

**THE UNIVERSITY OF TEXAS SYSTEM BOARD OF REGENTS'
CONSENT AGENDA NO. 1
MAY 2-3, 2012**

TABLE OF CONTENTS

		PAGE
U. T. SYSTEM ADMINISTRATION		
1.	Minutes - U. T. System Board of Regents: Approval of Minutes of the regular meeting held on February 8-9, 2012, and the Special Called Meetings held on February 24, 2012, April 2, 2012, and April 12, 2012 available at http://www.utsystem.edu/board-of-regents/meetings	198
2.	UTIMCO Board Appointment - U. T. System Board of Regents: Reappointment of Mr. Ardon E. Moore to the Board of Directors of The University of Texas Investment Management Company	198
3.	UTIMCO Committee Appointments - U. T. System Board of Regents: Reappointment of members to the Audit and Ethics Committee of the Board of Directors of The University of Texas Investment Management Company	199
4.	Resolution - U. T. System Board of Regents: Adoption of resolution regarding the list of Key Management Personnel authorized to negotiate, execute, and administer classified government contracts (Managerial Group) to reflect name and term of new Student Regent	199
5.	Office of Federal Relations - U. T. System: Authorization to implement "A Strategic Plan for the Office of Federal Relations"	201
6.	Request for Budget Change - U. T. System: Transfer not to exceed \$1.4 million from Available University Funds and Permanent University Fund Bond Proceeds to the Board Room Audio Visual Project account to install videoconference equipment to enhance the Board of Regents' meetings and presentations (RBC No. 149) -- amendment to the 2011-12 budget	202
7.	Request for Budget Change - U. T. System: Transfer of \$1,523,538 from Permanent University Funds to University Lands Damage Reimbursement Payments fund to continue replacement of 63 miles and repair of 47 miles of fence damaged due to wildfires that burned approximately 73,000 acres in three counties in West Texas on University Lands in February 2011(RBC No. 148) -- amendment to the 2011-12 budget	202

- 8. Approval of Dual Positions of Honor, Trust, or Profit - **U. T. System:** Appointment by Commissioner Kitzman of Phillip Dendy, Director of Risk Management, as a Member of the Fair Access to Insurance Requirements (FAIR) Plan Governing Committee 202
- 9. Report on Fiscal Year 2011 Post-Tenure Review - **U. T. System Academic Institutions** 203
- 10. Report on Fiscal Year 2011 Post-Tenure Review - **U. T. System Health Institutions** 207
- 11. Real Estate Report - **U. T. System:** Summary Report of Separately Invested Assets managed by U. T. System 209

ACADEMIC INSTITUTIONS

- 12. Contract (funds coming in) - **U. T. Arlington:** Xpress Pho of Arlington, LLC to lease approximately 3,457 square feet of retail lease space in the College Park Center for restaurant use 210
- 13. Contract (funds coming in) - **U. T. Arlington:** Grip College Park, LLC d/b/a GRIP Mediterranean Grill to lease approximately 2,017 square feet of retail space in the College Park Center for restaurant use 211
- 14. Contract (funds coming in) - **U. T. Arlington:** Dr. Tien Phan, d/b/a Mavs Sports Grill to lease approximately 4,519 square feet of retail lease space in the College Park Center for restaurant use 211
- 15. Contract (funds coming in) - **U. T. Arlington:** Pie Five Restaurants, Inc. to lease approximately 2,196 square feet of retail lease space in the College Park Center for restaurant use 212
- 16. Contract (funds coming in) - **U. T. Arlington:** Brack Ventures, LLC, d/b/a Coolberry Yogurt to lease approximately 1,632 square feet of retail lease space in the College Park Center for restaurant use 213
- 17. Advisory Council - **U. T. Austin:** Creation and operation of the Division of Continuing and Innovative Education Advisory Council 213
- 18. Contract (funds coming in) - **U. T. Austin:** University Federal Credit Union Addendum to existing sponsorship, promotion, and naming agreement with the U. T. Austin Intercollegiate Athletics Department 214

19. Contract (funds coming in) - **U. T. Austin:** University Federal Credit Union (UFCU) base rent and operating expenses for automated teller machine vendors 214
20. Contract (funds going out) - **U. T. Austin:** WK Interests, LLP, and Dhanis, LLC, or the McCombs School of Business Foundation to purchase approximately 0.4017 of an acre and improvements located at 1907 Guadalupe Street in Austin, Travis County, Texas 215
21. Contract (funds going out) - **U. T. Austin:** MagRabbit Dedicated Fleet, L.L.C., to provide central receiving and delivery services to main campus and other U. T. Austin locations in the Austin area 216
22. Contract (funds going out) - **U. T. Austin:** Alpheus Communications, L.L.C. for dark optical fiber indefeasible right to use agreement to provide production, research, and disaster recovery connectivity to U. T. System institutions in San Antonio and the Rio Grande Valley 217
23. Contract (funds going out) - **U. T. Austin:** Royal Kim Maintenance to provide custodial services for the Recreational Sports Center, Gregory Gymnasium, and Gregory Gymnasium Aquatic Complex 217
24. Foreign Contract (funds coming in) - **U. T. Austin:** University of Adelaide, Australia, Executive Education Program, will receive leadership training services from the Governor's Center for Management Development, LBJ School of Public Affairs 218
25. Foreign Contract (funds going out) - **U. T. Austin:** National Taiwan University Precision Mass Spectrometry and Environment Change Laboratory, Department of Geosciences, will provide analysis of coral and stalagmite samples for the Institute for Geophysics at the John A. and Katherine G. Jackson School of Geosciences 218
26. Emeritus Appointment - **U. T. Austin:** Appointment of Harry M. Cleaver, Jr., from Associate Professor (T), College of Liberal Arts, Economics, to Associate Professor Emeritus, effective at the date of retirement (RBC No. 4513) -- amendment to the 2011-12 budget 218
27. Emeritus Appointment - **U. T. Austin:** Appointment of Clement M. Henry from Professor (T), College of Liberal Arts, to Professor Emeritus, Government, effective at the date of retirement (RBC No. 4453) -- amendment to the 2010-11 budget 219

- 28. Emeritus Appointment - **U. T. Austin**: Appointment of Robert Harrison Wagner from Professor (T), College of Liberal Arts, Government, to Professor Emeritus effective at the date of retirement (RBC No. 4455) -- amendment to the 2010-11 budget 219
- 29. Emeritus Appointment - **U. T. Austin**: Appointment of Abraham Marcus from Associate Professor (T), College of Liberal Arts, History, to Associate Professor Emeritus effective at the date of retirement (RBC No. 4456) -- amendment to the 2011-12 budget 219
- 30. Emeritus Appointment - **U. T. Austin**: Appointment of Enrique H. Fierro from Associate Professor (T), College of Liberal Arts, Spanish and Portuguese, to Associate Professor Emeritus effective at the date of retirement (RBC No. 4514) -- amendment to the 2011-12 budget 219
- 31. Request for Budget Change - **U. T. Austin**: Transfer of \$1,150,000 to supplement existing Repair and Rehabilitation project to replace HVAC systems on the main campus (RBC No. 4427) -- amendment to the 2011-12 budget 220
- 32. Request for Budget Change - **U. T. Austin**: Transfer of \$2,000,000 to complete the build out of a main server rack at the East Hall (RBC No. 4428) -- amendment to the 2011-12 budget 220
- 33. Request for Budget Change - **U. T. Austin**: Transfer of \$545,000 to be used for a project to install single mode fiber to all of the residence hall data closets to enable higher network transmission speeds (RBC No. 4507) -- amendment to the 2011-12 budget 221
- 34. Parking Permit Fees - **U. T. Austin**: Recommendation for parking permit fees effective beginning with the Fall Semester 2012 222
- 35. Report - **U. T. Brownsville**: No items for Consent Agenda 222
- 36. Contract (funds coming in) - **U. T. Dallas**: Coca-Cola Bottling Company of North Texas for beverage pouring rights and soft drink vending contract and sponsorship recognition rights and exclusivity privileges contract 223
- 37. Contract (funds coming in) - **U. T. Dallas**: ELS Educational Services, Inc., a Delaware corporation, will lease approximately 10,000 square feet of space in the Classroom Building 223

- 38. Tenure Appointment - **U. T. Dallas**: Appointment of Tenure for Roger Malina (T), Professor, Peter and Edith O'Donnell Chair in Arts and Technology, and Director of International Initiatives (RBC No. 4465) -- amendment to the 2011-12 budget 224
- 39. Contract - **U. T. El Paso**: City of El Paso and Texas Department of Transportation (TxDOT) for easement 224
- 40. Dual Positions of Honor, Trust, or Profit - **U. T. Pan American**: Appointment by U.S. Secretary of Labor Solis of Marie T. Mora, Ph.D., Professor, Department of Economics and Finance as a Member of the Bureau of Labor Statistics (BLS) Data Users Advisory Committee 225
- 41. Request for Budget Change - **U. T. Permian Basin**: Transfer \$900,000 from Special Item Support, College of Engineering, to the College of Petroleum Engineering, Special Item Support C.1.3. Strategy College of Engineering account to further develop the Petroleum Engineering Program (RBC No. 4511) -- amendment to the 2011-12 budget 225
- 42. Contract (funds going out) - **U. T. San Antonio**: Alpha Building Corporation to provide job order contractor services for minor construction projects 226
- 43. Contract (funds going out) - **U. T. San Antonio**: Williams & Thomas LP dba Jamail & Smith Construction to provide job order contractor services for minor construction projects 226
- 44. Contract (funds going out) - **U. T. San Antonio**: Grandview Partners, Ltd. (University Heights) -- expansion of existing space lease agreement at University Heights Tech Center 226
- 45. Request for Budget Change - **U. T. San Antonio**: Transfer \$800,000 from Campus Reserves account to Summer Session Faculty Salaries account to support Summer Session faculty salaries (RBC No. 4461) -- amendment to the 2011-12 budget 227
- 46. Employment Agreement - **U. T. San Antonio**: Amendment to agreement of Head Football Coach Larry Coker 227
- 47. Street Namings - **U. T. San Antonio**: Naming of Bosque Street and Principal Street 228

48. Request for Budget Change - **U. T. Tyler:** Transfer of \$25,550 from Library, Equipment, Repair and Rehabilitation (LERR) for Fire Suppression System account to the LERR for Campus Lighting Upgrade account. This transfer is for a previously approved LERR project for campus security and safety to fund campus lighting projects (RBC No. 4378) -- amendment to the 2011-12 budget 229

HEALTH INSTITUTIONS

49. Contract (funds coming in) - **U. T. Southwestern Medical Center:** Texas Council on Alzheimer?s Disease and Related Disorders to perform research and services and establish data collection system 230
50. Contract (funds coming in) - **U. T. Southwestern Medical Center:** Veterans Affairs North Texas Healthcare System to provide surgery services 230
51. Contract (funds going out) - **U. T. Southwestern Medical Center:** Lease from SAF Exchange Park, LTD of EMT paramedic training space at 6300 Harry Hines Boulevard 230
52. Tenure Appointment - **U. T. Southwestern Medical Center:** Tenure appointment of Steven Warach (T), Professor, Neurology, Southwestern Medical School (RBC No. 4390) -- amendment to the 2011-12 budget 231
53. Contract (funds coming in) - **U. T. Medical Branch - Galveston:** Texas Department of State Health Services Special Supplemental Nutrition Program for women, infants, and children to be administered by the University 231
54. Contract (funds coming in) - **U. T. Medical Branch - Galveston:** Texas Department of State Health Services to receive comprehensive family planning services 231
55. Contract (funds coming in) - **U. T. Medical Branch - Galveston:** Lockheed Martin to receive services for the United States Antarctic Program under Lockheed Martin?s Antarctic Support contract 232
56. Emeritus Appointment - **U. T. Medical Branch - Galveston:** Norbert Herzog, Professor (T), Academic Enterprise, Pathology, to Professor Emeritus (RBC No. 4504) -- amendment to the 2011-12 budget 232

