

Meeting No. 1,245

THE MINUTES OF THE BOARD OF REGENTS  
OF  
THE UNIVERSITY OF TEXAS SYSTEM

Pages 1 - 117

May 8 - 9, 2024

Austin, Texas

MEETING NO. 1,245

WEDNESDAY, MAY 8, 2024.-- The members of the Board of Regents of The University of Texas System convened at 1:00 p.m. on Wednesday, May 8, 2024, in the Board Room, Second Floor, The University of Texas System Building, 210 West Seventh Street, Austin, Texas, with the below meeting participation:

ATTENDANCE.--

Present

Chairman Eltife  
Vice Chairman Weaver  
Regent Crain  
Regent Gauntt  
Regent Jiles  
Regent Perez  
Regent Stedman  
Regent Austin, Student Regent, nonvoting

Absent

Vice Chairman Longoria  
Regent Warren

CONVENE THE BOARD IN OPEN SESSION.-- At 1:00 p.m., in accordance with a notice being duly posted with the Secretary of State and there being a quorum present, Chairman Eltife called the meeting to order in Open Session.

Remarks by Chairman Eltife

I want to take a moment at the start of this meeting to comment on the protests that we have all witnessed on several of our campuses and across the nation over the last few weeks. As we have previously stated free speech and assembly are fundamental to the exchange of ideas within our educational institutions and must be protected. However institutional policies and restrictions must exist to maintain order and to protect our students and the greater campus community.

We have policies and restrictions in place. You do not get to barricade yourself in buildings, throw objects at law enforcement, violate our school policies, and disrupt other students and most importantly place other students in harm's way. We will not tolerate it. Outside groups coming in on our campuses in an effort to be disruptive and camp out is not an option and will never be and will be dealt with every time.

Nothing, nothing is more important than the safety of our students and we will not hesitate again to use all resources available to us to keep them safe and our campuses open. The hard-working families that send their students to our campuses and in many cases make sacrifices to send their kids to school deserve it. And as far as the calls to divest, divestment is not an option. We will continue to maximize our investments to ensure our students have scholarships and we can provide an affordable, accessible education.

Many have questioned the use of law enforcement from outside agencies. To be clear no president in the U. T System made those decisions on their own. The Chancellor and I, and this Board are always involved in those decisions. They were the right decision, and we will do it again if needed.

This Board is proud of how this has been handled on all our campuses. Anyone that questions our decisions need only look to Columbia and UCLA.

There is also some talk out there about votes of no confidence on our presidents. I would say that the vote of no confidence or of confidence that matters the most is the vote of this Board. We will not allow our campuses to be disrupted by the few at the expense of others. Those of you who insist on violating our rules and our polices, your actions will face consequences.

Our University of Texas law enforcement officers across all our institutions do an incredible job showing up to protect and serve everyday putting their lives on the line. They work to make sure our students are educated in a safe and secure environment. The last few weeks we witnessed that firsthand. Those emboldened by outside groups had the explicit intention of causing disturbance and disrupting our campuses. They defied warnings. They thought they could take over our campuses and establish their own set of rules like they tried at other universities. That will never happen, and it is not negotiable. Director Ferrero, will you please express our gratitude to the System and campus police officers who did an incredible job.

We also want to thank the Texas Department of Public Safety, whose officers provided invaluable support to ours when we needed them the most. We will not hesitate to call upon them again if necessary. The Department of Public Safety's assistance to our officers was critical in maintaining control, helping de-escalate many volatile and potentially dangerous situations.

I invited Colonel Steve McCraw here today, the Director of the Texas Department of Public Safety to come by our meeting today so that we could publicly thank him and the men and women of the DPS for their assistance, their service and dedication to our state, and their services to our campuses.

We will remain steadfast in our commitment to maintaining a safe learning environment for all our students, faculty, and staff and we will tolerate nothing less.

Director McCraw, we would love to hear from you if you have anything to comment on and we'd like for the men and women of the DPS here today to please stand so we can recognize you.

COMMITTEE MEETINGS.--The Board convened in Open Session for Standing Committee meetings from 1:06 p.m. – 2:39 p.m.

RECONVENE THE BOARD IN OPEN SESSION TO CONSIDER AGENDA ITEM AND TO RECESS TO EXECUTIVE SESSION.-- At 2:39 p.m., in accordance with a notice being duly posted with the Secretary of State and there being a quorum present, Chairman Eltife called the meeting to order in Open Session.

#### Remarks by Chairman Eltife

Today at our Health Affairs meeting, and every day, we felt the absence of President Bill Henrich, our exceptional colleague and President of U. T. Health Science Center at San Antonio.

Dr. Henrich was one of the most beloved and impactful presidents to serve in the U. T. System. It's hard to imagine that he won't be here to participate in our meetings, to huddle with us offline to offer guidance, to make us laugh, and to be here impeccably dressed as he always was.

In his last message to his university community, he said, "I have confidence in all of you to make the lofty goals of U. T. Health Science Center at San Antonio a reality. While we have much to be proud of and much to celebrate, we know that our work is never done, and we must strive to make tomorrow better than today."

He always made the next day better than the one before, and we are grateful for his leadership, his research, and his care for those he provided for. May God bestow his blessings on his wife Mary, their children John and Emily, their families, and the entire UT Health San Antonio community who mourns his passing. He was an incredible individual, an incredible president, just a great person. And we will all sorely and dearly miss him, and we will pray for his family.

#### Remarks by Chancellor Milliken

A few weeks ago, I had the opportunity to be at U. T. Health Science Center - San Antonio at a memorial and celebration event for Bill Henrich. It was a moving day. I just want to report to the Board that at event I had the honor on behalf of the Board to announce the Henrich Family Award for Compassionate Care. An endowment that will provide in perpetuity a recognition and significant financial award to a member of the U. T. Health Science Center - San Antonio community who has demonstrated the qualities we all see in the Henrich Family. It will be given annually to a frontline healthcare worker nominated by colleagues or patients who has demonstrated the qualities reflected in Bill, Mary, John, and Emily, in treating everyone with compassionate empathy and respect. And I thank the Board for supporting that important award for U. T. Health Science Center - San Antonio.

1. U. T. System Board of Regents: Presentation of Certificate of Appreciation to Director Michael J. Heidingsfield (Deferred)

This item was deferred.

RECESS TO EXECUTIVE SESSION.--At 2:39 p.m., the Board recessed to Executive Session, pursuant to *Texas Government Code* Sections 551.071, 551.073, 551.074, 551.076, and 551.089 to consider the matters listed on the Executive Session agenda.

RECONVENE THE BOARD IN OPEN SESSION FOR POSSIBLE ACTION ON EXECUTIVE SESSION ITEMS.--At 3:53 p.m., in accordance with a notice being duly posted with the Secretary of State and there being a quorum present, Chairman Eltife called the meeting to order in Open Session.

1. U. T. System: Discussion and appropriate action regarding individual personnel matters relating to appointment, employment, evaluation, compensation, assignment, and duties of presidents (academic and health institutions including interim presidents); U. T. System Administration officers (Executive Vice Chancellors and Vice Chancellors); other officers reporting directly to the Board (Chancellor, General Counsel to the Board, and Chief Audit Executive); Board members; and U. T. System and institutional employees

No action was taken on this item.

- 2a. U. T. System Academic Institutions: Discussion and appropriate action regarding proposed negotiated gifts, including potential naming features

Regent Gauntt made the following motion:

I move that the U. T. System Board of Regents authorize Chancellor Milliken, Vice Chancellor Safady, and the President of U. T. Austin to conclude negotiations necessary to finalize, approve, and accept gifts and to finalize and execute any agreements related to gift-associated namings consistent with the terms and conditions outlined and recommended in Executive Session.

The motion was seconded by Regent Perez and carried unanimously.

- 2b. U. T. System Health Institutions: Discussion and appropriate action regarding proposed negotiated gifts, including potential naming features

No action was taken on this item.

- 3a. U. T. System Board of Regents: Discussion with Counsel on pending legal issues

No action was taken on this item.

- 3b. U. T. System Board of Regents: Discussion and appropriate action regarding legal issues concerning pending legal claims by and against U. T. System

No action was taken on this item.

4. U. T. System Board of Regents: Discussion and appropriate action regarding safety and security issues, including security audits and the deployment of security personnel and devices

No action was taken on this item.

Before recessing for the day, Chairman Eltife and Chancellor Milliken expressed gratitude and admiration for U. T. Tyler President Kirk Calhoun's service and transformational leadership as he transitions into retirement.

ADJOURNMENT.--There being no further business, the meeting was adjourned at 4:01 p.m. to reconvene on May 9, 2024.

THURSDAY, MAY 9, 2024.-- The members of the Board of Regents of The University of Texas System reconvened at 9:01 a.m. on Thursday, May 9, 2024, in the Board Room, Second Floor, The University of Texas System Building, 210 West Seventh Street, Austin, Texas, with the below meeting participation:

ATTENDANCE.--

Present

Chairman Eltife  
Vice Chairman Weaver  
Regent Crain  
Regent Gauntt  
Regent Jiles  
Regent Perez  
Regent Stedman  
Regent Warren  
Regent Austin, Student Regent, nonvoting

Absent

Vice Chairman Longoria

RECONVENE THE BOARD IN OPEN SESSION TO CONSIDER AGENDA ITEMS.--At 9:01 a.m., in accordance with a notice being duly posted with the Secretary of State and there being a quorum present, Chairman Eltife called the meeting to order in Open Session to consider action on the following items.

STANDING COMMITTEE RECOMMENDATIONS AND REPORTS TO THE BOARD.--

At 9:01 a.m., Chairman Eltife announced the Board would hear the reports and recommendations of the Standing Committees, which are set forth on Pages 7 - 51.

REPORT OF THE AUDIT, COMPLIANCE, AND RISK MANAGEMENT COMMITTEE  
(Pages 7 - 9).--Unless otherwise indicated, the actions set forth in the Minute Orders that follow were recommended and approved by the Board in Open Session.

1. U. T. System Board of Regents: Discussion and appropriate action regarding Consent Agenda items, if any, assigned for Committee consideration

There were no items referred from the Consent Agenda.

2. U. T. System: Authorization to settle property insurance claims for Winter Storm Uri and delegation of authority

The Board approved the following recommendation:

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Business Affairs and the Chief Compliance and Risk Officer that the U. T. System Board of Regents:

- a. approve, in accordance with Regents' Rule 80601, final settlement of the property insurance claims for Winter Storm Uri covered under the Comprehensive Property Protection Plan (CPPP) in the amount of \$79,715,083;
- b. delegate authority to the Executive Vice Chancellor for Business Affairs to execute all related Proofs of Loss and other settlement documents.

BACKGROUND INFORMATION

The Comprehensive Property Protection Plan (CPPP) provides coverage to U. T. institutions for fire and other perils through a combination of commercial insurance and interim financing. The CPPP commercial insurance coverage is subject to a large deductible that varies by type of loss and loss location. The deductible is funded with a combination of interim financing provided by the CPPP Fund and smaller, institution-funded deductibles.

