agreement) for Brackenridge Hospital on September 29, 1995, authorizing Seton to lease the facilities, operate the hospital and purchase certain supplies, inventory, contract rights, equipment and goodwill.
- (C) The Council authorized the City Manager to execute an Amendment to Seton Lease Agreement on January 31, 2002, relating to reproductive services at Brackenridge Hospital, including the removal of the 5th floor of the hospital from the Seton Lease Agreement and adjustments in payments, and an Ancillary Services Agreement (First Amendment).
- (D) The First Amendment to the Seton Lease Agreement was entered into on February 11, 2002 to establish a new women's hospital on the 5th floor of the hospital.
- (E) On June 12, 2003, the Council authorized the City Manager to negotiate, approve and execute a Second Amendment to Seton Lease Agreement in connection with Seton's building a new Children's Hospital at the former Robert Mueller Municipal Airport site (Second Amendment).

- (F) The Second Amendment was entered into on November 21, 2003.
- (G) On December 1, 2003, the City and The University of Texas Medical Branch at Galveston, (UTMB) entered into a lease agreement (UTMB Lease Agreement) for the Austin Women's Hospital on the 5th floor of Brackenridge Hospital.
- (H) On May 15, 2004, the voters of Travis County approved the creation of a county-wide hospital district (Hospital District).
- (I) On August 2, 2004, the members of the Board of Managers of the Travis County Hospital District were qualified and commenced their service.
- (J) Chapter 281 of the Texas Health and Safety Code requires the City to transfer to the Hospital District certain facilities, funds, records, contracts, equipment, and operations, including Brackenridge Hospital.

PART 2. The City Manager is authorized and directed to take such action as may be appropriate to negotiate, approve, execute, and deliver a deed transferring Brackenridge Hospital to the Travis County Hospital District.

PART 3. Article 30 of Title 2-1, Hospital Services Oversight Committee, is repealed.

PART 4. Article 36 of Title 2-1, Medical Assistance Program And Rural Medical Assistance Program Joint Advisory Board, is repealed.

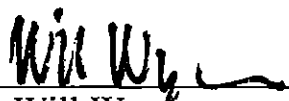
PART 5. The City Manager is authorized and directed to take such additional actions as may be appropriate to fulfill the City's obligations under Chapter 281 of the Texas Health and Safety Code relating to the Travis County Hospital District.

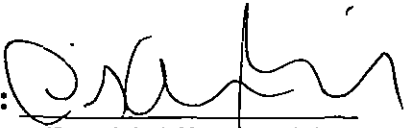
PART 6. This ordinance is effective September 24, 2004.

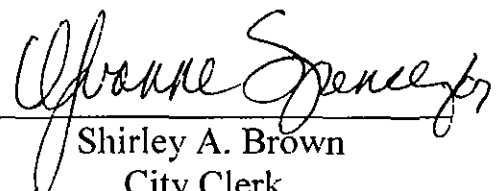
PASSED AND APPROVED

September 13, 2004

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Will Wynn
Mayor

APPROVED: 
David Allan Smith
City Attorney

ATTEST: 
Shirley A. Brown
City Clerk