- 57. Approval of Dual Positions of Honor, Trust, or Profit - **U. T. Medical Branch - Galveston**: Appointment by Governor Perry of Ben Raimer, M.D., Senior Vice President, Health Policy and Regulative Affairs, as Chair of the Texas Institute of Health Care Quality and Efficiency Task Force 232
- 58. Approval of Dual Positions of Honor, Trust, or Profit - **U. T. Medical Branch - Galveston**: Appointment by Governor Perry of Linda R. Rounds, Ph.D., RN, FNP, FAANP, Professor, School of Nursing, as Board member of the Board of Pilot Commissioners for Galveston County 233
- 59. Contract (funds coming in) - **U. T. Health Science Center - Houston**: OB-GYN of Houston, LLP, a Texas limited liability partnership -- lease renewal of 5,935 square feet of space at UT Professional Building at 6410 Fannin Street, Houston, Texas, for clinical and related services 234
- 60. Contract (funds going out) - **U. T. Health Science Center - Houston**: Alpha Building Corporation and J. T. Vaughn Construction, LLC to provide maintenance, repair, and renovation tasks 234
- 61. Contract (funds going out) - **U. T. Health Science Center - Houston**: Contract with IntegraNet Physician Resource, Inc. for onsite technical assistance and onsite or remote consultation to Eligible Health Professionals in support of the Gulf Coast Regional Expansion Center 235
- 62. Foreign Contract (funds coming in) - **U. T. Health Science Center - Houston**: Agreement of Cooperation with Kuwait Institute for Medical Specialization to provide dentists from Kuwait with postgraduate training through the institution's two year Advanced Education in General Dentistry program 235
- 63. Emeritus Appointment - **U. T. Health Science Center - Houston**: Samuel Kaplan, Professor and Chairman (T), Department of Microbiology and Molecular Genetics, Medical School, to Chair Emeritus (RBC No. 4400) -- amendment to the 2011-12 budget 236
- 64. Emeritus Appointment - **U. T. Health Science Center - Houston**: Frank M. Yatsu, Clinical Professor and Huffington Chair, Department of Neurology, Medical School, to Professor Emeritus (RBC No. 4401) -- amendment to the 2011-12 budget 236

65. Emeritus Appointment - **U. T. Health Science Center - Houston**: Stanford M. Goldman, Professor and Section Chief (T), Radiology/Department of Diagnostic and Interventional Imaging, Medical School, to Professor Emeritus (RBC No. 4409) -- amendment to the 2011-12 budget 236
66. Dual Positions of Honor, Trust, or Profit - **U. T. Health Science Center - Houston**: Appointment by Governor Perry of Christopher S. Greeley, M.D., FAAP, Associate Professor of Pediatrics, Center for Clinical Research and Evidence-Based Medicine, Department of Pediatrics, to the Task Force to Reduce Child Abuse and Neglect and Improve Child Welfare 236
67. Dual Positions of Honor, Trust, or Profit - **U. T. Health Science Center - Houston**: Appointment by President Obama of Harold W. Kohl III, Ph.D., Professor of Epidemiology, School of Public Health, Austin Regional Campus and Research Professor of Kinesiology at U. T. Austin, to the Science Board of the President's Council on Fitness, Sports & Nutrition 237
68. Contract (funds coming in) - **U. T. Health Science Center - San Antonio**: New Cingular Wireless PCS, LLC, a Delaware limited liability company to lease approximately 160 square feet on the rooftop of the Medical School Building at 7703 Floyd Curl Drive for telecommunications facilities 238
69. Tenure Appointment - **U. T. Health Science Center - San Antonio**: Tenure appointment of Hui-Ming Huang (T), Deputy Director and Professor, Molecular Medicine, School of Medicine (RBC No. 4413) -- amendment to the 2011-12 budget 238
70. Contract (funds going out) - **U. T. M. D. Anderson Cancer Center**: Contract with Central Park West, L.P., to purchase approximately 34.77 acres of vacant land located in two tracts on the north side of Interstate Highway 10 between Eldridge Road and Park & Ride Drive and being out of the J. Wheaton Surveys, Abstracts #80 and #828, Houston, Harris County, Texas 239
71. Contract (funds going out) - **U. T. M. D. Anderson Cancer Center**: WGH Holly Hall LP and WGH Plaza Del Oro, LLC to purchase approximately 14.03 acres and improvements located at 2555 Holly Hall Street and 8000-8080 El Rio Street in Houston, Harris County, Texas 240
72. Report - **U. T. Health Science Center - Tyler**: No items for Consent Agenda 241

**THE BOARD OF REGENTS'
CONSENT AGENDA NO. 1
MAY 2-3, 2012**

U. T. SYSTEM ADMINISTRATION

1. Minutes - **U. T. System Board of Regents**: Approval of Minutes of the regular meeting held on February 8-9, 2012, and the Special Called Meetings held on February 24, 2012, April 2, 2012, and April 12, 2012 available at <http://www.utsystem.edu/board-of-regents/meetings>

2. UTIMCO Board Appointment - **U. T. System Board of Regents**: Reappointment of Mr. Ardon E. Moore to the Board of Directors of The University of Texas Investment Management Company

Chairman Powell and The University of Texas Investment Management Company (UTIMCO) Chairman Foster recommend that Mr. Ardon E. Moore be reappointed to the UTIMCO Board of Directors, for a term to expire on April 1, 2015.

Mr. Moore is President and CEO of Lee M. Bass, Inc., and serves as a member of UTIMCO's Compensation and Risk Committees.

Texas Education Code Section 66.08 and Regents' *Rules and Regulations*, Rule 10402, Section 4 require that the U. T. System Board of Regents appoint six members of the UTIMCO Board of Directors of which three may be "external" directors. The approved UTIMCO bylaws allow external directors to serve a maximum of three terms of three years each. Mr. Moore, an external director, is currently serving his second term on the UTIMCO Board of Directors.

3. UTIMCO Committee Appointments - U. T. System Board of Regents: Reappointment of members to the Audit and Ethics Committee of the Board of Directors of The University of Texas Investment Management Company

The University of Texas Investment Management Company (UTIMCO) Board of Directors recommends that the U. T. System Board of Regents approve the reappointment of James P. Wilson, Printice L. Gary, R. Steven Hicks, and Charles W. Tate to the Audit and Ethics Committee of the UTIMCO Board of Directors.

Section 66.08 of the *Texas Education Code* requires that the U. T. System Board of Regents approve the appointment of members to the Audit and Ethics Committee of the UTIMCO Board of Directors. The UTIMCO Board of Directors recommended these appointments on April 11, 2012, conditioned on the approval of the U. T. System Board of Regents. Vice Chairman Hicks and Regent Gary will abstain from voting on this item.

4. Resolution - U. T. System Board of Regents: Adoption of resolution regarding the list of Key Management Personnel authorized to negotiate, execute, and administer classified government contracts (Managerial Group) to reflect name and term of new Student Regent

To comply with the Department of Defense National Industrial Security Program Operating Manual (NISPOM) requirements, it is recommended that the Board of Regents approve the revised resolution regarding exclusion of individuals from the list of Key Management Personnel (KMP) authorized to negotiate, execute, and administer classified government contracts, as shown in congressional style on Page 200. The revision adds the name and term of the new Student Regent who will serve from June 1, 2012 to May 31, 2013.

A Resolution amending the Managerial Group list was last adopted by the Board on May 12, 2011.

NISPOM defines KMP as "officers, directors, partners, regents, or trustees." The manual requires that the senior management official and the Facility Security Officer must always be designated as part of the Managerial Group and be cleared at the level of the Facility Clearance. Other officials or KMPs, as determined by the Defense Security Service, must be granted Personal Security Clearances or be formally excluded by name from access to classified material.

RESOLUTION

BE IT RESOLVED:

- a. That those persons occupying the following positions at The University of Texas System and The University of Texas at Austin shall be known as the Managerial Group, having the authority and responsibility for the negotiation, execution, and administration of Department of Defense (DoD) or User Agency contracts, as described in DoD 5220.22-M, "National Industrial Security Program Operating Manual" (NISPOM):

Francisco G. Cigarroa, M.D., Chancellor, The University of Texas System
William C. Powers, Jr., President, The University of Texas at Austin
Juan Miguel Sanchez, Vice President for Research, The University of Texas at Austin

Susan W. Sedwick, Associate Vice President for Research and Director,
Office of Sponsored Projects, The University of Texas at Austin
Neil S. Fox II, Facility Security Officer, The University of Texas System

The Chief Executive Officer (i.e., the Chancellor) and the members of the Managerial Group have been processed, or will be processed, for a personnel security clearance for access to classified information to the level of the facility security clearance granted to this institution, as provided for in the NISPOM.

The Managerial Group is hereby delegated all of the Board's duties and responsibilities pertaining to the protection of classified information under classified contracts of the DoD or User Agencies of the NISPOM awarded to U. T. System, including U. T. Austin.

- b. That the following named members of the U. T. System Board of Regents shall not require, shall not have, and can be effectively excluded from access to all classified information in the possession of U. T. System, including U. T. Austin, and do not occupy positions that would enable them to affect adversely the policies and practices of The University of Texas System, including The University of Texas at Austin, in the performance of classified contracts for the Department of Defense or User Agencies of the NISPOM awarded to The University of Texas System, including The University of Texas at Austin, and need not be processed for a personnel security clearance:

Members of the U. T. System Board of Regents:

William Eugene Powell, Chairman
Paul L. Foster, Vice Chairman
R. Steven Hicks, Vice Chairman
James D. Dannenbaum, P.E., Vice Chairman

Alex M. Cranberg
Printice L. Gary
Wallace L. Hall, Jr.
Brenda Pejovich
Robert L. Stillwell
John Davis Rutkauskas, Student Regent from June 1, 2011 to
May 31, 2012 (nonvoting)
Ashley Michele Purgason, Student Regent from June 1, 2012 to
May 31, 2013 (nonvoting)

5. Office of Federal Relations - U. T. System: Authorization to implement "A Strategic Plan for the Office of Federal Relations"

Chairman Powell, Regent Gary, and Chancellor Cigarroa recommend that the actions set forth in the report, "A Strategic Plan for the Office of Federal Relations (OFR)," dated November 15, 2011, as elaborated further in the "OFR Strategic Plan Executive Summary" dated February 20, 2012, previously provided to the Board, be approved and implemented, including the authorization of up to \$175,000 in one-time expenditures and \$950,000 in annual ongoing expenditures, to be funded with Available University Funds.