In February 2021, Winder Storm Uri caused widespread property damage at all U. T. institutions. In addition, all health institutions experienced business interruption losses due to utility and water service disruptions resulting from the storm.



The insurance claim for Winter Storm Uri has been adjusted and measured with the assistance of various third parties and all impacted institutions to a total adjusted loss amount of \$79,715,083. The applicable deductible for the Winter Storm Uri claim is \$5,000,000, resulting in a CPPP commercial insurance settlement amount of \$74,715,083.

The CPPP Fund participated in a 7% quota share of a large layer of the commercial insurance. As a result, the CPPP Fund will pay \$3,496,741 of the \$74,715,083 settlement amount to institutions. In addition, the CPPP Fund will pay \$1,711,495 to institutions to fund a portion of property losses within the CPPP's deductible layer. These payments from the CPPP Fund are all considered interim financing, and institutions will repay these to the CPPP Fund in annual installments over five years. Any funds received from pending FEMA claims will offset the repayments.

3. U. T. System Board of Regents: Approval to renew the contract with Deloitte & Touche LLP to provide financial auditing services for Fiscal Years 2024 and 2025

The Board approved the following recommendation:

RECOMMENDATION

Committee Chairman Perez recommends approval for Deloitte & Touche LLP (Deloitte) to provide independent auditing services for the Fiscal Year 2024 and Fiscal Year 2025 financial statement audits of the U. T. System, U. T. Austin, U. T. Southwestern Medical Center, U. T. Medical Branch - Galveston, U. T. M. D. Anderson Cancer Center, and the funds managed by The University of Texas/Texas A&M Investment Management Company (UTIMCO).

Approval is requested for U. T. System staff to negotiate and enter into an auditing services contract amendment with Deloitte to renew the contract for a two-year term pursuant to delegation of authority from the State Auditor's Office.

BACKGROUND INFORMATION

The contract with Deloitte, effective August 1, 2022, to provide audit services for Fiscal Years 2022 and 2023 is set to expire on July 31, 2024. It has an option to renew for two additional two year terms.

The source of funding for this contract is primarily Available University Funds, as approved for the prior contracts.

4. U. T. System: Discussion and Appropriate Action regarding institutional Audit Committee chair changes; Report on Systemwide internal audit administrative items, including Required Communications and the new Global Internal Audit Standards, and the State Auditor’s Office Statewide Single Audit Report for FY 2023

This item was for consideration only by the Committee. The Committee approved the following recommendation:

RECOMMENDATION

Chief Audit Executive Peppers, on behalf of the Presidents at U. T. San Antonio and U. T. M. D. Anderson Cancer Center, recommends formal approval by the Audit, Compliance, and Risk Management Committee (ACRMC) of the appointment of the following individuals to serve as Chairs of the Institutional Audit Committees:

- Albert Fernandez, Payment and Fraud Services Manager at Credit Human Federal Credit Union, U. T. San Antonio; and
- Laura Sayavedra, Senior Vice President, Safety, Projects and Chief Administrative Officer at Enbridge, U. T. M. D. Anderson Cancer Center.

Details on the qualifications of the new Chair candidates were provided to the ACRMC members prior to the meeting.

BACKGROUND INFORMATION

The ACRMC annually reviews and approves nominations from the institutional presidents for external member chairs of their institutional audit committees. Delegated approval was provided by the ACRMC Chairman and the Chancellor for those candidates with terms beginning between May ACRMC meetings.

REPORT OF THE FINANCE AND PLANNING COMMITTEE (Pages 10 - 14).--  
Unless otherwise indicated, the actions set forth in the Minute Orders that follow were recommended and approved by the Board in Open Session.

1. U. T. System Board of Regents: Discussion and appropriate action regarding Consent Agenda items, if any, assigned for Committee consideration

There were no items referred from the Consent Agenda.

2. U. T. System Board of Regents: Approval of annual distributions from the Permanent University Fund, the Permanent Health Fund, the Long Term Fund, and the Intermediate Term Fund

The Board approved the following recommendation:

#### RECOMMENDATION

The Chancellor concurs with the Executive Vice Chancellor for Business Affairs in the recommendation that

- a. the Fiscal Year 2025 distribution from the Permanent University Fund (PUF) to the Available University Fund (AUF) be \$1,524,925,000 effective September 1, 2024;
- b. the distribution rate for the Permanent Health Fund (PHF) be increased from \$0.0724 per unit to \$0.0765 per unit for Fiscal Year 2025 (effective with November 30, 2024 distribution);
- c. the distribution rate for the U. T. System Long Term Fund (LTF) be increased from \$0.3951 per unit to \$0.4175 per unit for Fiscal Year 2025 (effective with November 30, 2024 distribution); and
- d. the distribution rate for the U. T. System Intermediate Term Fund (ITF) remain at 3.0% per annum (paid monthly) for Fiscal Year 2025.

#### BACKGROUND INFORMATION

Article VII, Section 18 of the *Texas Constitution* requires that the amount of distributions to the AUF be determined by the Board of Regents in a manner intended to provide the AUF with a stable and predictable stream of annual distributions and to maintain over time the purchasing power of PUF investments and annual distributions to the AUF. The recommendation will increase PUF distributions by the average rate of inflation for the trailing 12 quarters plus 2.65%.

The Constitution further limits the Board of Regents’ discretion to set annual PUF distributions to the satisfaction of three tests:

1. The amount of PUF distributions to the AUF in a fiscal year must be not less than the amount needed to pay the principal and interest due and owing in that fiscal year on PUF bonds and notes. The proposed distribution of \$1,524,925,000 is substantially greater than PUF bond debt service of \$593,200,000 projected for Fiscal Year 2025.

<b>System</b>	<b>Debt Service</b>
U. T.	\$ 367,600,000
TAMU	225,600,000
Total:	\$ 593,200,000

Sources: U. T. System Office of Finance  
 Texas A&M University System Office of  
 Treasury Services

2. The Board of Regents may not increase annual PUF distributions to the AUF (except as necessary to pay PUF debt service) if the purchasing power of PUF investments for any rolling 10-year period has not been preserved. As the schedule below indicates, the average annual increase in the rate of growth of the value of PUF investments (net of expenses, inflation, and distributions) for the trailing 10-year period ended February 29, 2024, was 5.05%, which indicates that the purchasing power test was met.

<b>Average Annual</b>	<b>Percent</b>
Rate of Total Return, Net of Investment Manager Fees	7.86%
Mineral Interest Receipts	4.68%
Expense Rate	(0.20%) <sup>(1)</sup>
Inflation Rate	(2.83%)
Distribution Rate	(4.46%)
Net Real Return	<b>5.05%</b>

(1) The expense rate as shown is a 10-year annualized average and includes PUF Land Expenses and PUF investment management costs other than investment manager fees. Investment management fees are a reduction to the Rate of Total Return.

3. The annual distribution from the PUF to the AUF during any fiscal year made by the Board of Regents may not exceed an amount equal to 7% of the average net fair market value of PUF investment assets as determined by the Board of Regents (except as necessary to pay PUF bond debt service). The annual distribution rate calculated using the trailing 20-quarter average value of the PUF is within the 7% maximum allowable distribution rate.

<b>Value of PUF Investments (1)</b>	<b>Proposed Distribution</b>	<b>Proposed Distribution as a % of Value of PUF Investments</b>	<b>Maximum Allowed Rate</b>
\$29,046,022,226	\$ 1,524,925,000	5.25%	7.00%

(1) Source: UTIMCO

The spending policy objectives of the PHF and LTF are to:

- a. provide a predictable stable stream of distributions over time;
- b. ensure that the inflation-adjusted value of the distributions is maintained over the long term; and
- c. ensure that the inflation-adjusted value of the assets of the PHF and the LTF, as appropriate after distributions, is maintained over the long term.

The increase in the consumer price index for the prior three years as of November 30, 2023, was 5.67%. The recommended 5.67% increase in the PHF distribution rate of \$0.0724 to \$0.0765 per unit will increase the distributions by the average rate of inflation for the trailing 12 quarters. The PHF's distribution rate calculated using the prior 12-quarter average value of the PHF is 4.21%.

On November 14, 2019, the Board of Regents authorized a maximum 0.80% allocation(80 basis points) from the market value of the LTF to provide additional funding for development operations at U. T. institutions to substantially increase philanthropic revenue. The proposed LTF distribution rate of \$0.4175 per unit or 4.48% of the market value of the LTF plus the 0.80% development allocation will result in a total LTF spending rate of 5.28% of the prior 12-quarter average value of the LTF.

The distribution rate for the ITF was originally set at 3.0% per annum for Fiscal Year 2007 by the U. T. System Board on May 11, 2006, and has continued at that rate for each succeeding fiscal year. The recommendation for Fiscal Year 2025 is to continue a distribution rate of 3.0%.

3. U. T. System Board of Regents: Adoption of a Supplemental Resolution authorizing the issuance, sale, and delivery of Revenue Financing System Bonds and authorization to complete all related transactions

The Board approved the following recommendation:

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Business Affairs that the U. T. System Board of Regents

- a. adopt a Supplemental Resolution, substantially in the form previously approved by the U. T. System Board of Regents, authorizing the issuance, sale, and delivery of Board of Regents of The University of Texas System Revenue Financing System (RFS) Bonds in one or more installments in an aggregate principal amount not to exceed \$975 million to be used to refund certain outstanding RFS Bonds, to refund RFS Commercial Paper Notes, to provide new money to fund construction and acquisition costs of projects in the Capital Improvement Program, and to pay the costs of issuance; and
- b. authorize appropriate officers and employees of U. T. System as set forth in the Supplemental Resolution to take any and all actions necessary to carry out the intentions of the U. T. System Board of Regents within the limitations and procedures specified therein; to make certain covenants and agreements in connection therewith; and to resolve other matters incident and related to the issuance, sale, security, and delivery of such RFS Bonds.

BACKGROUND INFORMATION

On August 24, 2023, the Board of Regents adopted the 38th Supplemental Resolution authorizing the issuance of additional RFS Bonds in an amount not to exceed \$975 million. On February 22, 2024, the Board of Regents adopted the 39th Supplemental Resolution authorizing an RFS commercial paper note program in an amount not to exceed \$500 million. Adoption of this 40th Supplemental Resolution would provide \$975 million of authority to finance additional projects approved by the Board of Regents under the same provisions as the 38th Supplemental Resolution.

Adoption of the Supplemental Resolution would authorize the advance or current refunding of a portion of certain outstanding RFS Bonds provided that an advance refunding exceeds a minimum 3% present value debt service savings threshold. An advance refunding involves issuing bonds to refund outstanding bonds more than 90 days in advance of the call date whereas a current refunding involves issuing bonds to refund outstanding bonds within 90 days of the call date. Refunding bonds are issued at lower interest rates thereby producing debt service savings.