The principal elements of the OFR Strategic Plan include:

- Installing two or more federal agency-specific personnel within OFR to further enhance U. T. System institutions' involvement with federal agencies and pursue increased grant awards;
- Enhancing the flow of information between OFR and U. T. System institution researchers by installing a federal agency research assistant within OFR, improving the technological capabilities of the office to facilitate more regular communications, and increasing the frequency of OFR staff meetings with institution researchers and administrators;
- Contracting with health care experts on issues of importance to U. T. System and the U. T. System health institutions (for example, matters coming before the Centers for Medicare and Medicaid Services involving the Section 1115 Waiver granted to the State of Texas and the implementation of the Affordable Care Act); and
- Expanding the Archer Center Program to accommodate more undergraduate, graduate, and professional school students through securing additional leased space and installing additional personnel.

Implementation of the plan will involve the addition of up to four staff within OFR and up to three staff for the Archer Center Program (one faculty member and two program staff).

Additional annual personnel costs for the OFR staff will be up to \$585,000. The additional personnel costs for the Archer Center Program will be borne by the fees paid by the program participants.

Additional lease costs for the Archer Center Program expansion will be up to \$240,000. One-time costs for reconfiguring the new leased space will be up to \$50,000. One-time costs for technological improvements for OFR will be up to \$120,000, with annual costs of up to \$7,000.

Other annual costs, including costs for contracted health care experts, will be up to \$120,000. OFR, through the Vice Chancellor and Chief Governmental Relations Officer, will provide annual reports to the Board of Regents on the progress made under the Plan.

6. Request for Budget Change - **U. T. System**: Transfer not to exceed \$1.4 million from Available University Funds and Permanent University Fund Bond Proceeds to the Board Room Audio Visual Project account to install videoconference equipment to enhance the Board of Regents' meetings and presentations (RBC No. 149) -- amendment to the 2011-12 budget

7. Request for Budget Change - **U. T. System**: Transfer of \$1,523,538 from Permanent University Funds to University Lands Damage Reimbursement Payments fund to continue replacement of 63 miles and repair of 47 miles of fence damaged due to wildfires that burned approximately 73,000 acres in three counties in West Texas on University Lands in February 2011 (RBC No. 148) -- amendment to the 2011-12 budget

8. Approval of Dual Positions of Honor, Trust, or Profit - **U. T. System**: Appointment by Commissioner Kitzman of Phillip Dendy, Director of Risk Management, as a Member of the Fair Access to Insurance Requirements (FAIR) Plan Governing Committee

The following item has been approved by the Executive Vice Chancellor for Business Affairs in accordance with the Regents' *Rules and Regulations*, Rule 30103 and is submitted for approval by the U. T. System Board of Regents. It has been determined that the holding of this office or position is of benefit to the State of Texas and The University of Texas, and there is no conflict between holding this position and the appointment of Mr. Dendy with the U. T. System Administration. By approval of this item, the Board is also asked to find that holding this position is of benefit to the State of Texas and The University of Texas, and there is no conflict between the position and the University.

Name: Mr. Phillip Dendy
Title: Director of Risk Management
Position: Member, Fair Access to Insurance Requirements (FAIR) Plan Governing Committee
Period: The term expires on June 16, 2013, or when a successor is appointed.
Compensation: None
Description: The Texas Commissioner of Insurance, Eleanor Kitzman, has appointed Mr. Dendy to serve as a member of the FAIR Plan Governing Committee. The association provides residential property insurance to qualified consumers who are having difficulty obtaining this coverage from licensed insurance companies.

9. **Report on Fiscal Year 2011 Post-Tenure Review - U. T. System Academic Institutions**

In accordance with *Texas Education Code* Section 51.942 and Regents' *Rules and Regulations*, Rule 31102, the following report on the Fiscal Year 2011 post-tenure review for the U. T. System academic institutions is provided by the Executive Vice Chancellor for Academic Affairs ad interim.

During Fiscal Year 2011, 422 tenured faculty members at the nine academic institutions were subject to post-tenure review. Of the 422 faculty members subject to review, 395 or 93.6% were evaluated as Performing Satisfactorily; 13 or 3.1% received a Needs Additional Support or Marginal evaluations; and 14 or 3.3% received unsatisfactory evaluations. The following summary tables provide additional details of the post-tenure review results.

Summary of Post-Tenure Review Results

	Total Reviewed	Total Performing Satisfactorily	Total Needs Additional Support or Marginal	Total Unsatisfactory
U. T. Arlington	43	38	5	0
U. T. Austin	182	175	0	7
U. T. Brownsville	20	17	1	2
U. T. Dallas	48	46	1	1
U. T. El Paso	38	38	0	0
U. T. Pan American	32	28	4	0
U. T. Permian Basin	11	11	0	0
U. T. San Antonio	31	26	1	4
U. T. Tyler	17	16	1	0
Total	422	395	13	14
		93.6%	3.1%	3.3%

Post-Tenure Review Results by Gender

	Total Reviewed		Performing Satisfactorily		Needs Additional Support or Marginal		Unsatisfactory	
	Male	Female	Male	Female	Male	Female	Male	Female
U. T. Arlington	37	6	33	5	4	1	0	0
U. T. Austin	143	39	137	38	0	0	6	1
U. T. Brownsville	14	6	12	5	0	1	2	0
U. T. Dallas	41	7	39	7	1	0	1	0
U. T. El Paso	30	8	30	8	0	0	0	0
U. T. Pan American	20	12	16	12	4	0	0	0
U. T. Permian Basin	8	3	8	3	0	0	0	0
U. T. San Antonio	23	8	18	8	1	0	4	0
U. T. Tyler	11	6	10	6	1	0	0	0
Total	327	95	303	92	11	2	13	1

Post-Tenure Review Results by Ethnicity

	Total Reviewed					Performing Satisfactorily				
	White	Black	Hispanic	Asian	Other	White	Black	Hispanic	Asian	Other
U. T. Arlington	30	0	2	11	0	25	0	2	11	0
U. T. Austin	158	3	10	8	3	152	3	9	8	3
U. T. Brownsville	9	0	11	0	0	8	0	9	0	0
U. T. Dallas	39	0	1	8	0	37	0	1	8	0
U. T. El Paso	21	0	10	7	0	21	0	10	7	0
U. T. Pan American	10	0	14	6	1	9	0	13	5	1
U. T. Permian Basin	10	1	1	0	0	10	0	1	0	0
U. T. San Antonio	22	0	2	5	2	18	0	1	5	2
U. T. Tyler	17	0	0	0	0	16	0	0	0	0
Total	316	4	51	45	6	296	3	46	44	6

	Needs Additional Support or Marginal					Unsatisfactory				
	White	Black	Hispanic	Asian	Other	White	Black	Hispanic	Asian	Other
U. T. Arlington	5	0	0	0	0	0	0	0	0	0
U. T. Austin	0	0	0	0	0	6	0	1	0	0
U. T. Brownsville	0	0	1	0	0	1	0	1	0	0
U. T. Dallas	1	0	0	0	0	1	0	0	0	0
U. T. El Paso	0	0	0	0	0	0	0	0	0	0
U. T. Pan American	1	1	1	1	0	0	0	0	0	0
U. T. Permian Basin	0	0	0	0	0	0	0	0	0	0
U. T. San Antonio	1	0	0	0	0	3	0	1	0	0
U. T. Tyler	1	0	0	0	0	0	0	0	0	0
Total	9	1	2	1	0	11	0	3	0	0

FACULTY CHANGES PRIOR TO POST-TENURE REVIEW:

U. T. Arlington: Six faculty members retired prior to review.

U. T. Austin: 10 faculty members retired prior to review.

U. T. Brownsville: Four faculty members retired prior to review.

PRESENT STATUS OF EACH MARGINAL PERFORMANCE:

U. T. Arlington: Faculty evaluated as marginal were asked to work with their department chairs and deans to recalibrate their teaching and research workload to place more emphasis on teaching, which is their strength and source of greatest contribution to the University.

U. T. Brownsville: Professor will resubmit a revised portfolio for review during the 2012-13 academic year.

U. T. Dallas: Continue discussion with dean about performance in teaching and research.

U. T. Pan American: Faculty members met with their respective chairs and deans over their corresponding areas of concern and received feedback in their respective disciplines and professional performance. Consequently, each faculty member will be taking corrective action.

U. T. San Antonio: The faculty member whose performance in FY 2011 was marginal had his workload restructured from a balance 40% teaching, 40% research, and 20% service to 60% teaching, 20% research, and 20% service. He is required to meet with his department chair on a regular basis to monitor his progress with his next post-tenure review scheduled for 2016-2017. However, this faculty member resigned effective January 1, 2012.

U. T. Tyler: A two-year remediation plan to be developed and performance will be evaluated during the next two academic years.

PRESENT STATUS OF EACH UNSATISFACTORY PERFORMANCE:

U. T. Austin: Academic deans have established faculty development supports plans for all faculty receiving unsatisfactory post-tenure reviews.

U. T. Brownsville: 1) Associate Professor has made satisfactory improvement and is on track with timeline developed. 2) Assistant Professor has shown little evidence that any significant progress has been made.

U. T. Dallas: Referred to the Committee on Faculty Standing and Conduct for potential termination.

U. T. San Antonio: For one professor, a performance improvement plan was implemented and a subsequent post-tenure review will be conducted in 2013-2014. However, this faculty member has tendered his resignation effective August 31, 2012. For another professor, a performance improvement plan was developed by the department chair, in consultation with the dean, to strengthen the faculty's research productivity. For a third professor and an associate professor, a performance improvement plan was developed by the department chair, in consultation with the dean, and implemented.

PLANS FOR EVALUATION DURING THE CURRENT YEAR:

U. T. Arlington: Confirmation with academic leadership that teaching loads have been adjusted.

U. T. Austin: All faculty scheduled for post-tenure review in 2012 will be evaluated and faculty development support plans for previous unsatisfactory reviews will be monitored.

U. T. Brownsville: For faculty requiring additional support, a professional development plan will be developed to strengthen the portfolio to be submitted for review in FY 2013. For one unsatisfactory performer, the dean and department chair will continue to provide guidance with the goal of improving performance. For the professor who has received a second negative annual review, the Provost is working with the U. T. System Administration Office of General Counsel to conduct a review in accordance with the due process procedures of the Regents' *Rules and Regulations*, Rule 31008.

U. T. Pan American: A teaching effectiveness/professional achievement plan has been prepared for each faculty member and approved at the department and college level.

U. T. Permian Basin: U. T. Permian Basin has six post-tenure reviews currently being conducted.

U. T. San Antonio: The department chair is monitoring the performance improvement plans and will continue working with the faculty members on their progress.

10. **Report on Fiscal Year 2011 Post-Tenure Review - U. T. System Health Institutions**

In accordance with *Texas Education Code* Section 51.942 and Regents' *Rules and Regulations*, Rule 31102, the following report on the Fiscal Year 2011 post-tenure review for the U. T. System health institutions is provided by the Executive Vice Chancellor for Health Affairs.

During Fiscal Year 2011, 235 tenured faculty members at the five health institutions were subject to post-tenure review. Of the 235 faculty members subject to review, 225 or 95.7% were evaluated as Performing Well; 7 or 3.0% received Needs Additional Support or Marginal evaluations; and 3 or 1.3% received Unsatisfactory evaluations. The following summary tables provide additional details of the post-tenure review results.