Adoption of this Supplemental Resolution will provide the flexibility to select the particular bonds to be refunded depending on market conditions at the time of pricing.

The Supplemental Resolution would also authorize the current refunding of all or a portion of the RFS Commercial Paper Notes. The RFS Commercial Paper Note program is used to provide interim financing for RFS projects approved by the Board. Adoption of the Supplemental Resolution will permit the interim financing provided through the Notes to be replaced with long-term financing. The Supplemental Resolution would also authorize the issuance of bonds to provide new money to fund the capital costs of eligible projects.

The Supplemental Resolution would also authorize the appropriate officers and employees of the U. T. System to refund outstanding RFS Bonds pursuant to a tender program and to use lawfully available funds to defease outstanding RFS Bonds when economically advantageous.

The proposed Supplemental Resolution has been reviewed by outside bond counsel and the U. T. System Office of General Counsel.

Note: The Resolution is on file in the Office of the Board of Regents.

4. U. T. System: Financial Status Presentation and Monthly Financial Report

This item was for consideration only by the Committee.

5. U. T. System: University Lands Update

This item was for consideration only by the Committee.

[Secretary's Note: To ensure accuracy, the Fiscal Year 2024 projected figure on slide 4 of the PowerPoint Presentation was updated from \$1,791MM (as originally distributed) to \$1,908MM presented at the Board Meeting.]

REPORT OF THE ACADEMIC AFFAIRS COMMITTEE (Pages 15 - 18).-- Unless otherwise indicated, the actions set forth in the Minute Orders that follow were recommended and approved by the Board in Open Session.

1. U. T. System Board of Regents: Discussion and appropriate action regarding Consent Agenda items, if any, referred for Committee consideration

There were no items referred from the Consent Agenda.

2. U. T. Rio Grande Valley: Approval to establish a Doctor of Optometry degree program

The Board approved the following recommendation:

#### RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and the institutional president that authorization, pursuant to Regents' *Rules and Regulations*, Rule 40307, related to academic program approval standards, be granted to

- a. establish a Doctor of Optometry degree program at U. T. Rio Grande Valley; and
- b. submit the proposal to the Texas Higher Education Coordinating Board for review and appropriate action.

#### BACKGROUND INFORMATION

##### Program Description

The proposed Doctor of Optometry (OD) program is designed to prepare graduates to be eligible for national board examinations, state licensure, and entry into the practice of optometry. The program will provide professional doctoral-level education and training in diagnosing, monitoring, and treating conditions affecting the eye and ocular adnexa.

The degree program is structured as a four-year, full-time doctoral curriculum based on a medical education model. The curriculum will integrate classroom and practical clinical experience, providing students with the opportunity to work directly with patients in a supervised clinical setting. Basic science instruction will provide a foundation of knowledge in physical, biomedical, and behavioral sciences, while clinical instruction and practice will include didactic, laboratory, and supervised clinical experience in the examination, diagnosis, treatment, and management of patients.



The program will require 189 semester credit hours (SCH). In addition to the required coursework, students will have the option of completing electives in Spanish medical terminology and practice. All students will be required to successfully complete the same minimum number of hours for graduation. The degree program was intentionally modeled after the five optometry programs in the U.S. with the highest national board examination pass rates.

The curriculum will include problem-based learning, evidence-based medicine, anatomy, physics, neuroanatomy, physiology, pharmacology, and pathology, among other subjects. Students will participate in patient care rotations, experiencing approximately 1,500 patient encounters as they rotate through family practice, glaucoma, pediatrics, low vision, cornea and contact lens, medical eye rotations, and externships. Students will have the opportunity to experience specialty services such as pre- and post-operative surgical care, diabetes, dry eye, myopia control, vision therapy, neuro-optometric care, and work with special populations.

### Need and Student Demand

According to the Health Professions Resource Center, there were 4,318 actively licensed optometrists providing care in Texas in 2022. While the optometrist workforce has grown by 11.4% since 2017, Texas still has fewer optometrists than the national average and areas of provider growth are uneven. Non-metropolitan areas and border areas lag significantly behind metropolitan and non-border areas, with metropolitan and non-border areas having at least twice the number of licensed optometrists per capita. By 2030, approximately 25% of the licensed optometrists in Texas will be at or past retirement age. Eleven percent of active licensed optometrists in Texas are currently over the age of 65.

Nationally, employment of optometrists is projected to grow 10% from 2021-2031, faster than average for all occupations. Long-term projections (2020-2030) for optometrists in Texas show a projected growth rate of 19%. Data show approximately 170 positions open annually in Texas and 1,700 open annually throughout the United States. Texas has a recognized statistical shortage of optometrists relative to the United States. According to the Bureau of Labor Statistics, the location quotient (a statistic used to measure a region's specialization relative to a larger geographic unit, in this case the state) for Texas is .76, and the location quotient for the Rio Grande Valley ranges from undefined (counties with no optometrists) to .44 for Cameron County to .76 for Hidalgo County.

Nationally, there are 23 accredited Doctor of Optometry programs at colleges/schools of optometry in the U.S. and Puerto Rico, with two schools located in Texas. Five-year graduation data for the two Texas programs show that they admit approximately 184 students per year and graduate between 154 and 168 students per year. The number of applicants exceeds the number of students admitted per year, with Association of Schools and Colleges of Optometry data showing that approximately 50% of in-state applicants are admitted to the two Texas programs, and approximately 42-45 Texas residents per year are leaving the state for OD education. Based on these data, U. T. Rio Grande Valley (UTRGV) expects

to enroll approximately 40 students per year, increasing access for Texas students and alleviating the need for students to leave the state. Healthy enrollment in UTRGV undergraduate programs that prepare students for the OD program and an active UTRGV Pre-Optometry Society further indicate sufficient student demand for the UTRGV OD program.

### Program Quality

The program will hire approximately fifteen (15) full-time equivalent faculty based on benchmarking and accreditation requirements. Recruitment and hiring will be targeted to achieve a student-to-faculty ratio that optimizes didactic and clinical learning opportunities. The hiring of the dean will begin in summer 2024. The dean will then hire the associate dean for academic affairs. These two positions are needed prior to beginning the self-study required for the Accreditation Council on Optometric Education accreditation process. The dean and associate dean for academic affairs will complete the self-study and hire a complement of faculty and administrators to join the program. Prior to program implementation, all faculty required for the first and second years of the curriculum will be identified. It is anticipated that all full-time faculty will be core faculty, with a mix of basic science and clinical faculty participating in the program. The program currently has in place one full-time, highly qualified clinical faculty member who participated in the development of the curriculum and identification of resources needed to launch a successful program. The program will also include part-time, clinical faculty as support faculty, primarily for the clinical components of the program. All clinical faculty are expected to hold Doctor of Optometry degrees and to hold or be eligible for licensure in Texas at the time of hire. All basic science faculty are expected to hold a doctoral degree and be research active.

In addition to offering a high-quality Doctor of Optometry program modeled on the most successful optometry programs in the U.S. in terms of national board examination pass-rates, the program incorporates didactic and clinical curricula designed to meet the needs of the Rio Grande Valley and Texas by addressing issues of concern to the region and state such as diabetes and obesity. The program will collaborate with UTRGV's School of Medicine and South Texas Diabetes and Obesity Institute to conduct research and clinical activities to address these issues and improve the quality of life. Students and faculty will have the opportunity to be active participants in research and clinical activities, providing care, patient education, and outreach to the communities of the Rio Grande Valley. The curriculum includes optional electives designed to develop fluency in medical Spanish terminology and practice, providing graduates training to provide professional optometric services to patients in Spanish as well as in English. UTRGV's clinical practices across the region provide opportunities for students to work with a wide variety of patients, ensuring broad experience in optometric practice.

Revenue and Expenses

<b>Expenses</b>	<b>5-Year Total</b>
<i>Faculty</i>	
Salaries	\$13,582,228
Benefits	\$ 509,314
<i>Staff &amp; Administration</i>	
Administrative Staff Salaries	\$ 4,113,485
Staff Benefits	\$ 493,619
<i>Other Expenses</i>	
Professional Associations/Accreditation	\$ 650,000
Equipment	\$ 2,767,361
Maintenance and Operations	\$ 2,810,339
Software Acquisition and Maintenance	\$ 1,000,000
Faculty Recruitment, Travel, Marketing	\$ 334,000
<b>Total Expenses</b>	<b>\$26,260,346</b>

<b>Revenue</b>	<b>5-Year Total</b>
<i>From Student Enrollment</i>	
Formula Funding	\$ 3,742,589
Tuition and Fees	\$ 5,817,454
<i>From Institutional Funds</i>	
Institutional Funds	\$14,970,303
<i>From Other Revenue Sources</i>	
Net Patient Care Collections	\$ 2,000,000
<b>Total Revenue</b>	<b>\$26,530,346</b>

Coordinating Board Criteria

The proposed program meets all applicable Coordinating Board criteria for new doctoral degree programs.

3. U. T. System: Update on K-12 Pipeline and Transition Support Programs at U. T. System Academic Institutions

This item was for consideration only by the Committee.

REPORT OF THE HEALTH AFFAIRS COMMITTEE (Page 19).-- Unless otherwise indicated, the actions set forth in the Minute Orders that follow were recommended and approved by the Board in Open Session.

1. U. T. System Board of Regents: Discussion and appropriate action regarding Consent Agenda items, if any, assigned for Committee consideration

There were no items assigned for review by this Committee.

REPORT OF THE FACILITIES PLANNING AND CONSTRUCTION COMMITTEE  
(Pages 20 - 51).--Unless otherwise indicated, the actions set forth in the Minute Orders that follow were recommended and approved in Open Session.

1. U. T. System Board of Regents: Discussion and appropriate action regarding Consent Agenda items, if any, assigned for Committee consideration

There were no items assigned for review by this Committee.

2. U. T. M. D. Anderson Cancer Center: Biosciences Research Facility - Amendment of the current Capital Improvement Program to include project; approval of total project cost; approval of design development; and appropriation of funds and authorization of expenditure

The Board approved the following recommendation:

RECOMMENDATION

The Chancellor concurs with the recommendation of the Executive Vice Chancellor for Health Affairs, the Executive Vice Chancellor for Business Affairs, and the institutional president that the U. T. System Board of Regents amend the current Capital Improvement Program (CIP) to include the Biosciences Research Facility project and approve the recommendations for the project at The University of Texas M. D. Anderson Cancer Center as follows:

- a. amend the current CIP and approve a total project cost of \$335,000,000;
- b. approve design development plans; and
- c. appropriate funds and authorize expenditure of \$335,000,000 from Hospital Revenues.

BACKGROUND INFORMATION

Previous Actions

On January 22, 2020, the Chancellor approved the Centralize South Campus Vivarium project for Definition Phase with a total project cost of \$82,500,000. On March 8, 2021, the Chancellor revised the Definition Phase approval to revise the scope and increase the total project cost to \$400,000,000. On February 28, 2024, the Assistant Vice Chancellor for Capital Projects approved the project name change to Biosciences Research Facility.

### Project Description

The proposed project will construct a one-of-a-kind vivarium facility of approximately 269,500 gross square feet (GSF), comprising three floors and a two-floor mechanical equipment penthouse that will initially provide capacity for 26,500 animals, research space, and the requisite supporting spaces and equipment. The scope of the project will also include demolition of an existing parking lot, a hazardous materials storage building, and an operation and maintenance building; site work encompassing utility infrastructure work, site flatwork, lighting, and landscaping; construction of the building shell and core; and the interior finish out of Floors 1 and 2. Approximately 78,000 gross square feet of shell space will be created by the project to be finished out under a future project.

Future phases, not included in this project, are anticipated to include the build-out of the shell space on Floor 3 and the horizontal construction expansion of an approximately 600,000 GSF single vivarium to house animals. This future expansion will allow the university to meet the needs of over 250 research faculty and institutional research platforms conducting cutting edge laboratory research to drive meaningful breakthroughs. Centralizing research laboratories and animals will make operations more efficient while simultaneously freeing up additional North Campus space and real estate for more clinically focused applications.

This proposed new construction project has been approved by U. T. System staff and meets the criteria for inclusion in the CIP. Pursuant to a Memorandum of Understanding effective September 1, 2020, U. T. M. D. Anderson Cancer Center has delegated authority for institutional management of construction projects under the continued oversight of the Office of Capital Projects.

## **The University of Texas M. D. Anderson Cancer Center Biosciences Research Facility**

### **Project Information**

Project Number	703-1302
CIP Project Type	New Construction
Facility Type	Laboratory, General
Management Type	Institutional Management
Institution's Project Advocate	Vanessa Jensen, D.V.M., Chair of Veterinary Medicine and Surgery
Project Delivery Method	Construction Manager-at-Risk
Gross Square Feet (GSF)	269,500
Shell Space (GSF)	78,000

**The University of Texas M. D. Anderson Cancer Center  
Biosciences Research Facility**  
(continued)

**Project Funding**

Hospital Revenues	<u>Proposed</u> <u>\$335,000,000</u>
Total Project Cost	\$335,000,000

**Project Cost Detail**

	Cost
Building Cost	\$221,000,000
Fixed Equipment	18,000,000
Site Development	10,000,000
Furniture and Moveable Equipment	20,000,000
Institutionally Managed Work	5,000,000
Architectural/Design Services	19,000,000
Project Management	9,000,000
CIP Support Services	-
Insurance	6,000,000
Other Professional Fees	8,000,000
Project Contingency	19,000,000
Other Costs	-
<b>Total Project Cost</b>	<b>\$335,000,000</b>

**Building Cost per GSF Benchmarks** (escalated to midpoint of construction)

Biosciences Research Facility (with 29% shell space)	\$820		
Biosciences Research Facility (Estimated Finish-Out)	\$987		
Texas Higher Education Coordinating Board Average - Laboratory, Medical/Healthcare	\$765		
	Low Quartile	Median	High Quartile
Other U. T. System Projects	\$727	\$859	\$968
National Projects	\$738	\$1,006	\$1,198

**Investment Metrics**

- Enables consolidation of research community within the South Campus by 2028
- Increase in grant, industry, and philanthropic funding enhancing scientific output and attracting additional research talent by 2028

**Project Planning**

Definition Phase Completed	Yes
Owner's Project Requirements	Yes
Basis of Design	Yes
Schematic Design	Yes
Detailed Cost Estimate	Yes

**The University of Texas M. D. Anderson Cancer Center  
Biosciences Research Facility**  
(continued)

**Project Milestones**

Definition Phase Approval	March 2021
Addition to CIP	May 2024
Design Development Approval	May 2024
Construction Notice to Proceed	September 2024
Substantial Completion	January 2028
Final Completion	March 2028

**Basis of Design**

The planned building life expectancy includes the following elements:

- Enclosure: 30 years
- Building Systems: 30 years
- Interior Construction: 15 years

3. U. T. M. D. Anderson Cancer Center: Consolidated Service Center - Amendment of the current Capital Improvement Program to decrease total project cost; approval of design development; and appropriation of funds and authorization of expenditure

The Board approved the following recommendation:

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs, the Executive Vice Chancellor for Business Affairs, and the institutional president that the U. T. System Board of Regents amend the current Capital Improvement Program (CIP) and approve the recommendations for the Consolidated Service Center project at The University of Texas M. D. Anderson Cancer Center as follows:

- a. amend the current CIP to decrease the total project cost from \$159,000,000 to \$151,000,000;
- b. approve design development plans; and
- c. appropriate funds and authorize expenditure of \$151,000,000 from Hospital Revenues.



## BACKGROUND INFORMATION

### Previous Actions

On March 8, 2021, the Chancellor approved this project for Definition Phase as the Central Service Center project. On January 3, 2024, the Assistant Vice Chancellor for Capital Projects approved the project name change to Consolidated Service Center. On February 22, 2024, the project was included in the CIP with a total project cost of \$159,000,000 with funding from Hospital Revenues.

### Project Description

The Consolidated Service Center (CSC) will be a free-standing, centralized hub and will be located on the institution's East Campus, designed and constructed to meet the institution's facility needs. The scope of the project will include site development, which encompasses utility infrastructure work; new construction of the exterior shell and core; and the interior finish-out of the facility.

The proposed decrease in total project cost is attributed to medical equipment being funded outside of the project and the decision to shell 13,400 gross square feet (GSF) of the 251,400 GSF facility to support long-term growth of the institution.

The current campus receiving and distribution system and its associated facilities have outgrown the capacity the system was configured to support. The CSC will provide secure, temperature-controlled centralized storage, and will enable better management of materials, expenses, and operations. The facility will provide a central location for key services that support institutional operations in the greater Houston area. Key occupants of the CSC will include: Supply Chain Services, Pharmacy, Sterile Processing, Information Systems, Food and Nutrition Services, Pathology and Laboratory Medicine, and Clinical Engineering. The CSC is a key part of the institution's strategy for centralizing operations and vacating aged facilities as a precursor to realizing the goal of reinvigorating the institution's North Campus to serve as the hub for inpatient care.

## **The University of Texas M. D. Anderson Cancer Center Consolidated Service Center**

### **Project Information**

Project Number	703-1348
CIP Project Type	New Construction
Facility Type	Healthcare Facility, Hospital
Management Type	Institutionally Managed
Institution's Project Advocate	Ken Postma, Vice President for Ambulatory Operations and Clinical Infrastructure Development
Project Delivery Method	Design/Build
Gross Square Feet (GSF)	251,400
Shell Space GSF	13,400

**The University of Texas M. D. Anderson Cancer Center  
Consolidated Service Center**  
(continued)

**Project Funding**

	<u>Current</u>	<u>Proposed</u>
Hospital Revenues	<u>\$159,000,000</u>	<u>\$151,000,000</u>
Total Project Cost	<u>\$159,000,000</u>	<u>\$151,000,000</u>

**Project Cost Detail**

	Cost
Building Cost	\$97,300,000
Fixed Equipment	5,117,300
Site Development	8,600,000
Furniture and Moveable Equipment	4,275,000
Institutionally Managed Work	13,492,000
Architectural/Design Services	2,000,000
Project Management	5,250,000
Insurance	1,507,000
Other Professional Fees	1,400,000
Project Contingency	11,858,700
Other Costs	200,000
<b>Total Project Cost</b>	<b>\$151,000,000</b>

**Building Cost per GSF Benchmarks** (escalated to midpoint of construction)

Consolidated Service Center (with 5% shell space)	\$387
Consolidated Service Center (Estimated Finish-Out)	\$414
Texas Higher Education Coordinating Board Average, Healthcare Facility Hospital	\$797
	Low Quartile      Median      High Quartile
Other U. T. System Projects	\$510      \$622      \$777
National Projects	\$680      \$917      \$1,408

**Investment Metrics**

- Support institution’s strategy for replacing aged inpatient care facilities by 2027
- Support institution’s strategy for increasing capacity for inpatient care within next 10 to 15 years

**Project Milestones**

Definition Phase Approval	March 2021
Addition to CIP	February 2024
Design Development Approval	May 2024
Construction Notice to Proceed	July 2024
Substantial Completion	May 2026
Final Completion	September 2026

**The University of Texas M. D. Anderson Cancer Center  
Consolidated Service Center**  
(continued)

**Basis of Design**

The planned building life expectancy includes the following elements:

Enclosure: 30 years

Building Systems: 30 years

Interior Construction: 15 years

4. U. T. M. D. Anderson Cancer Center: Northwest Houston Surgical and Specialty Care - Amendment of the current Capital Improvement Program to increase total project cost; approval of design development; and appropriation of funds and authorization of expenditure

The Board approved the following recommendation:

**RECOMMENDATION**

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Health Affairs, the Executive Vice Chancellor for Business Affairs, and the institutional president that the U. T. System Board of Regents amend the current Capital Improvement Program (CIP) and approve the recommendations for the Northwest Houston Surgical and Specialty Care project at The University of Texas M. D. Anderson Cancer Center as follows:

- a. amend the current CIP and increase the total project cost from \$35,000,000 to \$66,500,000;
- b. approve design development plans; and
- c. appropriate funds and authorize expenditure of \$66,500,000 from Hospital Revenues.

**BACKGROUND INFORMATION**

**Previous Actions**

On July 5, 2021, the Chancellor approved the Champions Forest Facility for Definition Phase. On May 5, 2022, the Champions Forest Facility project was included in the CIP with a total project cost of \$35,000,000. On March 15, 2024, the Assistant Vice Chancellor for Capital Projects approved the project name change to Northwest Houston Surgical and Specialty Care.

Project Description

The original project scope included renovation to the acquired three-story facility to accommodate surgical, procedural and infusion services. The project also included construction of surface or above-grade parking. Initial renovations of approximately 28,400 GSF were completed, including space for outpatient surgery, short stay patients, patient and visitor waiting, sterile processing, phlebotomy, pharmacy, and clinical staff spaces. During this stage of work, several pre-existing conditions that did not comply with current institutional guidelines and standards were discovered and corrected, including replacement of chilled water system equipment, information technology, life safety, and security infrastructure systems.

The proposed total project cost increase includes the correction of similar deficiencies within the remaining renovation of approximately 37,800 GSF and the purchase of additional medical equipment. The remaining renovation will include space for patient access services, out-of-operating room procedure suite, infusion therapy, and additional space for outpatient surgery, phlebotomy, pharmacy, food and nutrition services staff, and building support.

This proposed repair and rehabilitation project has been approved by U. T. System staff and meets the criteria for inclusion in the CIP. Pursuant to a Memorandum of Understanding effective September 1, 2020, U. T. M. D. Anderson Cancer Center has delegated authority for institutional management of construction projects under the continued oversight of the Office of Capital Projects.