Summary of Post-Tenure Review Results

	Total Subject to Review	Total Performing Well	Total Needs Additional Support or Marginal	Total Unsatisfactory
U. T. SWMC	52	50	1	1
U. T. MB - Galveston	30	30	0	0
U. T. HSC - Houston	53	48	5	0
U. T. HSC - San Antonio	50	49	1	0
U. T. MDACC *	50	48	0	2
Total	235	225	7	3
		95.7%	3.0%	1.3%

Post-Tenure Review Results by Gender

	Subject to Review		Performing Well		Needs Additional Support or Marginal		Unsatisfactory	
	Male	Female	Male	Female	Male	Female	Male	Female
U. T. SWMC	43	9	41	9	1	0	1	0
U. T. MB - Galveston	27	3	27	3	0	0	0	0
U. T. HSC - Houston	35	18	32	16	3	2	0	0
U. T. HSC - San Antonio	38	12	38	11	0	1	0	0
U. T. MDACC *	40	10	39	9	0	0	1	1
Total	183	52	177	48	4	3	2	1

*U. T. MDACC offers "term tenure"

Post-Tenure Review Results by Ethnicity

	Total Subject to Review					Performing Well				
	White	Black	Hispanic	Asian	Other	White	Black	Hispanic	Asian	Other
U. T. SWMC	42	0	2	8	0	40	0	2	8	0
U. T. MB - Galveston	23	2	0	5	0	23	2	0	5	0
U. T. HSC - Houston	45	2	0	6	0	41	1	0	6	0
U. T. HSC - San Antonio	49	0	0	0	1	48	0	0	0	1
U. T. MDACC	37	0	2	11	0	36	0	2	10	0
Total	196	4	4	30	1	188	3	4	29	1

	Needs Additional Support or Marginal					Unsatisfactory				
	White	Black	Hispanic	Asian	Other	White	Black	Hispanic	Asian	Other
U. T. SWMC	1	0	0	0	0	1	0	0	0	0
U. T. MB - Galveston	0	0	0	0	0	0	0	0	0	0
U. T. HSC - Houston	4	1	0	0	0	0	0	0	0	0
U. T. HSC - San Antonio	1	0	0	0	0	0	0	0	0	0
U. T. MDACC	0	0	0	0	0	1	0	0	1	0
Total	6	1	0	0	0	2	0	0	1	0

FACULTY CHANGES PRIOR TO POST-TENURE REVIEW

U. T. Southwestern Medical Center: Two faculty changed positions prior to post-tenure review.

U. T. Health Science Center - San Antonio: One retired; 10 deferred to 2012; one under litigation.

U. T. M. D. Anderson Cancer Center: Two faculty changed positions prior to post-tenure review.

PRESENT STATUS OF EACH NEEDS ADDITIONAL SUPPORT OR MARGINAL PERFORMANCE:

U. T. Southwestern Medical Center: Associate Professor was turned down for promotion and deficiencies shared with the Chair and the Associate Professor. His tenure will be reviewed again during the 2014 cycle.

U. T. Health Science Center - Houston: Three public health faculty (one professor and two associate professors) have met with the division director and developed and submitted an approved performance improvement plan that has been reviewed by the Dean. Two medical school faculty have department chair and division directors developing remediation plans in concert with the Dean. Progress will be monitored on subsequent annual reviews.

U. T. Health Science Center - San Antonio: Recommendation has been made for improvement in areas of teaching and research; a remedial plan will be developed and faculty member will be reevaluated in 12-18 months.

PRESENT STATUS OF EACH UNSATISFACTORY PERFORMANCE:

U. T. Southwestern Medical Center: An Associate Professor chose to leave the institution effective August 31, 2011.

U. T. M. D. Anderson Cancer Center: Professor's term tenure was extended for one year; Associate Professor position ends at the end of seventh year term.

11. Real Estate Report - U. T. System: Summary Report of Separately Invested Assets managed by U. T. System

**THE UNIVERSITY OF TEXAS SYSTEM
SEPARATELY INVESTED ASSETS
Managed by U. T. System
Summary Report at February 29, 2012**

	FUND TYPE							
	Current Purpose Restricted		Endowment & Similar Funds		Annuity & Life Income Funds		TOTAL	
	Book	Market	Book	Market	Book	Market	Book	Market
Land & Buildings:								
Ending Value 11/30/2011	\$ 2,791,090	\$ 20,380,407	\$ 106,114,208	\$ 269,152,262	\$ 1,601,467	\$ 2,973,923	\$ 110,506,765	\$ 292,506,592
Increase or Decrease	1	1	189,999	315,789	-	-	190,000	315,790
Ending Value 2/29/2012	<u>\$ 2,791,091</u>	<u>\$ 20,380,408</u>	<u>\$ 106,304,207</u>	<u>\$ 269,468,051</u>	<u>\$ 1,601,467</u>	<u>\$ 2,973,923</u>	<u>\$ 110,696,765</u>	<u>\$ 292,822,382</u>
Other Real Estate:								
Ending Value 11/30/2011	\$ 48,556	\$ 48,556	\$ 25,284	\$ 25,284	\$ -	\$ -	\$ 73,839	\$ 73,839
Increase or Decrease	(2,904)	(2,904)	0	0	-	-	(2,904)	(2,904)
Ending Value 2/29/2012	<u>\$ 45,651</u>	<u>\$ 45,651</u>	<u>\$ 25,284</u>	<u>\$ 25,284</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 70,935</u>	<u>\$ 70,935</u>

Report prepared in accordance with Section 51.0032 of the *Texas Education Code*.

Details of individual assets by account furnished on request.

Note: Surface estates are managed by the U. T. System Real Estate Office. Mineral estates are managed by U. T. System University Lands. The royalty interests received from the Estate of John A. Jackson for the John A. and Katherine G. Jackson Endowed Fund in Geosciences are managed by the U. T. Austin Geology Foundation, with the assistance of the Bureau of Economic Geology.

ACADEMIC INSTITUTIONS

12. Contract (funds coming in) - U. T. Arlington: Xpress Pho of Arlington, LLC to lease approximately 3,457 square feet of retail lease space in the College Park Center for restaurant use

Agency: Xpress Pho of Arlington, LLC, a Texas limited liability company

Funds: \$852,593 in base rent and operating expenses payable over an 84-month rent period and \$1,445,746 in rent and operating expenses payable over two 60-month extension options. The tenant will also pay annual percentage rent of a portion of the amount of annual gross sales exceeding a set amount. U. T. Arlington is providing the tenant an improvement allowance for the initial construction of the premises, which will be paid out of Auxiliary Funds.

Period: Commencing on or about April 1, 2012, and continuing for an initial lease term of 84 months after the rent start date, plus two 60-month renewal options

Description: Lease of approximately 3,457 square feet of retail space in the College Park mixed-use development for use by the tenant as a restaurant. The lease expressly states that it is not valid for amounts exceeding \$1 million unless and until Board approval is obtained. The rental and the improvement allowance were set based on surveys of similar mixed-use and retail properties in Arlington and Fort Worth.

13. Contract (funds coming in) - U. T. Arlington: Grip College Park, LLC d/b/a GRIP Mediterranean Grill to lease approximately 2,017 square feet of retail space in the College Park Center for restaurant use

Agency: Grip College Park, LLC, a Texas limited liability company

Funds: \$755,190 in base rent and operating expenses payable over a 120-month initial rent period, and \$1,004,737 in rent and operating expenses payable over two 60-month extension options. The tenant will also pay annual percentage rent of a portion of the amount of annual gross sales exceeding a set amount. U. T. Arlington is providing the tenant an improvement allowance for the initial construction of the premises that will be paid out of Auxiliary Funds.

Period: Commencing on or about May 1, 2012, and continuing for an initial lease term of 120 months after the rent start date, plus two 60-month extension options

Description: Lease of approximately 2,017 square feet of retail space in the College Park mixed-use development for use by the tenant as a restaurant. The lease expressly states that it is not valid for amounts exceeding \$1 million unless and until Board approval is obtained. The rental and the improvement allowance were set based on surveys of similar mixed-use and retail properties in Arlington and Fort Worth.

14. Contract (funds coming in) - U. T. Arlington: Dr. Tien Phan, d/b/a Mavs Sports Grill to lease approximately 4,519 square feet of retail lease space in the College Park Center for restaurant use

Agency: Dr. Tien Phan, d/b/a Mavs Sports Grill

Funds: \$1,146,145 in base rent and operating expenses payable over an 84-month initial rent period, and \$1,939,140 in rent and operating expenses payable over two 60-month extension options. The tenant will also pay annual percentage rent of a portion of the amount of annual gross sales exceeding a set amount. U. T. Arlington is providing the tenant an improvement allowance for the initial construction of the premises, to be paid out of Auxiliary Funds.

Period: Commencing on or about April 1, 2012, and continuing for an initial lease term of 84 months following the rent start date, plus two 60-month extension options

Description: Lease of approximately 4,519 square feet of retail space in the College Park mixed-use development for use by the tenant as a restaurant. The lease expressly states that it is not valid for amounts exceeding \$1 million unless and until Board approval is obtained. The rental and the improvement allowance were set based on surveys of similar mixed-use and retail properties in Arlington and Fort Worth.

15. Contract (funds coming in) - U. T. Arlington: Pie Five Restaurants, Inc. to lease approximately 2,196 square feet of retail lease space in the College Park Center for restaurant use

Agency: Pie Five Restaurants, Inc., a Texas corporation

Funds: \$301,675 in base rent and operating expenses payable over a 60-month initial rent period, and \$1,467,558 in rent and operating expenses payable over three 60-month extension options. U. T. Arlington is providing the tenant an improvement allowance for the initial construction of the premises to be paid out of Auxiliary Funds.

Period: Commencing on or about May 1, 2012, and continuing for 60 months following the rent start date, plus three 60-month extension options

Description: Lease of approximately 2,196 square feet of retail space in the College Park mixed-use development for use by the tenant as a restaurant. The lease expressly states that it is not valid for amounts exceeding \$1 million unless and until Board approval is obtained. The rental and the improvement allowance were set based on surveys of similar mixed-use and retail properties in Arlington and Fort Worth.

16. Contract (funds coming in) - U. T. Arlington: Brack Ventures, LLC, d/b/a Coolberry Yogurt to lease approximately 1,632 square feet of retail lease space in the College Park Center for restaurant use

Agency: Brack Ventures, LLC, a Texas limited liability company

Funds: \$267,330.40 in base rent and operating expenses payable over a 60-month initial rent period and \$639,905 in rent and operating expenses payable over two 60-month extension options. The tenant will also pay annual percentage rent of a portion of the amount of annual gross sales exceeding a set amount. U. T. Arlington is providing the tenant an improvement allowance for the initial construction of the premises, to be paid out of Auxiliary Funds.

Period: Commencing on May 1, 2012, and continuing for 60 months from the rent start date, plus two 60-month extension options

Description: Lease of approximately 1,632 square feet of retail space in the College Park mixed-use development for use by the tenant as a frozen yogurt shop. The lease expressly states that it is not valid for amounts exceeding \$1 million unless and until Board approval is obtained. The rental and the improvement allowance were set based on surveys of similar mixed-use and retail properties in Arlington and Fort Worth.