**The University of Texas M. D. Anderson Cancer Center  
Northwest Houston Surgical and Specialty Care**

**Project Information**

Project Number	703-1355
CIP Project Type	Repair and Rehabilitation
Facility Type	Healthcare Facility, Clinic
Management Type	Institutional Management
Institution’s Project Advocate	Kent Postma, Vice President, Ambulatory Operations and Clinical Infrastructure Development
Project Delivery Method	Design/Build
Gross Square Feet (GSF)	66,200
Surface Parking	94 spaces

**Project Funding**

	<u>Current</u>	<u>Proposed</u>
Hospital Revenues	<u>\$35,000,000</u>	<u>\$66,500,000</u>
Total Project Cost	<u>\$35,000,000</u>	<u>\$66,500,000</u>

**The University of Texas M. D. Anderson Cancer Center  
Northwest Houston Surgical and Specialty Care**  
(continued)

**Project Cost Detail**

	Cost
Building Cost	\$31,440,000
Fixed Equipment	7,500,000
Site Development - Parking	1,400,000
Furniture and Moveable Equipment	13,020,000
Institutionally Managed Work	100,000
Architectural/Design Services	6,000,000
Project Management	1,000,000
Insurance	700,000
Other Professional Fees	1,790,000
Project Contingency	3,550,000
<b>Total Project Cost</b>	<b>\$66,500,000</b>

**Project Milestones**

Definition Phase Approval	July 2021
Addition to CIP	May 2022
Design Development Approval	May 2024
Construction Notice to Proceed	October 2024
Substantial Completion	February 2026
Final Completion	April 2026

5. U. T. Austin: The Precursors - We Are Texas East Mall, Phase I - Amendment of the current Capital Improvement Program to include project; approval of total project cost; and appropriation of funds

The Board approved the following recommendation:

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Business Affairs, and the institutional president that the U. T. System Board of Regents amend the current Capital Improvement Program (CIP) to include The Precursors - We Are Texas East Mall, Phase I project at The University of Texas at Austin as follows:

- a. amend the current CIP and approve a total project cost of \$35,000,000; and

- b. appropriate funds of \$35,000,000 with funding of \$18,000,000 from Interest on Local Funds and \$17,000,000 from the Available University Fund.

## BACKGROUND INFORMATION

### Previous Action

On October 5, 2023, the Chancellor approved this project for Definition Phase.

### Project Description

This proposed project will provide renovation to the landscape and hardscape of the East Mall. Revitalization of the East Mall will replace the current East Mall Fountain with a new fountain commemorating the Precursors and will significantly improve pedestrian access across a primary East-West axis. The Precursors project will honor the first undergraduate students to integrate U. T. Austin and will continue the work of creating an environment where students, faculty, and staff are fully supported before, during, and after their time at U. T. Austin.

The project will correct site drainage deficiencies by upgrading storm sewer infrastructure and will integrate needed landscape improvements by implementing rain gardens featuring lush vegetation to assist in water collection, by installing green stormwater infrastructure to treat new and redeveloped impervious cover, and by planting additional trees for shade. These improvements will provide a gateway between two significant academic and public use zones, namely the East Mall and Winship traffic circle. As funds allow future phases to further refresh the East Mall area between Speedway and Waller Creek may require additional approvals.

This proposed repair and rehabilitation project has been approved by U. T. System staff and meets the criteria for inclusion in the CIP. Design development plans and authorization of expenditure of funding will be presented to the President for approval at a later date. Pursuant to a May 10, 2017 Board of Regents approval, effective September 1, 2017, U. T. Austin has delegated authority for institutional management of construction projects under the continued oversight of the Office of Capital Projects.

**The University of Texas at Austin  
The Precursors - We Are Texas East Mall, Phase 1**

**Project Information**

Project Number	102-1501
CIP Project Type	Repair and Rehabilitation
Facility Type	Other
Management Type	Institutional Management
Institution’s Project Advocate	Edmund T. Gordon, Professor and Executive Director of the Contextualization and Commemoration Initiative
Project Delivery Method	Construction Manager-at-Risk
Gross Square Feet (GSF)	45,000

**Project Funding**

Available University Fund	<u>Proposed</u> \$17,000,000
Interest on Local Funds	<u>\$18,000,000</u>
Total Project Cost	\$35,000,000

**Project Cost Detail**

	Cost
Building Cost	0
Fixed Equipment	\$ 1,805,360
Site Development	21,803,750
Furniture and Moveable Equipment	2,670,000
Institutionally Managed Work	882,500
Architectural/Design Services	2,170,000
Project Management	875,000
Insurance	448,200
Other Professional Fees	1,397,500
Project Contingency	1,050,000
Other Costs	1,897,690
<b>Total Project Cost</b>	<b>\$35,000,000</b>

**Project Planning**

Definition Phase Completed	Yes
Owner’s Project Requirements	Yes
Basis of Design	Yes
Schematic Design	Yes
Detailed Cost Estimate	Yes

**The University of Texas at Austin**  
**The Precursors - We Are Texas East Mall, Phase 1**  
(continued)

**Project Milestones**

Definition Phase Approval	October 2023
Addition to CIP	May 2024
Design Development Approval	November 2024
Construction Notice to Proceed	December 2024
Substantial Completion	December 2026
Final Completion	February 2027

6. U. T. Dallas: Naveen Jindal School of Management Phase III - Amendment of the current Capital Improvement Program to include project

The Board approved the following recommendation:

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Business Affairs, and the institutional president that the U. T. System Board of Regents amend the current Capital Improvement Program (CIP) to include the Naveen Jindal School of Management Phase III project at The University of Texas at Dallas.

BACKGROUND INFORMATION

Previous Action

On June 20, 2023, the Chancellor approved this project for Definition Phase.

Project Description

The proposed project will support the growing student enrollment in the Naveen Jindal School of Management (JSOM) by providing additional classrooms, meeting rooms, study areas, testing areas, and faculty offices. The four-story building will be constructed on an existing parking lot and will provide a direct connection to the existing JSOM buildings, provide dedicated spaces to support the JSOM student activities and programs, and provide outdoor private event space to serve faculty and staff.

Exterior improvements will include landscaping, irrigation, bicycle storage, lighting, sidewalks, and crosswalks. The project will also include a site utilization analysis to demonstrate future expansions and phasing of the new facility and adjacent facilities, as well as utility, and pedestrian connectivity.



The proposed project has been approved by U. T. System staff and meets the criteria for inclusion in the CIP. Approval of design development plans and authorization of expenditure of funding will be presented to the Board for approval at a later date.

**The University of Texas at Dallas  
Naveen Jindal School of Management Phase III**

**Project Information**

Project Number	302-1468
CIP Project Type	New Construction
Facility Type	Classroom, General
Management Type	Office of Capital Projects
Institution’s Project Advocate	Hasan Pirkul, Dean, Naveen Jindal School of Management
Project Delivery Method	Construction Manager-at-Risk
Gross Square Feet (GSF)	125,000

**Project Funding**

Revenue Financing System Bond Proceeds <sup>1</sup>	<u>Proposed</u> <u>\$98,000,000</u>
Total Project Cost	<u>\$98,000,000</u>

<sup>1</sup> Revenue Financing System (RFS) Bond Proceeds to be repaid from Designated Tuition

**Project Cost Detail**

	Cost
Building Cost	\$74,966,070
Fixed Equipment	1,033,930
Site Development	3,000,000
Furniture and Moveable Equipment	2,500,000
Institutionally Managed Work	1,650,000
Architectural/Design Services	6,312,950
Project Management	2,000,000
CIP Support Services	25,000
Insurance	1,593,000
Other Professional Fees	1,980,000
Project Contingency	2,939,050
Other Costs	-
<b>Total Project Cost</b>	<b>\$98,000,000</b>

**The University of Texas at Dallas**  
**Naveen Jindal School of Management, Phase III**  
 (continued)

**Building Cost per GSF Benchmarks** (escalated to midpoint of construction)

Naveen Jindal School of Management, Phase III	\$600		
Texas Higher Education Coordinating Board Average – Classroom, General	\$633		
	Low Quartile	Median	High Quartile
Other U. T. System Projects	\$452	\$567	\$599
Other National Projects	\$486	\$638	\$904

**Investment Metrics**

- Support Strategic Plan by attracting talent for research opportunities, outreach programs, and partnerships by 2026

**Project Planning**

Definition Phase Completed	Yes
Owner’s Project Requirements	Yes
Basis of Design	Yes
Schematic Design	Yes
Detailed Cost Estimate	Yes

**Project Milestones**

Definition Phase Approval	June 2023
Addition to CIP	May 2024
Design Development Approval	August 2024
Construction Notice to Proceed	November 2024
Substantial Completion	May 2026
Final Completion	June 2026

**Basis of Design**

The planned building life expectancy includes the following elements:

- Enclosure: 50 years
- Building Systems: 25 years
- Interior Construction: 25 years

7. U. T. Dallas: Arts and Performance Complex - Performance Hall/Music Building, Phase II - Amendment of the current Capital Improvement Program to increase total project cost; approval of design development; appropriation of funds and authorization of expenditure; and resolution regarding parity debt

The Board approved the following recommendation:

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Business Affairs, and the institutional president that the U. T. System Board of Regents amend the current Capital Improvement Program (CIP) and approve the recommendations for the Arts and Performance Complex - Performance Hall/Music Building, Phase II project at The University of Texas at Dallas as follows:

- a. amend the current CIP to increase the total project cost from \$83,000,000 to \$93,750,000;
- b. approve design development plans;
- c. appropriate funds and authorize expenditure of \$93,750,000 with funding of \$50,000,000 from Gifts and \$43,750,000 from Revenue Financing System (RFS) Bond Proceeds; and
- d. resolve in accordance with Section 5 of the Amended and Restated Master Resolution Establishing The University of Texas System Revenue Financing System that parity debt shall be issued to pay the project's cost, including any costs prior to the issuance of such parity debt; sufficient funds will be available to meet the financial obligations of the U. T. System, including sufficient Pledged Revenues as defined in the Master Resolution to satisfy the Annual Debt Service Requirements of the Financing System, and to meet all financial obligations of the U. T. System Board of Regents relating to the Financing System; and U. T. Dallas, which is a "Member" as such term is used in the Master Resolution, possesses the financial capacity to satisfy its direct obligation as defined in the Master Resolution relating to the issuance by the U. T. System Board of Regents of tax-exempt parity debt in the aggregate amount of \$43,750,000.

BACKGROUND INFORMATION

Debt Service

The \$43,750,000 in RFS debt will be repaid from designated tuition. Annual debt service on the \$43,750,000 in RFS debt is expected to be \$2.4 million. The institution's Scorecard Rating of 2.4 at fiscal year-end 2023 is below the maximum

threshold of 6.0 and demonstrates that the institution has the financial capacity to satisfy its direct obligations related to parity debt.

### Previous Actions

On August 12, 2019, the Chancellor approved this project for Definition Phase. On June 5, 2023, the Chancellor approved an updated Definition Phase for the Performance Hall/Music Building, Phase II project. On August 24, 2023, the project was included in the CIP with a total project cost of \$83,000,000 with funding of \$50,000,000 from Gifts and \$33,000,000 from RFS Bond Proceeds.

### Project Description

This proposed Performance Hall/Music Building project is the second phase of the Arts and Performance Complex, a new arts district located on approximately nine acres of the southeastern edge of the campus. This project will include an approximately 700-seat performance hall, outdoor performance space with 300 seats, practice rooms, rehearsal rooms, offices, meeting spaces, and an exterior plaza. The project will be located adjacent to the Athenaeum building and take advantage of the natural site characteristics that incorporate underused areas into a center of creative activity on campus.

The proposed increase in total project cost is due to a 6,500 gross square foot increase in the building, an increase in material costs, and supply chain issues.

The Arts and Performance Complex is a planned arts district to include a museum, performance hall, and parking garage. The Athenaeum, Phase I project currently underway, will house the Trammell and Margaret Crow Museum of Asian Art, along with other galleries, offices, seminar rooms, and space for art storage and conservation. Additionally, the Athenaeum is intended to house the Edith O'Donnell Institute of Art History, the Dr. Brettell library collection, and gallery space for visiting exhibits.

**The University of Texas at Dallas  
Arts and Performance Complex - Performance Hall/Music Building, Phase II**

**Project Information**

Project Number	302-1254B
CIP Project Type	New Construction
Facility Type	Auditorium/Theater
Management Type	Office of Capital Projects
Institution’s Project Advocates	Inga H. Musselman, Provost and VP of Academic Affairs Calvin D. Jamison, VP Facilities and Econ Development Rafael Martin, VP and Chief of Staff Nils Roemer, Dean, Bass School of Arts, Humanities, and Technology
Project Delivery Method	Construction Manager-at-Risk
Gross Square Feet (GSF)	66,900

**The University of Texas at Dallas  
Arts and Performance Complex - Performance Hall/Music Building, Phase II  
(continued)**

**Project Funding**

	<u>Current</u>	<u>Proposed</u>
Gifts <sup>1</sup>	\$50,000,000	\$50,000,000
Revenue Financing System Bond Proceeds <sup>2</sup>	<u>\$33,000,000</u>	<u>\$43,750,000</u>
<b>Total Project Cost</b>	<b>\$83,000,000</b>	<b>\$93,750,000</b>

<sup>1</sup> Gifts are fully committed

<sup>2</sup> Revenue Financing System (RFS) Bond Proceeds to be repaid from designated tuition

**Project Cost Detail**

	Cost
Building Cost	\$66,824,201
Fixed Equipment	2,819,741
Site Development	4,505,058
Furniture and Moveable Equipment	1,000,000
Institutionally Managed Work	1,650,000
Architectural/Design Services	6,178,560
Project Management	2,500,000
CIP Support Services	25,000
Insurance	1,346,000
Other Professional Fees	3,374,435
Project Contingency	3,027,005
Other Costs	500,000
<b>Total Project Cost</b>	<b>\$93,750,000</b>

**Building Cost per GSF Benchmarks** (escalated to midpoint of construction)

Performance Hall/Music Building, Phase II	\$999		
The U. T. Permian Basin Wagner Noel Performing Arts Center	\$976		
	Low Quartile	Median	High Quartile
National Projects	\$606	\$849	\$946

**Investment Metrics**

- Support Strategic Plan by attracting talent and enriching the student experience by 2026
- Support Strategic Plan by enriching the Arts and engaging globally by 2026
- Support Strategic Plan by advancing research and becoming an economic engine for the region by 2026

**The University of Texas at Dallas  
Arts and Performance Complex - Performance Hall/Music Building, Phase II**  
(continued)

**Project Milestones**

Definition Phase Approval	August 2019
Addition to CIP	August 2023
Design Development Approval	May 2024
Construction Notice to Proceed	May 2024
Substantial Completion	July 2026
Final Completion	August 2026

**Basis of Design**

The planned building life expectancy includes the following elements:

- Enclosure: 50 years
- Building Systems: 25 years
- Interior Construction: 25 years

8. U. T. Dallas: Student Success Center/Student Union - Approval of design development; and appropriation of funds and authorization of expenditure; and resolution regarding parity debt

The Board approved the following recommendation:

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Business Affairs, and the institutional president that the U. T. System Board of Regents approve the recommendations for the Student Success Center/Student Union project at The University of Texas at Dallas as follows:

- a. approve design development plans;
- b. appropriate funds and authorize expenditure of \$292,500,000 with funding of \$198,000,000 from Revenue Financing System (RFS) Bond Proceeds, \$52,409,972 from Capital Construction Assistance Project (CCAP) Bond Proceeds, \$42,000,000 from Permanent University Fund (PUF) Bond Proceeds, and \$90,028 from Designated Funds; and
- c. resolve in accordance with Section 5 of the Amended and Restated Master Resolution Establishing The University of Texas System Revenue Financing System that parity debt shall be issued to pay the project's cost, including any costs prior to the issuance of such parity debt; sufficient funds will be available to meet the financial obligations of the U. T. System, including sufficient Pledged Revenues as defined in the Master Resolution to satisfy the Annual Debt Service Requirements of the Financing System, and to meet all financial obligations of the U. T. System Board of Regents relating to the Financing System; and U. T. Dallas, which is a "Member" as such term is used in the Master Resolution, possesses the financial capacity to satisfy its direct obligation as defined in the Master Resolution relating to the issuance by the U. T. System Board of Regents of tax-exempt parity debt in the aggregate amount of \$198,000,000.

BACKGROUND INFORMATION

Debt Service

The \$198,000,000 in RFS debt will be repaid from designated tuition. Annual debt service on the \$198,000,000 in RFS debt is expected to be \$11.0 million. The institution's Scorecard Rating of 2.4 at fiscal year-end 2023 is below the maximum threshold of 6.0 and demonstrates that the institution has the financial capacity to satisfy its direct obligations related to parity debt.

### Previous Actions

On June 17, 2022, the Chancellor approved the Student Success Center/Student Union Phases I and II project for Definition Phase. On August 24, 2023, the Student Success Center/Student Union Phase I project was included in the CIP with a total project cost of \$105,000,000 with funding of \$52,409,972 from CCAP Bond Proceeds, \$42,000,000 from PUF Bond Proceeds, \$10,500,000,000 from RFS Bond Proceeds, and \$90,028 from Designated Funds. On November 16, 2023, Phase II was added to the project with a total project cost of \$187,500,000 from RFS Bond Proceeds, for a combined total project cost of \$292,500,000 for Phases I and II.

### Project Description

The Student Success Center/Student Union project will provide the campus with a four-story, approximately 359,297 GSF student-focused gathering place that cultivates a welcoming, dynamic, and collaborative learning community. Co-locating the Student Success Center with the Student Union will achieve efficient and effective coordination and will serve as a model for leveraging the synergies among diverse departments to the overall benefit of the student body.

The Student Success Center will include classrooms, a 400-seat lecture hall, the Office of Undergraduate Education, the Honors College, the Office of Graduate Education, the Education Abroad Office, the Center for Teaching and Learning, and the Office of Instructional Technology, meeting spaces, and administration and support space. Programmatic spaces for the Student Union will include a large event space with a pre-function lounge, student government offices, the Student Wellness Center, the Office of Student Volunteerism, the Student Union Activities Advisory Board, Building Services, and a retail food hall and display gallery.

## **The University of Texas at Dallas Student Success Center/Student Union**

### **Project Information**

Project Number	302-1414
CIP Project Type	New Construction
Facility Type	Student Center
Management Type	Office of Capital Projects
Institution's Project Advocate	Inga Musselman, VP of Academic Affairs and Provost Gene Fitch, VP of Student Affairs
Project Delivery Method	Construction Manager-at-Risk
Gross Square Feet (GSF)	359,297



**Project Funding**

	<u>Proposed</u>
Capital Construction Assistance Project Bond Proceeds	\$ 52,409,972
Permanent University Fund Bond Proceeds	42,000,000
Revenue Financing System Bond Proceeds <sup>1</sup>	198,000,000
Designated Funds	<u>90,028</u>
Total Project Cost	\$292,500,000

<sup>1</sup> Revenue Financing System (RFS) Bond Proceeds to be repaid from Student Fees and Designated Tuition

**Project Cost Detail**

	Cost
Building Cost	\$219,298,345
Fixed Equipment	10,926,689
Site Development	9,774,966
Furniture and Moveable Equipment	7,600,000
Institutionally Managed Work	5,800,000
Architectural/Design Services	17,238,425
Project Management	3,700,000
CIP Support Services	25,000
Insurance	4,912,250
Other Professional Fees	4,300,000
Project Contingency	8,924,325
Total Project Cost	\$292,500,000

**The University of Texas at Dallas  
Student Success Center/Student Union**  
(continued)

**Building Cost per GSF Benchmarks** (escalated to midpoint of construction)

Student Success Center/Student Union	\$610
Texas Higher Education Coordinating Board Average - Student Center	\$1,238
	Low Quartile      Median      High Quartile
Other U. T. System Projects	\$390      \$481      \$616
National Projects	\$494      \$659      \$781

**Investment Metric**

- Support Strategic Plan by enriching the student experience by 2026

**Project Milestones**

Definition Phase Approval	June 2022
Addition to CIP	August 2023
Design Development Approval	May 2024
Construction Notice to Proceed	May 2024
Substantial Completion	October 2026
Final Completion	November 2026

## **Basis of Design**

The planned building life expectancy includes the following elements:

Enclosure: 50 years

Building Systems: 25 years

Interior Construction: 25 years

9. U. T. San Antonio: Volleyball and Basketball Training Facility - Approval of design development; appropriation of funds and authorization of expenditure; and resolution regarding parity debt

The Board approved the following recommendation:

### RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Business Affairs, and the institutional president that the U. T. System Board of Regents approve the recommendations for the Volleyball and Basketball Training Facility project at The University of Texas at San Antonio as follows:

- a. approve design development plans;
- b. appropriate funds and authorize expenditure of \$35,000,000 with funding of \$15,000,000 from Revenue Financing System (RFS) Bond Proceeds, \$10,000,000 from Designated Funds, and \$10,000,000 from Grants; and
- c. resolve in accordance with Section 5 of the Amended and Restated Master Resolution Establishing The University of Texas System Revenue Financing System that parity debt shall be issued to pay the project's cost, including any costs prior to the issuance of such parity debt; sufficient funds will be available to meet the financial obligations of the U. T. System, including sufficient Pledged Revenues as defined in the Master Resolution to satisfy the Annual Debt Service Requirements of the Financing System, and to meet all financial obligations of the U. T. System Board of Regents relating to the Financing System; and U. T. San Antonio, which is a "Member" as such term is used in the Master Resolution, possesses the financial capacity to satisfy its direct obligation as defined in the Master Resolution relating to the issuance by the U. T. System Board of Regents of tax-exempt parity debt in the aggregate amount of \$15,000,000.