17. Advisory Council - U. T. Austin: Creation and operation of the Division of Continuing and Innovative Education Advisory Council

The following request to approve the creation and operation of the Division of Continuing and Innovative Education (CIE) Advisory Council has been approved by the Chancellor, the Executive Vice Chancellor for Academic Affairs ad interim, and the Vice Chancellor for External Relations in accordance with Regents' *Rules and Regulations*, Rule 60302 and is submitted for approval by the U. T. System Board of Regents:

Item: The Division of Continuing and Innovative Education Advisory Council

Effective: June 1, 2012

Description: The Division of CIE Advisory Council will advocate to the external community for the CIE and help identify best sources to build new funding and create funding diversification for the CIE. The Council will provide input to the CIE leadership team on strategy, trends, and needs of the communities that the Division serves both domestically and internationally.

18. Contract (funds coming in) - U. T. Austin: University Federal Credit Union Addendum to existing sponsorship, promotion, and naming agreement with the U. T. Austin Intercollegiate Athletics Department

Agency: University Federal Credit Union (UFCU), a federally chartered nonprofit corporation
Funds: \$2,750,000
Period: May 3, 2012 through June 30, 2026
Description: Addendum to existing sponsorship, promotion, and naming agreement with the U. T. Austin Intercollegiate Athletics Department regarding UFCU Disch-Falk Field. The addendum (1) extends the term of the agreement for five years, from June 30, 2021 to June 30, 2026; (2) provides for payment by UFCU to Intercollegiate Athletics of an additional \$2,750,000 no later than May 31, 2012; (3) acknowledges the aforementioned funds will be used for certain capital improvements, including scoreboard/signage, and that Intercollegiate Athletics will negotiate with UFCU for such appropriate scoreboard/signage (model in exhibit to the Addendum); and (4) provides one Intercollegiate Athletics' stadium suite at UFCU Disch-Falk Field, with tickets, for use by UFCU at no additional cost.

19. Contract (funds coming in) - U. T. Austin: University Federal Credit Union (UFCU) base rent and operating expenses for automated teller machine vendors

Agency: University Federal Credit Union (UFCU), a federally chartered nonprofit corporation
Funds: Consideration to U. T. Austin includes \$32,083.33 in base rent and \$200.00 in operating expenses, payable monthly, potentially totaling over \$386,000 over the term.

Period: Commencing on February 15, 2012 and continuing through February 28, 2013 or upon earlier termination by U. T. Austin. The institution plans to select one or more automated teller machine vendors through a request for proposal submission for service.

Description: Extension of lease of space for 38 UFCU-owned automated teller machines at 24 locations on campus. The original lease became effective on September 1, 2001, and was approved by the Board of Regents on November 8, 2001. In light of subsequent extensions of the lease that resulted in additional revenue to U. T. Austin in excess of \$1,000,000 in the aggregate, this matter is provided to the Board of Regents for reauthorization.

20. Contract (funds going out) - U. T. Austin: WK Interests, LLP, and Dhanis, LLC, or the McCombs School of Business Foundation to purchase approximately 0.4017 of an acre and improvements located at 1907 Guadalupe Street in Austin, Travis County, Texas

Agency: WK Interests, LLP, and Dhanis, LLC, or the McCombs School of Business Foundation

Source of Funds: Unexpended Plant Funds from earned investment income

Funds: Fair market value as established by independent appraisals, plus all due diligence expenses, closing costs, and other costs and expenses to complete the acquisition as deemed necessary or advisable by the Executive Director of Real Estate. The appraisals are confidential pursuant to *Texas Education Code* Section 51.951.

Period: Closing of the purchase is expected to occur by Summer 2012.

Description: Purchase of 0.4017 of an acre and improvements located at 1907 Guadalupe Street in Austin, Travis County, Texas, and authorization for the Executive Director of Real Estate to execute all documents, instruments, and other agreements, and to take all further actions deemed necessary or advisable to purchase the property. The property is on the southeast corner of Guadalupe Street and West 20th Street and is one block west of the AT&T Executive Education and Conference Center. This parcel is part of a land assemblage with adjacent properties located on the same block at 300 West Martin Luther King, Jr. Boulevard (under contract) and

304 West Martin Luther King, Jr. Boulevard (purchased in April 2012). The 0.4017 of an acre parcel is improved with a restaurant and a related surface parking area, which is leased to Schlotzsky's Stores LLC; the lease expires on November 30, 2014. U. T. Austin envisions that the southwest area of the campus between Guadalupe Street and Whitis Avenue would be used for the future expansion of the McCombs School of Business, including the Executive Education Program at the AT&T Executive Education and Conference Center. Upon the expiration of the Schlotzsky's lease, the property would be used for those purposes, or for future programmed development of campus expansion or other purposes related to the institution's mission.

21. Contract (funds going out) - U. T. Austin: MagRabbit Dedicated Fleet, L.L.C., to provide central receiving and delivery services to main campus and other U. T. Austin locations in the Austin area

Agency:	MagRabbit Dedicated Fleet, L.L.C.
Funds:	\$2,400,000 estimated for the initial term and renewal periods
Source of Funds:	Centrally-funded accounts. All delivery charges for all departments are paid from centrally-funded accounts. This does not depend on who the end user is.
Period:	January 1, 2012 through December 31, 2014, with option to renew for two additional two-year periods
Description:	Central receiving and delivery services of general supplies and equipment for all departments at the U. T. Austin main campus and other U. T. Austin locations in the Austin area. Delivered materials might include any kind of item ordered by the University, such as office supplies, laboratory supplies, laboratory equipment, computer equipment, computer peripherals, operating supplies, etc. When end users process requisitions for the purchase of goods, they have the option of choosing direct delivery from the supplier or delivery via MagRabbit Dedicated Fleet, L.L.C.'s offsite location. MagRabbit simplifies the delivery and payment process for the end user and provides for better follow-up on delivery issues and problems. The vendor was selected based on best value through the request for proposal process.

22. Contract (funds going out) - U. T. Austin: Alpheus Communications, L.L.C. for dark optical fiber indefeasible right to use agreement to provide production, research, and disaster recovery connectivity to U. T. System institutions in San Antonio and the Rio Grande Valley

Agency: Alpheus Communications, L.L.C.
Funds: \$1,370,000 estimated for the initial and renewal periods
Source of Funds: Available University Funds (funding for the U. T. System Research Information Technology Strategic Plan was approved by the U. T. System Board of Regents on November 11, 2010)
Period: March 1, 2012 through February 28, 2022 with one option to renew through February 1, 2029
Description: Dark optical fiber indefeasible right to use agreement between U. T. Austin, on behalf of the U. T. System Office of Telecommunication Services and Alpheus Communications, L.L.C., to install, maintain, and provide dark fiber expandable services between Austin and San Antonio for up to 20 years. The fiber will enable the U. T. System network to provide production, research, and disaster recovery connectivity to U. T. System institutions in San Antonio and the Rio Grande Valley. Dark fiber is optical fiber that is currently in place, but is not being used. An indefeasible right to use agreement is one whereby a party obtains the right to use specifically identified strands of dark fiber from another party.

23. Contract (funds going out) - U. T. Austin: Royal Kim Maintenance to provide custodial services for the Recreational Sports Center, Gregory Gymnasium, and Gregory Gymnasium Aquatic Complex

Agency: Royal Kim Maintenance
Funds: \$3,200,000 estimated for the initial and renewal periods
Source of Funds: Centrally-funded accounts
Period: April 1, 2012 through August 31, 2015 with an option to renew for two additional two-year periods
Description: Custodial service agreement for the Recreational Sports Center, Gregory Gymnasium, and Gregory Gymnasium Aquatic Complex

24. Foreign Contract (funds coming in) - U. T. Austin: University of Adelaide, Australia, Executive Education Program, will receive leadership training services from the Governor's Center for Management Development, LBJ School of Public Affairs

Agency: University of Adelaide, Australia
Funds: Approximately \$22,000
Period: May 25, 2012 through June 18, 2012
Description: The Governor's Center for Management Development, a unit of the LBJ School of Public Affairs, will provide leadership training services to the University of Adelaide's Executive Education Program.

25. Foreign Contract (funds going out) - U. T. Austin: National Taiwan University Precision Mass Spectrometry and Environment Change Laboratory, Department of Geosciences, will provide analysis of coral and stalagmite samples for the Institute for Geophysics at the John A. and Katherine G. Jackson School of Geosciences

Agency: National Taiwan University
Funds: Approximately \$100,000 including renewal options
Source of Funds: Restricted Funds
Period: May 1, 2012 through April 30, 2013, with option to renew for four additional one-year periods
Description: Precision Mass Spectrometry and Environment Change Laboratory, Department of Geosciences, at National Taiwan University will provide analysis of coral and stalagmite samples for U. T. Austin's Institute for Geophysics, John A. and Katherine G. Jackson School of Geosciences. The samples are part of a research project to reconstruct past climate changes in the western tropical Pacific.

26. Emeritus Appointment - U. T. Austin: Appointment of Harry M. Cleaver, Jr., from Associate Professor (T), College of Liberal Arts, Economics, to Associate Professor Emeritus, effective at the date of retirement (RBC No. 4513) -- amendment to the 2011-12 budget

27. Emeritus Appointment - **U. T. Austin**: Appointment of Clement M. Henry from Professor (T), College of Liberal Arts, to Professor Emeritus, Government, effective at the date of retirement (RBC No. 4453) -- amendment to the 2010-11 budget

28. Emeritus Appointment - **U. T. Austin**: Appointment of Robert Harrison Wagner from Professor (T), College of Liberal Arts, Government, to Professor Emeritus effective at the date of retirement (RBC No. 4455) -- amendment to the 2010-11 budget

29. Emeritus Appointment - **U. T. Austin**: Appointment of Abraham Marcus from Associate Professor (T), College of Liberal Arts, History, to Associate Professor Emeritus effective at the date of retirement (RBC No. 4456) -- amendment to the 2011-12 budget

30. Emeritus Appointment - **U. T. Austin**: Appointment of Enrique H. Fierro from Associate Professor (T), College of Liberal Arts, Spanish and Portuguese, to Associate Professor Emeritus effective at the date of retirement (RBC No. 4514) -- amendment to the 2011-12 budget

31. Request for Budget Change - U. T. Austin: Transfer of \$1,150,000 to supplement existing Repair and Rehabilitation project to replace HVAC systems on the main campus (RBC No. 4427) -- amendment to the 2011-12 budget

<u>Description</u>	<u>\$ Amount</u>	<u>RBC #</u>
PLANT FUNDS		
Vice President and Chief Financial Officer		
Amount of Transfer:	1,150,000	4427

From: Interest on Temporary Investments
Investment Income

To: Pooled Plant Fund Balances – Unallocated

Source
of Funds: Designated Funds

Transfer to supplement the existing Repair and Rehabilitation projects. The priority use of these funds will be to replace HVAC systems on the main campus.

32. Request for Budget Change - U. T. Austin: Transfer of \$2,000,000 to complete the build out of a main server rack at the East Hall (RBC No. 4428) -- amendment to the 2011-12 budget

<u>Description</u>	<u>\$ Amount</u>	<u>RBC #</u>
PLANT FUNDS (Continued)		
Project Management and Construction Services		
Amount of Transfer:	2,000,000	4428

From: Data Center Reserve
Allocation Account

To: Computational Resource Building
Data Center Build Out
Expense Account

Source
of Funds: Information Technology Services Reserve Account

Transfer the remainder of the Computational Resource Building Data Center building monies from the allocation account to the expense account to complete build out of a main server rack room in the currently

vacant East Hall of the Data Center. The work will include design of the space (including IT and network connections) and the installation of lighting, fire and life safety systems, electrical service, computer racks, and cables.

The Data Center has the highest levels of security, data reliability, energy efficiency, and backup reliability of any location on campus. When this build out of the East Hall is complete, some servers will be relocated from the main campus to the Data Center, increasing the level of efficiency and reliability of the university's intensive data systems. As funding becomes available, additional server racks will be installed in the East Hall, and more servers from the main campus will be consolidated into the Data Center.

33. Request for Budget Change - U. T. Austin: Transfer of \$545,000 to be used for a project to install single mode fiber to all of the residence hall data closets to enable higher network transmission speeds (RBC No. 4507) -- amendment to the 2011-12 budget

<u>Description</u>	<u>\$ Amount</u>	<u>RBC #</u>
SERVICE DEPARTMENTS FUNDS		
Information Technology Services		
Amount of Transfer:	545,000	4507
From: Information Technology Services Residential Network - Resnet Operating Income		
To: Information Technology Services Residential Network - Resnet Maintenance, Operation, Equipment		
Source of Funds: Service Departments Funds (Revolving Accounts)		

To set up a budget to expend previously collected funds from Residence Hall Network (Resnet) subscribers. The funds will be used for a project to install single mode fiber to all of the residence hall data closets to enable higher network transmission speeds than possible over the current multimode fiber.

Resnet is an Internet network that brings both wired Ethernet and encrypted wireless connectivity to on-campus residence halls. This service connects to the campus network, as well as to the Internet. Resnet service is supported by subscriber fees that cover the cost of Internet bandwidth, operation of the network, and the installation of wireless connectivity in the residence halls.

34. Parking Permit Fees - U. T. Austin: Recommendation for parking permit fees effective beginning with the Fall Semester 2012

Approval is recommended for the following parking permit fees to be effective beginning with the Fall Semester 2012. The rates have not been increased since 2008. The proposed fees are consistent with the applicable statutory requirements under Section 54.505(b) of the *Texas Education Code* and have been administratively approved by the Executive Vice Chancellor for Academic Affairs.

Following Regental approval, the appropriate institutional catalog will be amended to reflect these fees.

	<u>Current Rates \$</u>	<u>Proposed Rates \$</u>	<u>Percent Increase</u>
<u>Annual fee parking permits</u>			
Faculty, staff - general surface permit A	138	142	2.90%
Faculty, staff - reserved garage or surface			
F surface only	464	476	2.59%
F garage only	408	420	2.94%
Administrators			
F99, F21, O	775	814	5.03%
Recreational Sport for non-U. T. affiliated - surface and garage; limited hours E (Exercise)	108	120	11.11%

Note: Annual parking permit fees are prorated on a daily basis. Refunds are made on the basis of the daily prorated price.

35. Report - U. T. Brownsville: No items for Consent Agenda

36. Contract (funds coming in) - U. T. Dallas: Coca-Cola Bottling Company of North Texas for beverage pouring rights and soft drink vending contract and sponsorship recognition rights and exclusivity privileges contract

Agency: Coca-Cola Bottling Company of North Texas
Funds: \$2,281,764 over 10 years (including funds, products, services, and sponsorship fee)
Period: November 1, 2011 through October 31, 2021, if five-year option to extend is exercised
Description: Beverage pouring rights and soft drink vending contract and sponsorship recognition rights and exclusivity privileges contract. In accordance with *Texas Education Code* Section 51.945, the students were provided an opportunity to comment prior to determination of the food service provider. This contract was competitively bid.

37. Contract (funds coming in) - U. T. Dallas: ELS Educational Services, Inc., a Delaware corporation, will lease approximately 10,000 square feet of space in the Classroom Building

Agency: ELS Educational Services, Inc., a Delaware corporation
Funds: Consideration to U. T. Dallas includes rental payments estimated at less than \$750,000 over the initial term and potentially \$750,000 over the renewal terms. In addition, ELS will pay for all operating expenses, either directly to the providers or indirectly by reimbursement to U. T. Dallas.
Period: Commencing on or after April 1, 2012, and continuing for five years; ELS will have five options to extend for one additional year each, provided U. T. Dallas consents to each extension. The lease expressly states that it is not valid for sums over \$1,000,000 without Board approval and will terminate prior to reaching that aggregate consideration.
Description: Lease of approximately 10,000 square feet of space in the Classroom Building for use as an on-campus center for the instruction of English as a second language for U. T. Dallas students. The lease includes provisions for the limited use by ELS's students of certain U. T. Dallas residential, dining, recreational, and other facilities.

38. Tenure Appointment - U. T. Dallas: Appointment of Tenure for Roger Malina (T), Professor, Peter and Edith O'Donnell Chair in Arts and Technology, and Director of International Initiatives (RBC No. 4465) -- amendment to the 2011-12 budget

<u>Description</u>	<u>Effective Date</u>	<u>% Time</u>	<u>Full-time Salary</u>		<u>RBC #</u>
			<u>No. Mos.</u>	<u>Rate \$</u>	
SCHOOL OF ARTS AND HUMANITIES Arts and Technology Professor, Peter and Edith O'Donnell Chair in Arts and Technology, and Director of International Initiatives					
SCHOOL OF NATURAL SCIENCES AND MATHEMATICS Physics Professor					
Roger Malina (T)	1/16-5/31	100	09	170,000	4465
	1/16-8/31	SUPL	12	30,000	

39. Contract - U. T. El Paso: City of El Paso and Texas Department of Transportation (TxDOT) for easement

Agency: City of El Paso and Texas Department of Transportation (TxDOT)

Source of Funds: No actual cash payment will be made to the City of El Paso or TxDOT. Rather, easements across portions of the U. T. El Paso campus will be granted to the City of El Paso and to TxDOT for roadway purposes associated with the construction and operation of Spur 1966.

Period: The easements will be effective as long as Spur 1966 is in use as a public roadway.

Description: TxDOT proposes to construct new Spur 1966 that will be an extension and improvement of Schuster Avenue to Interstate 10 and will include a traffic circle. The roadway improvements, which include an underground pedestrian crossing to improve the safety of students who cross the heavily trafficked roadway from the parking lots to the campus, are expected to improve traffic flow in that area of the campus and make it safer and easier for students, faculty, and staff to get to and from campus.

Construction of the roadways will be made at no cost to U. T. El Paso. The precise location of the roadway easements has not yet been determined, as the project is in the early design stages.

Staff at U. T. El Paso believe that the easements serve a public purpose specific to the mission of the institution and request that the Board make a finding of fact to that effect and authorize the Executive Director of Real Estate to negotiate, finalize, and execute the easements, subject to approval by the Vice President for Business Affairs at U. T. El Paso.

40. Dual Positions of Honor, Trust, or Profit - **U. T. Pan American**: Appointment by U.S. Secretary of Labor Solis of Marie T. Mora, Ph.D., Professor, Department of Economics and Finance as a Member of the Bureau of Labor Statistics (BLS) Data Users Advisory Committee

The following item has been approved by the Executive Vice Chancellor for Academic Affairs ad interim in accordance with the Regents' *Rules and Regulations*, Rule 30103 and is submitted for approval by the U. T. System Board of Regents. It has been determined that the holding of this office or position is of benefit to the State of Texas and The University of Texas, and there is no conflict between holding this position and the appointment of Dr. Mora with The University of Texas-Pan American. By approval of this item, the Board is also asked to find that holding this position is of benefit to the State of Texas and The University of Texas System, and there is no conflict between the position and the University.

Name: Marie T. Mora, Ph.D.
Title: Professor, Department of Economics and Finance
Position: Member, United States Bureau of Labor Statistics Data Users Advisory Committee
Period: January 15, 2012 through January 14, 2015
Compensation: None
Description: United States Secretary of Labor Hilda Solis has appointed Dr. Mora to the Bureau of Labor Statistics Data Users Advisory Committee

41. Request for Budget Change - **U. T. Permian Basin**: Transfer \$900,000 from Special Item Support, College of Engineering, to the College of Petroleum Engineering, Special Item Support C.1.3. Strategy College of Engineering account to further develop the Petroleum Engineering Program (RBC No. 4511) -- amendment to the 2011-12 budget

42. Contract (funds going out) - U. T. San Antonio: Alpha Building Corporation to provide job order contractor services for minor construction projects

Agency: Alpha Building Corporation
Source of Funds: Varies depending on the requestor
Funds: Estimated \$6,000,000 in expenses for the initial term and the renewal terms, together. Above figure is based on historical expense of job order contracting. Cost may increase or decrease depending on volume of construction. Each job order will be independently evaluated and executed.
Period: Initial term of two years with an option to renew for two additional two-year periods.
Description: Job order contracting agreement to support minor construction projects. This project was competitively bid.

43. Contract (funds going out) - U. T. San Antonio: Williams & Thomas LP dba Jamail & Smith Construction to provide job order contractor services for minor construction projects

Agency: Williams & Thomas LP dba Jamail & Smith Construction
Source of Funds: Varies depending on the requestor
Funds: Estimated \$6,000,000 in expenses for the initial term and the renewal terms, together. Above figure is based on historical expense of job order contracting. Cost may increase or decrease depending on volume of construction. Each job order will be independently evaluated and executed.
Period: Initial term of two years with an option to renew for two additional two-year periods.
Description: Job order contracting agreement to support minor construction projects. This project was competitively bid.

44. Contract (funds going out) - U. T. San Antonio: Grandview Partners, Ltd. (University Heights) -- expansion of existing space lease agreement at University Heights Tech Center

Agency: Grandview Partners, Ltd., a Texas limited partnership
Source of Funds: Various sources, including Athletic Fees, Auxiliary Funds

Funds: \$876,210 in base rent and operating expenses payable over an initial term ending March 31, 2015 and an estimated \$821,320 in rent and operating expenses payable over four renewal options totaling 43 months

Period: April 1, 2012 through March 31, 2015

Description: Second amendment to lease of space to expand existing leased space at University Heights Tech Center by 17,280 square feet bringing the total leased space to 36,274 square feet. The initial lease term expires October 31, 2014 for the entirety of the space except 10,240 square feet for which the initial lease term ends March 31, 2015. Rental for the expansion space under the second amendment is at a discount to the rental rate for the original space. The initial lease was for 18,994 square feet of space and was approved by the Board of Regents on November 13, 2008. A first amendment added 7,040 square feet of space and commenced on February 1, 2011, and did not require Board of Regents' approval. The proposed second amendment adds an additional 10,240 square feet of space, and is conditioned on approval by the Board of Regents because, together with the value of the rent payable in the first amendment, the value of the rent over the entire lease term exceeds \$1,000,000.

45. Request for Budget Change - U. T. San Antonio: Transfer \$800,000 from Campus Reserves account to Summer Session Faculty Salaries account to support Summer Session faculty salaries (RBC No. 4461) -- amendment to the 2011-12 budget
46. Employment Agreement - U. T. San Antonio: Amendment to agreement of Head Football Coach Larry Coker

The agreement for Head Football Coach Larry Coker was previously approved by the Board on February 5, 2010, and the following modification to the agreement has been approved by the Executive Vice Chancellor for Academic Affairs ad interim and is recommended for approval by the U. T. System Board of Regents. Employment under this agreement is subject to the Constitution and Bylaws of the National Collegiate Athletic Association, any intercollegiate athletic

conference of which U. T. San Antonio is a member, the Regents' *Rules and Regulations*, and the policies of U. T. San Antonio. The violation of the provisions of such constitution, bylaws, rules, regulations, or policies shall be grounds for suspension without pay or dismissal.