## BACKGROUND INFORMATION

### Debt Service

The \$15,000,000 in RFS debt will be recovered from athletics gifts and reserves, conference distributions, and corporate sponsorships. Annual debt service on the \$15,000,000 in RFS debt is expected to be \$836,000. The institution's Scorecard Rating of 3.3 at fiscal year-end 2023 is below the maximum threshold of 6.0 and demonstrates that the institution has the financial capacity to satisfy its direct obligations related to parity debt.

### Previous Actions

On January 6, 2022, the Chancellor approved the Basketball and Volleyball Training Facility project for Definition Phase. On January 2, 2024, the Assistant Vice Chancellor for Capital Projects approved the project name change to Volleyball and Basketball Training Facility. On February 22, 2024, the project was included in the CIP with a total project cost of \$35,000,000 with funding of \$15,000,000 from RFS Bond Proceeds, \$10,000,000 from Designated Funds, and \$10,000,000 from Grants.

### Project Description

The proposed project will be located adjacent to the recently completed Roadrunner Athletic Center of Excellence (RACE) on the west part of the main campus and will house the daily operations of the Men's and Women's Basketball and the Women's Volleyball programs. This two-story facility will provide all practice facility amenities associated with top-tier NCAA Division 1 basketball and volleyball programs. Each program will have its own practice court, team locker room with shower space, film review room, team lounge area, and program office spaces for coaching staff. Programs will share strength and conditioning facilities, hydrotherapy facilities, and equipment and laundry facilities.

U. T. San Antonio's current athletic facilities are aging and do not adequately meet student needs, nor are they on par with other Division I institutions. The project will support the Roadrunner Volleyball and Basketball teams in their continued growth in the American Athletic Conference. Occupation of this building by those programs will free up 58,400 GSF in the Intercollegiate Athletics Building for more efficient and effective space utilization in the student-centric campus core, to support the growth needs of research and academic spaces.

**The University of Texas at San Antonio  
Volleyball and Basketball Training Facility**

**Project Information**

Project Number	401-1394
CIP Project Type	New Construction
Facility Type	Athletic
Management Type	Institutional Management
Institution’s Project Advocates	Veronica Salazar, Executive Vice President for Business Affairs and Chief Enterprise Development Officer Lisa Campos, Vice President for Intercollegiate Athletics
Project Delivery Method	Construction Manager-at-Risk
Gross Square Feet (GSF)	51,900

**Project Funding**

	<u>Current</u>
Revenue Financing System Bond Proceeds <sup>1</sup>	\$15,000,000
Designated Funds	10,000,000
Grants <sup>2</sup>	<u>10,000,000</u>
Total Project Cost	\$35,000,000

<sup>1</sup> Revenue Financing System (RFS) Bond Proceeds to be repaid from athletics gifts and reserves, conference distributions, and corporate sponsorships

<sup>2</sup> Grant funding from Bexar County and City of San Antonio Bonds

**The University of Texas at San Antonio  
Volleyball and Basketball Training Facility**

(continued)

**Project Cost Detail**

	Cost
Building Cost	\$24,810,150
Fixed Equipment	1,160,000
Site Development	1,250,000
Furniture and Moveable Equipment	1,100,000
Institutionally Managed Work	50,000
Architectural/Design Services	2,837,350
Project Management	1,025,000
CIP Support Services	262,500
Insurance	505,000
Other Professional Fees	380,000
Project Contingency	1,500,000
Other Costs	120,000
<b>Total Project Cost</b>	<b>\$35,000,000</b>

**Building Cost per GSF Benchmarks** (escalated to midpoint of construction)

Volleyball and Basketball Training Facility	\$478		
Texas Higher Education Coordinating Board Average – Athletics	\$505		
	Low Quartile	Median	High Quartile
Other U. T. System Projects	\$379	\$470	\$631
National Projects	\$362	\$441	\$717

**Investment Metrics**

- Free 58,400 GSF in the Intercollegiate Athletics Building to support growth needs in research and academics by 2027
- Serve as hub for over 350 student-athletes participating in 17 NCAA Division 1 sports programs at UTSA by 2027

**Project Milestones**

Definition Phase Approval	January 2022
Addition to CIP	February 2024
Design Development Approval	May 2024
Construction Notice to Proceed	January 2025
Substantial Completion	August 2026
Final Completion	November 2026

**The University of Texas at San Antonio  
Volleyball and Basketball Training Facility**  
(continued)

**Basis of Design**

The planned building life expectancy includes the following elements:

- Enclosure: 50 years
- Building Systems: 25 years
- Interior Construction: 25 years

10. U. T. Rio Grande Valley: New Student Housing and Dining - Amendment of the current Capital Improvement Program to include project; approval of total project cost; approval of design development; appropriation of funds and authorization of expenditure; and resolution regarding parity debt

The Board approved the following recommendation:

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Business Affairs, and the institutional president that the U. T. System Board of Regents amend the current Capital Improvement Program (CIP) to include the New Student Housing and Dining project and approve the recommendations for the project at The University of Texas Rio Grande Valley as follows:

- a. amend the CIP to include project with a total project cost of \$135,500,000;
- b. approve design development plans;
- c. appropriate funds and authorize expenditure of \$135,500,000 from Revenue Financing System (RFS) Bond Proceeds; and
- d. resolve in accordance with Section 5 of the Amended and Restated Master Resolution Establishing The University of Texas System Revenue Financing System that parity debt shall be issued to pay the project's cost, including any costs prior to the issuance of such parity debt; sufficient funds will be available to meet the financial obligations of the U. T. System, including sufficient Pledged Revenues as defined in the Master Resolution to satisfy the Annual Debt Service Requirements of the Financing System, and to meet all financial obligations of the U. T. System Board of Regents relating to the Financing System; and U. T. Rio Grande Valley, which is a "Member" as such term is used in the Master Resolution, possesses the financial capacity to satisfy its direct obligation as defined in the Master Resolution relating to the issuance by the U. T. System Board of Regents of tax-exempt parity debt in the aggregate amount of \$135,500,000.

## BACKGROUND INFORMATION

### Debt Service

The \$135,500,000 in RFS debt will be repaid from auxiliary revenues from student housing and food service sales. Annual debt service on the \$135,500,000 in RFS debt is expected to be \$7.54 million. The institution's Scorecard Rating of 4.4 at fiscal year-end 2023 is below the maximum threshold of 6.0 and demonstrates that the institution has the financial capacity to satisfy its direct obligations related to parity debt.

### Previous Actions

On June 29, 2023, the Chancellor approved the New Student Housing project for Definition Phase. On March 27, 2024, the Assistant Vice Chancellor for Capital Projects approved the name change to New Student Housing and Dining project.

### Project Description

The proposed project will construct a residence hall to provide 550 beds. This facility will feature various common areas tailored for study and community-building activities. Designed to facilitate meaningful interactions that build community and foster connections, the new residence hall will offer double, single, and premium single bed units configured in community pods around shared collaboration spaces. The project will also include a dining facility with seating capacity for 500 students.

Located at the intersection of North Sugar Road and West Van Week Street on the western edge of the Edinburg campus, the new facility will be adjacent to existing housing communities and the Vaquero Dining Hall.

This proposed project has been approved by U. T. System staff and meets the criteria for inclusion in the CIP.

## **The University of Texas Rio Grande Valley New Student Housing and Dining**

### **Project Information**

Project Number	903-1470
CIP Project Type	New Construction
Facility Type	Housing
Management Type	Office of Capital Projects
Institution's Project Advocate	Maggie Hinojosa, Senior VP - Strategic Enrollment
Project Delivery Method	Construction Manager-at-Risk
Student Housing Gross Square Feet (GSF)	141,540
Dining Hall GSF	32,737

**Project Funding**

Revenue Financing System Bond Proceeds <sup>1</sup>	<u>Proposed</u> <u>\$135,500,000</u>
Total Project Cost	<u>\$135,500,000</u>

<sup>1</sup> Revenue Financing System (RFS) Bond Proceeds to be repaid from auxiliary revenues from student housing and food service sales

**Project Cost Detail**

	Cost
Building Cost	
Student Housing	\$75,000,000
Dining Hall	31,400,000
Fixed Equipment	1,750,000
Site Development	2,482,522
Furniture and Moveable Equipment	2,500,000
Institutionally Managed Work	5,250,000
Architectural/Design Services	7,135,000
Project Management	1,685,600
CIP Support Services	25,000
Insurance	2,094,250
Other Professional Fees	1,875,000
Project Contingency	4,302,628
Other Costs	-
Total Project Cost	\$135,500,000

**Building Cost per Bed Benchmarks (escalated to midpoint of construction)**

New Student Housing (only)	\$136,364
Texas Higher Education Coordinating Board Average – Facility Type	\$137,484
	Low Quartile      Median      High Quartile
Other U. T. System Projects	\$117,030      \$135,161      \$158,732
Other National Projects	\$110,302      \$141,165      \$179,106

**The University of Texas Rio Grande Valley**

**New Student Housing and Dining**

(continued)

**Investment Metrics**

- Increase on-campus student housing in Edinburg from 810 to 1,160 beds by 2026 and 1,360 beds by 2027

**Undergraduate Student Housing Statistics**

Waiting list for on-campus housing	300
Total number of beds added in this project	550
Units to be demolished in this project	0
Total number of beds on campus after completion	1,360



## Project Planning

Definition Phase Completed	Yes
Owner's Project Requirements	Yes
Basis of Design	Yes
Schematic Design	Yes
Detailed Cost Estimate	In Progress

## Project Milestones

Definition Phase Approval	June 2023
Addition to CIP	May 2024
Design Development Approval	May 2024
Construction Notice to Proceed	July 2024
Substantial Completion	November 2026
Final Completion	February 2027

## Basis of Design

The planned building life expectancy includes the following elements:

- Enclosure: 50 years
- Building Systems: 40 years
- Interior Construction: 15 years

11. U. T. Tyler: School of Nursing - Amendment of the current Capital Improvement Program to increase total project cost; approval to revise funding sources; appropriation of funds and authorization of expenditure; and resolution regarding parity debt

The Board approved the following recommendation:

### RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Business Affairs, and the institutional president that the U. T. System Board of Regents approve the recommendations for the School of Nursing project at The University of Texas at Tyler as follows:

- a. amend the current Capital Improvement Program (CIP) to increase the total project cost from \$35,000,000 to \$50,500,000;
- b. revise funding sources to include Revenue Financing System (RFS) Bond Proceeds;

- c. appropriate funds and authorize expenditure of \$15,500,000 from RFS Bond Proceeds; and
- d. resolve in accordance with Section 5 of the Amended and Restated Master Resolution Establishing The University of Texas System Revenue Financing System that parity debt shall be issued to pay the project's cost, including any costs prior to the issuance of such parity debt; sufficient funds will be available to meet the financial obligations of the U. T. System, including sufficient Pledged Revenues as defined in the Master Resolution to satisfy the Annual Debt Service Requirements of the Financing System, and to meet all financial obligations of the U. T. System Board of Regents relating to the Financing System; and U. T. Tyler, which is a "Member" as such term is used in the Master Resolution, possesses the financial capacity to satisfy its direct obligation as defined in the Master Resolution relating to the issuance by the U. T. System Board of Regents of tax-exempt parity debt in the aggregate amount of \$15,500,000.