Item: Head Football Coach
 Base Salary: No Change

September 1, 2011 - August 31, 2012	\$220,000
September 1, 2012 - August 31, 2013	\$232,000
September 1, 2013 - August 31, 2014	\$244,000
September 1, 2014 - August 31, 2015	\$256,000
September 1, 2015 - December 31, 2015	\$90,333.32

Description: First amendment to the agreement for employment of the Head Football Coach Larry Coker modifies Compensation by adding a provision addressing Supplemental Pay.

Incentive
 Change: Added: U. T. San Antonio may, but shall not be obligated to, pay the coach \$25,000 annually for services related to speaking engagements, speeches, and shows.

Period: May 1, 2012 - December 31, 2015

47. Street Namings - U. T. San Antonio: Naming of Bosque Street and Principal Street

The following item has been approved by the Executive Vice Chancellor for Academic Affairs ad interim in accordance with the Regents' *Rules and Regulations*, Rule 80307 and is submitted for approval by the U. T. System Board of Regents. It has been determined that naming these currently unnamed streets is in accordance with, and in support of, a campus-wide wayfinding project.

Naming recommendations:

Current name: unnamed
 Proposed name: Bosque Street (see map on the following page)

Current name: unnamed
 Proposed name: Principal Street (see map on the following page)

U. T. San Antonio engaged the firm of Cloud Gehshan Associates to design a comprehensive and integrated wayfinding system to correct or mitigate existing conditions that make wayfinding at U. T. San Antonio difficult. Cloud Gehshan Associates recommended street names that are not used elsewhere in San Antonio and that are Texas County or other Texas place names.

On May 12, 2011, the Board approved that an unnamed roadway on the Main Campus be named Bosque Street. That proposal has been abandoned, leaving the name available.

Principal Street is an extension of Paseo Principal, the main pedestrian pathway across the U. T. San Antonio Main Campus.



48. Request for Budget Change - U. T. Tyler: Transfer of \$25,550 from Library, Equipment, Repair and Rehabilitation (LERR) for Fire Suppression System account to the LERR for Campus Lighting Upgrade account. This transfer is for a previously approved LERR project for campus security and safety to fund campus lighting projects (RBC No. 4378) -- amendment to the 2011-12 budget

HEALTH INSTITUTIONS

49. Contract (funds coming in) - U. T. Southwestern Medical Center: Texas Council on Alzheimer's Disease and Related Disorders to perform research and services and establish data collection system

Agency: Texas Council on Alzheimer's Disease and Related Disorders
Funds: \$1,450,424
Period: September 1, 2011 through August 31, 2013
Description: Perform research and services related to Alzheimer's disease and to establish data collection system

50. Contract (funds coming in) - U. T. Southwestern Medical Center: Veterans Affairs North Texas Healthcare System to provide surgery services

Agency: Veterans Affairs North Texas Healthcare System
Funds: \$1,219,639
Period: October 1, 2011 through March 30, 2012
Description: To provide surgery services

51. Contract (funds going out) - U. T. Southwestern Medical Center: Lease from SAF Exchange Park, LTD of EMT paramedic training space at 6300 Harry Hines Boulevard

Agency: SAF Exchange Park, LTD
Funds: \$1,401,696
Source of Funds: Interest on Time Deposits
Period: February 1, 2012 through January 31, 2017
Description: Rental payment for lease by U. T. Southwestern Medical Center (tenant) of EMT paramedic training space at 6300 Harry Hines Boulevard. Five-year term for 19,840 square feet of rental space.

52. Tenure Appointment - U. T. Southwestern Medical Center: Tenure appointment of Steven Warach (T), Professor, Neurology, Southwestern Medical School (RBC No. 4390) -- amendment to the 2011-12 budget

<u>Description</u>	<u>Effective Date</u>	<u>% Time</u>	<u>Full-time Salary</u>		<u>RBC #</u>
			<u>No. Mos.</u>	<u>Rate \$</u>	
SOUTHWESTERN MEDICAL SCHOOL Neurology Professor Steven Warach (T)	12/5-8/31	100	12	380,000	4390

53. Contract (funds coming in) - U. T. Medical Branch - Galveston: Texas Department of State Health Services Special Supplemental Nutrition Program for women, infants, and children to be administered by the University

Agency: Texas Department of State Health Services
 Funds: \$6,336,717
 Period: October 1, 2011 through September 30, 2012
 Description: Amendment beginning October 1, 2011 adding \$3,189,331 to agreement, originally funded at \$3,147,386, and extending end date to September 30, 2012, for U. T. Medical Branch - Galveston to administer the Department of State Health Services Special Supplemental Nutrition Program for women, infants, and children.

54. Contract (funds coming in) - U. T. Medical Branch - Galveston: Texas Department of State Health Services to receive comprehensive family planning services

Agency: Texas Department of State Health Services
 Funds: \$1,566,651
 Period: January 15, 2012 through March 31, 2013
 Description: U. T. Medical Branch - Galveston to provide comprehensive family planning services, to include medical, counseling, client education, referral, community education, and outreach services to Title X and Title XX eligible individuals.

55. Contract (funds coming in) - U. T. Medical Branch - Galveston: Lockheed Martin to receive services for the United States Antarctic Program under Lockheed Martin's Antarctic Support contract

Agency: Lockheed Martin
Funds: \$56,848,564
Period: April 1, 2012 through March 31, 2025
Description: U. T. Medical Branch - Galveston to provide performance-based integrated operations and science support services and materials, specifically decision support, planning, and implementation of the medical infrastructure for the United States Antarctic Program under Lockheed Martin's Antarctic Support contract.

56. Emeritus Appointment - U. T. Medical Branch - Galveston: Norbert Herzog, Professor (T), Academic Enterprise, Pathology, to Professor Emeritus (RBC No. 4504) -- amendment to the 2011-12 budget

57. Approval of Dual Positions of Honor, Trust, or Profit - U. T. Medical Branch - Galveston: Appointment by Governor Perry of Ben Raimer, M.D., Senior Vice President, Health Policy and Regulative Affairs, as Chair of the Texas Institute of Health Care Quality and Efficiency Task Force

The following item has been approved by the Executive Vice Chancellor for Health Affairs in accordance with the Regents' *Rules and Regulations*, Rule 30103 and is submitted for approval by the U. T. System Board of Regents. It has been determined that the holding of this office or position is of benefit to the State of Texas and The University of Texas, and there is no conflict between holding this position and the appointment Dr. Raimer with U. T. Medical Branch - Galveston. By approval of this item, the Board is also asked to find that holding this position is of benefit to the State of Texas and The University of Texas, and there is no conflict between the position and the University.

Name: Ben Raimer, M.D.
Title: Senior Vice President, Health Policy and Regulative Affairs
Position: Chair, Texas Institute of Health Care Quality and Efficiency Task Force
Period: March 7, 2012 through January 31, 2013
Compensation: Per diem expenses only

Description: As Chair of the Texas Institute of Health Care Quality and Efficiency Task Force, Dr. Raimer will lead the Task Force in efforts to improve health care quality, accountability, education, and cost to the State by encouraging health care provider collaboration, effective health care delivery models, and coordination of health care services. Dr. Raimer was appointed by Governor Rick Perry.

58. Approval of Dual Positions of Honor, Trust, or Profit - U. T. Medical Branch - Galveston: Appointment by Governor Perry of Linda R. Rounds, Ph.D., RN, FNP, FAANP, Professor, School of Nursing, as Board member of the Board of Pilot Commissioners for Galveston County

The following item has been approved by the Executive Vice Chancellor for Health Affairs in accordance with the Regents' *Rules and Regulations*, Rule 30103 and is submitted for approval by the U. T. System Board of Regents. It has been determined that the holding of this office or position is of benefit to the State of Texas and The University of Texas, and there is no conflict between holding this position and the appointment of Dr. Rounds with U. T. Medical Branch - Galveston. By approval of this item, the Board is also asked to find that holding this position is of benefit to the State of Texas and The University of Texas, and there is no conflict between the position and the University.

Name: Linda R. Rounds, Ph.D., RN, FNP, FAANP
Title: Professor, School of Nursing
Position: Board Member, Board of Pilot Commissioners for Galveston County
Period: March 22, 2012 through February 1, 2016
Compensation: Per diem expenses only
Description: Appointed by Governor Rick Perry to the Board of Pilot Commissioners for Galveston County, Dr. Rounds will assist in administering the governing body that has exclusive jurisdiction over the piloting of vessels in Galveston County.

59. Contract (funds coming in) - U. T. Health Science Center - Houston: OB-GYN of Houston, LLP, a Texas limited liability partnership -- lease renewal of 5,935 square feet of space at UT Professional Building at 6410 Fannin Street, Houston, Texas, for clinical and related services

Agency: OB-GYN of Houston, LLP, a Texas limited liability partnership, as tenant

Funds: \$981,748.06 in base rent plus tenant's proportionate share of operating expenses in excess of the 2007 base year operating expenses, payable over 77 months. Annual rental rate of \$25 per square foot during the first 17 months and \$26 per square foot for months 18 through 77. U. T. Health Science Center - Houston will provide an improvement allowance of \$17,805 (\$3 per square foot).

Period: 77 months, commencing August 1, 2012, and ending on December 31, 2018

Description: Lease renewal of 5,935 square feet of space at UT Professional Building at 6410 Fannin Street, Houston, Texas, for clinic and administrative space for medical practice and related services. The current lease expires July 31, 2012. The lease amendment states that it is not enforceable for amounts exceeding \$1,000,000 unless and until Board approval is obtained.

60. Contract (funds going out) - U. T. Health Science Center - Houston: Alpha Building Corporation and J. T. Vaughn Construction, LLC to provide maintenance, repair, and renovation tasks

Agency: Alpha Building Corporation and J. T. Vaughn Construction, LLC

Funds: Two contracts, in aggregate, will exceed \$2,200,000

Source of Funds: There will be different sources of funding depending on the department(s) requesting the service.

Period: March 1, 2012 through February 28, 2013, with option to renew the term for four successive one-year periods

Description: Agreements will allow for a wide variety of maintenance, repair, and renovation tasks to be performed.

61. Contract (funds going out) - U. T. Health Science Center - Houston: Contract with IntegraNet Physician Resource, Inc. for onsite technical assistance and onsite or remote consultation to Eligible Health Professionals in support of the Gulf Coast Regional Expansion Center

Agency: IntegraNet Physician Resource, Inc.
Funds: Potentially \$3,500,000
Source of Funds: Federal Grant
Period: Initial term February 22, 2012 through April 5, 2014, with option to renew the term for four successive one-year periods
Description: Allows Gulf Coast Regional Extension Center to meet its goal of achieving Meaningful Use of an Electronic Health Record as defined by the Office of the National Coordinator. IntregraNet Services (via Electronic Medical Resources) will provide onsite technical assistance and onsite or remote consultation to Eligible Health Care Professionals in support of the Gulf Coast Regional Extension Center.

62. Foreign Contract (funds coming in) - U. T. Health Science Center - Houston: Agreement of Cooperation with Kuwait Institute for Medical Specialization to provide dentists from Kuwait with postgraduate training through the institution's two year Advanced Education in General Dentistry program

Agency: Kuwait Institute for Medical Specialization
Funds: Agreement of Cooperation; no exchange of monies except as provided for in the Program Agreement. Program Agreement: \$52,500 per student per each year of the student's training to cover tuition, fees, and malpractice insurance. All other costs, including travel, health care, lodging, and living expenses are the responsibility of students or the Institute.
Period: Five years, 2012 through 2017
Description: The Agreement of Cooperation sets forth broad principles governing U. T. Health Science Center - Houston and the Institute's relationship. The Program Agreement is to provide dentists from Kuwait with postgraduate training through U. T. Health Science Center - Houston's two year Advanced Education in General Dentistry program, subject to available capacity. Participants must be properly accredited for admission.

63. Emeritus Appointment - U. T. Health Science Center - Houston: Samuel Kaplan, Professor and Chairman (T), Department of Microbiology and Molecular Genetics, Medical School, to Chair Emeritus (RBC No. 4400) -- amendment to the 2011-12 budget
64. Emeritus Appointment - U. T. Health Science Center - Houston: Frank M. Yatsu, Clinical Professor and Huffington Chair, Department of Neurology, Medical School, to Professor Emeritus (RBC No. 4401) -- amendment to the 2011-12 budget
65. Emeritus Appointment - U. T. Health Science Center - Houston: Stanford M. Goldman, Professor and Section Chief (T), Radiology/Department of Diagnostic and Interventional Imaging, Medical School, to Professor Emeritus (RBC No. 4409) -- amendment to the 2011-12 budget
66. Dual Positions of Honor, Trust, or Profit - U. T. Health Science Center - Houston: Appointment by Governor Perry of Christopher S. Greeley, M.D., FAAP, Associate Professor of Pediatrics, Center for Clinical Research and Evidence-Based Medicine, Department of Pediatrics, to the Task Force to Reduce Child Abuse and Neglect and Improve Child Welfare

The following item has been approved by the Executive Vice Chancellor for Health Affairs in accordance with the Regents' *Rules and Regulations*, Rule 30103 and is submitted for approval by the U. T. System Board of Regents. It has been determined that the holding of this office or position is of benefit to the State of Texas and The University of Texas, and there is no conflict between holding this position and the appointment of Dr. Greeley with U. T. Health Science Center - Houston. By approval of this item, the Board is also asked to find that holding this position is of benefit to the State of Texas and The University of Texas, and there is no conflict between the position and the University.

Name: Christopher S. Greeley, M.D., FAAP
Title: Associate Professor of Pediatrics, Center for Clinical Research and Evidence-Based Medicine, Department of Pediatrics
Position: Member, Task Force to Reduce Child Abuse and Neglect and Improve Child Welfare (The last legislative session, he served as Chair of the Task Force and anticipates he may serve as Chair once the Task Force meets and votes.)

Period: Announced February 16, 2012, to expire at the pleasure of the Governor
Compensation: None
Description: Governor Rick Perry reappointed Dr. Greeley to the Task Force to Reduce Child Abuse and Neglect and Improve Child Welfare.

67. Dual Positions of Honor, Trust, or Profit - U. T. Health Science Center - Houston: Appointment by President Obama of Harold W. Kohl III, Ph.D., Professor of Epidemiology, School of Public Health, Austin Regional Campus and Research Professor of Kinesiology at U. T. Austin, to the Science Board of the President's Council on Fitness, Sports & Nutrition

The following item has been approved by the Executive Vice Chancellor for Health Affairs in accordance with the Regents' *Rules and Regulations*, Rule 30103 and is submitted for approval by the U. T. System Board of Regents. It has been determined that the holding of this office or position is of benefit to the State of Texas and The University of Texas, and there is no conflict between holding this position and the appointment of Dr. Kohl with U. T. Health Science Center - Houston. By approval of this item, the Board is also asked to find that holding this position is of benefit to the State of Texas and The University of Texas, and there is no conflict between the position and the University.

Name: Harold W. Kohl III, Ph.D.
Title: Professor of Epidemiology, U. T. Health Science Center - Houston; School of Public Health, Austin Regional Campus; and Research Professor of Kinesiology at U. T. Austin
Position: Member, President's Council on Fitness, Sports & Nutrition Science Board
Period: January 1, 2012 through December 31, 2015
Compensation: None
Description: President Barack Obama appointed Dr. Kohl to the Science Board of the President's Council on Fitness, Sports & Nutrition. The Science Board is composed of scholars who provide recommendations in the areas of program development and evaluation. The mission of the President's Council on Fitness, Sports & Nutrition is to engage, educate, and empower all Americans across the lifespan to adopt a healthy lifestyle that includes regular physical activity and good nutrition. The Council plays a key role in the development of the Administration's programmatic priorities, outreach, and awareness efforts to improve the health and quality of life for all Americans.

68. Contract (funds coming in) - U. T. Health Science Center - San Antonio: New Cingular Wireless PCS, LLC, a Delaware limited liability company to lease approximately 160 square feet on the rooftop of the Medical School Building at 7703 Floyd Curl Drive for telecommunications facilities

Agency: New Cingular Wireless PCS, LLC, a Delaware limited liability company

Funds: Consideration to U. T. Health Science Center - San Antonio includes lease payments of approximately \$505,000 over the initial terms and an estimated \$500,000 over the renewal terms, if exercised.

Period: June 1, 2000 (see explanation in the Description below) through May 31, 2020, with two five-year extension options

Description: Lease of approximately 160 square feet on the rooftop of the Medical School Building at 7703 Floyd Curl Drive on the U. T. Health Science Center - San Antonio campus for telecommunications facilities. The lease commenced June 1, 2000, at a monthly rental of \$750. At the time of the initial lease, the total rental over the 20-year lease term did not mandate Regental approval. Recently, however, significant additional equipment was added by the lessee to the site and a significant rent increase, commencing at \$3,000 per month, has been negotiated, along with two five-year renewal options. If the options are exercised, total revenue over the entire term of the lease will likely exceed \$1,000,000. Authorization is requested to allow the institution, in conjunction with the Executive Director of Real Estate, to complete negotiations and enter into a lease amendment as described above.

69. Tenure Appointment - U. T. Health Science Center - San Antonio: Tenure appointment of Hui-Ming Huang (T), Deputy Director and Professor, Molecular Medicine, School of Medicine (RBC No. 4413) -- amendment to the 2011-12 budget

<u>Description</u>	<u>Effective Date</u>	<u>% Time</u>	<u>Full-time Salary</u>		<u>RBC #</u>
			<u>No. Mos.</u>	<u>Rate \$</u>	
SCHOOL OF MEDICINE					
Molecular Medicine					
Deputy Director and Professor					
Hui-Ming Huang (T)	10/1-8/31	100	12	350,000	4413

70. Contract (funds going out) - U. T. M. D. Anderson Cancer Center: Contract with Central Park West, L.P., to purchase approximately 34.77 acres of vacant land located in two tracts on the north side of Interstate Highway 10 between Eldridge Road and Park & Ride Drive and being out of the J. Wheaton Surveys, Abstracts #80 and #828, Houston, Harris County, Texas

Agency: Central Park West, L.P.
Funds: Fair market value as established by independent appraisals, plus all due diligence expenses, closing costs, and other costs and expenses to complete the acquisition as deemed necessary or advisable by the Executive Director of Real Estate. The appraisals are confidential pursuant to *Texas Education Code* Section 51.951.
Source of Funds: Hospital patient income
Period: Closing of the purchase is expected to occur by the end of 2012.
Description: Purchase of approximately 34.77 acres of vacant land located in two tracts on the north side of Interstate Highway 10 between Eldridge Road and Park & Ride Drive and being out of the J. Wheaton Surveys, Abstracts #80 and #828, Houston, Harris County, Texas, and authorization to the Executive Director of Real Estate to execute all documents, instruments, and other agreements, and to take all further actions deemed necessary or advisable to purchase the property.

As a part of U. T. M. D. Anderson Cancer Center's effort to expand its services offered in the community setting through the Regional Care Center program, the institution has sought to develop and establish a more strategic and long-term approach to its cancer treatment operations in and near Katy, Texas. The institution's initial steps have utilized leased space, but the institution desires to eventually consolidate its operations and to provide additional clinical services in more permanent space. It therefore searched an approximately six-mile stretch of the Interstate Highway 10 (Katy Freeway) corridor, considering several sites, and ultimately selecting the subject property, located on the north side of Interstate Highway 10 between Eldridge Road and Park & Ride Drive due to its location, visibility, access, expandability, and physical dimensions.

The site is approximately a 22-mile drive from U. T. M. D. Anderson Cancer Center's main campus in the Texas Medical Center. It consists of two parcels, one containing approximately 23.14 acres and located on the Katy Freeway; the second parcel, containing approximately 11.63 acres, is to the north of the first parcel, separated by the right-of-way

of the proposed extension of Park Row Boulevard, and extending to the Addicks Reservoir levee. The property is currently raw land, without roads or utilities, although the first parcel has access from the Katy Freeway frontage road. The seller will plat the property and adjacent roadways. The parties will enter into a development agreement at closing that obligates the seller, at its expense, to construct roads and utilities to serve the property by June 30, 2014. The property will be used for diagnostic and clinical uses, or for future programmed development of campus expansion or other purposes related to the institution's mission.

71. Contract (funds going out) - U. T. M. D. Anderson Cancer Center: WGH Holly Hall LP and WGH Plaza Del Oro, LLC to purchase approximately 14.03 acres and improvements located at 2555 Holly Hall Street and 8000-8080 El Rio Street in Houston, Harris County, Texas

Agency: WGH Holly Hall LP and WGH Plaza Del Oro, LLC
Funds: Fair market value as established by independent appraisals, plus all due diligence expenses, closing costs, and other costs and expenses to complete the acquisition as deemed necessary or advisable by the Executive Director of Real Estate. The appraisals are confidential pursuant to *Texas Education Code* Section 51.951.
Source of Funds: Hospital patient income
Period: Closing of the purchase of the Holly Hall building is expected to occur by the end of 2012; purchase of the El Rio complex is expected to occur by Summer 2013.
Description: Purchase of approximately 14.03 acres and improvements located at 2555 Holly Hall Street and 8000-8080 El Rio Street in Houston, Harris County, Texas, and authorization to the Executive Director of Real Estate to execute all documents, instruments, and other agreements, and to take all further actions deemed necessary or advisable to purchase the property. The property is separated from the institution's south campus by a railroad line. The land is improved with six single-story commercial buildings totaling 184,500 square feet built in the early 1980s. The building at 2555 Holly Hall contains 25,700 square feet and is leased by the institution through December 31, 2015, for use as its blood bank. U. T. M. D. Anderson Cancer Center also leases approximately 48,100 square feet in the El Rio complex. Third party tenants lease the remaining approximately 110,700 square feet in the complex for various terms expiring between 2013 and 2015. Although the institution currently has pockets of vacant or unallocated research

space in various facilities, it plans to expand its research activities over the next several years, and projects that it will run out of unallocated research space within that time. U. T. M. D. Anderson Cancer Center therefore desires to purchase this complex to meet the future demand for research space. Moreover, the institution has found the Holly Hall facility to be a successful location for the blood bank. Upon the expiration of the third party leases, the property would be used for U. T. M. D. Anderson Cancer Center's research purposes or for future programmed development of campus expansion or other purposes related to the institution's mission.

72. Report - U. T. Health Science Center - Tyler: No items for Consent Agenda