## BACKGROUND INFORMATION

### Debt Service

The \$15,500,000 in RFS debt will be repaid from designated tuition. Annual debt service on the \$15,500,000 in RFS debt is expected to be \$863,000. The institution's Scorecard Rating of 4.8 at fiscal year-end 2023 is below the maximum threshold of 6.0 and demonstrates that the institution has the financial capacity to satisfy its direct obligations related to parity debt.

### Previous Actions

On May 5, 2022, the Chancellor approved the Nursing Addition and Renovation project for Definition Phase. On November 14, 2019, the Board approved an allocation of \$35,000,000 in PUF Bond Proceeds for this project.

On August 25, 2022, the project was included in the CIP with a total project cost of \$35,000,000 with funding from PUF Bond Proceeds. On February 23, 2023, the Board approved design development and appropriation and expenditure of funds. On January 25, 2024, the Associate Vice Chancellor Capital Projects approved the renaming of the project to the School of Nursing.

### Project Description

The original project included a two-story addition with classrooms, clinical training spaces, simulation spaces for ICU, labor and delivery, pediatric training spaces, and nurses' stations, offices, and support space to provide state-of-the-art spaces and increase efficiency of the facility to improve operations for the nationally ranked nursing program in one of the most underserved regions of Texas. The 48,162 gross square foot (GSF) addition was to include approximately 21,826 GSF of shell space

on the second floor. The project also included renovation of 9,641 GSF in the existing School of Nursing to provide student commons space, student kitchen, advising offices, and a direct connection between the new addition and the existing building.

The proposed increase in total project will complete the build-out of the second floor, and renovation of an additional 34,404 GSF of space in the previously existing building will include a large lecture hall, research suite, student affairs/community engagement suite, dean suite, conference rooms, health and wellness suite, student organization spaces, student success space, and storage.

**The University of Texas at Tyler  
School of Nursing**

**Project Information**

Project Number	802-1406
CIP Project Type	Repair and Rehabilitation
Facility Type	Classroom, General
Management Type	Office of Capital Projects
Institution’s Project Advocates	Daniel Deslatte, Senior VP - Business Affairs; Chief Operating Officer - Health Affairs Dr. Barbara Haas, Dean, School of Nursing
Project Delivery Method	Construction Manager-at-Risk
New Construction Gross Square Feet (GSF)	48,162
Renovation GSF	44,045

**Project Funding**

	<u>Current</u>	<u>Proposed</u>
Permanent University Fund Bond Proceeds	\$35,000,000	\$35,000,000
Revenue Financing System Bond Proceeds <sup>1</sup>	<u>0</u>	<u>\$15,500,000</u>
Total Project Cost	\$35,000,000	\$50,500,000

<sup>1</sup> Revenue Financing System (RFS) Bond Proceeds to be repaid from Designated Tuition

**The University of Texas at Tyler**  
**School of Nursing**  
 (continued)

**Project Cost Detail**

	Cost
Building Cost	
Nursing Addition, including 2 <sup>nd</sup> Floor Finish Out	\$29,763,936
Expanded Renovation	5,610,474
Site Development	2,400,000
Furniture and Moveable Equipment	2,200,000
Institutionally Managed Work	3,241,317
Architectural/Design Services	2,923,634
Project Management	1,500,000
CIP Support Services	350,000
Insurance	530,000
Other Professional Fees	1,101,333
Project Contingency	879,306
<b>Total Project Cost</b>	<b>\$50,500,000</b>

**Investment Metrics**

- Increase nursing program’s undergraduate enrollment from 1,741 to 2,710 students by 2027
- Increase nursing program’s graduate enrollment from 474 to 807 students by 2027

**Project Milestones**

Definition Phase Approval	May 2022
Addition to CIP	August 2022
Design Development Approval	February 2023
Construction Notice to Proceed	April 2023
Substantial Completion	June 2025
Final Completion	July 2025

**Basis of Design**

The planned building life expectancy includes the following elements:

- Enclosure: 40 years
- Building Systems: 20 years
- Interior Construction: 15 years

APPROVAL OF STANDING COMMITTEE RECOMMENDATIONS AND REPORTS TO THE BOARD.--At 9:04 a.m., the Board voted and unanimously approved the Standing Committee recommendations.

## AGENDA ITEMS

2. U. T. System Board of Regents: Approval of Consent Agenda and consideration of any item referred to the full Board

Chairman Eltife noted the following related to the Consent Agenda:

- Please note that Vice Chairman Weaver will abstain from discussion and vote on Consent Agenda Item 41 due to financial interests.
- Consent Agenda Item 2 requests approval of Newly Commissioned Peace Officers. Congratulations to the newest members of the U. T. System's police force.
- Items 8 and 31 report on the Fiscal Year 2023 Post-Tenure Review for the Academic and Health institutions, respectively.
- Under Item 20, U. T. Dallas requests approval of a contract to obtain capital equipment for use in research and development at its Batteries and Energy to Advance Commercialization and National Security (BEACONS) Center.
- U. T. Rio Grande Valley requests formal approval for athletic conference membership in the Southland Conference under Item 24.
- Item 27 requests authorization to purchase approximately 1.5 acres of land improved with commercial storefront buildings and a surface parking lot abutting U. T. San Antonio's downtown campus for future campus expansion.
- Under Item 29, Stephen F. Austin State University requests approval of terms of employment with Dr. Neal Weaver as President. In approving this item, the Board is asked to make a finding that the proposed agreement is in the best interest of Stephen F. Austin State University and U. T. System.
- Under Items 32 and 33, U. T. Southwestern Medical Center requests approval of contracts with Asher Media and with Adcom Group for media buying and planning services.
- Item 43 requests approval of a contract with GSD&M LLC to perform advertising services for U. T. M. D. Anderson Cancer Center.

- Under Items 48 and 49, U. T. M. D. Anderson Cancer Center requests extension of sponsorship agreements with Dash Soccer and Dynamo Soccer.

Regent Stedman moved approval of the Consent Agenda, which was seconded by Regent Crain. The Board then approved the Consent Agenda, which is set forth on Pages 76 - 117.

In approving the Consent Agenda, the Board expressly authorized that any contracts or other documents or instruments approved therein may be executed by officials of the University of Texas System or respective U. T. institution involved, as appropriate.

3. U. T. System: Annual Meeting with Officers of the U. T. System Student Advisory Council

The U. T. System Student Advisory Council provided an update to the Board of Regents on issues and priorities worked throughout the year. The Council's recommendations are set forth on the following pages.

BACKGROUND INFORMATION

The U. T. System Student Advisory Council was established in 1989 to provide input to the U. T. System Board of Regents working through and with the Chancellor and U. T. System Administration on issues of student concern. The operating guidelines of the Council require that recommendations have a multi-institutional focus and that the Council explore individual campus issues with institutional administrators prior to any consideration thereof. The Student Advisory Council consists of two student representatives from each U. T. System institution in addition to three elected officers and meets three times a year in Austin.

Council officers are:

**Chair:** Ms. Jasmin Paquet-Durand Ford, U. T. San Antonio, Economics

**Vice Chair:** Mr. Brandon Lippert, U. T. Permian Basin, Music Education

**Secretary:** Ms. Kruthi Kanduri, U. T. Dallas, Cognitive Science

**Undergraduate Committee:** Mr. Zachary Nepote, U. T. San Antonio, Economics

**Graduate Committee:** Ms. Olivia Mackey, U. T. Rio Grande Valley, Podiatric Medicine

Review of the 2023-2024 SAC

During the 2023-2024 academic year, the Student Advisory Council (SAC) of the U. T. System successfully executed its mandate to collect and share student feedback. The council held three meetings throughout the Academic Year, which provided a structured platform for in-depth discussions on various issues impacting students, segmented into specific sessions for Undergraduate and Graduate Committees. Throughout these meetings, the SAC identified three pivotal themes: Professional Development, Health & Well-Being, and Affordability. These themes became the focal point of discussions and initiatives for the year.

A significant portion of our efforts this year included engaging in informal conversations with influential people, allowing the council to gain deeper insights into the issues at hand and to engage in a more dynamic exchange of ideas. The SAC’s work this year has not only involved addressing immediate concerns but also building upon the initiatives and foundations laid by previous representatives. This continuity ensures that the critical topics remain in focus and are progressively addressed over time. Several discussions and projects initiated this year are expected to carry forward. Currently, the SAC remains actively engaged in ongoing dialogues and is working closely with system and institutional officers to ensure that the deliberations and recommendations are translated into effective actions and policies.

Topic	Outcome
<b>Professional Development</b>	
Micro-credentials & Professional Certifications	<p>Consulted with Dr. Kelvin Bentley, Program Manager for Texas Credentials for the Future, on the current rollout and implementation of Texas Credentials for the Future.</p> <p>Discussed best practices and provided feedback on student-centered strategies to make relevant industry credentials more accessible and relevant to students.</p> <p>Shared information among student leaders across the U. T. System.</p>
Interprofessional Education (IPE)	<p>Discussed the importance of expanding IPE opportunities across the health and graduate institutions.</p> <p>Consulted with faculty from institutions that excel in offering IPE to identify strategies to expand.</p>
<b>Health &amp; Well-being</b>	
Student Housing	<p>Consulted with U. T. System Assistant Vice Chancellor of Capital Projects, Stephen Harris, to provide clarity on student housing projects and funding mechanisms.</p> <p>Provided feedback to U. T. System Associate Vice Chancellor of Academic Affairs, Dr. Tracey Ford, who then shared this perspective with the appropriate institutional leaders.</p> <p>Discussed best practices and broad strategies to improve housing across campuses. This feedback was centered on student health and well-being.</p>

International Student Support	Provided feedback to U. T. System Office of Academic Affairs and institutions on the unique challenges and experiences of international students. This conversation centered on how to connect them with resources and ensure career-readiness post-graduation.
Student Accommodations and Accessibility	<p>Conducted research on student accessibility and accommodations across institutions.</p> <p>Examined best practices and shared information with student leaders across the U. T. System.</p> <p>Discussed the importance of maintaining a public-facing reporting mechanism and regular compliance reports, which should be made easily accessible to all students, faculty, and staff.</p>
Graduate Student Health Insurance	Consulted with U. T. System Office of Employee Benefits staff on strategies to improve student engagement with U. T. System's Student Health Insurance Plan. Suggested strategies include the establishment of a point of contact at each institution and increased touchpoints to ensure students are aware of their resources.
SB-17 and SB-18	Discussed and received clarity from U. T. System executive leadership on the implementation and impact of recent legislation. Students were educated and provided feedback regarding the student perspective.
<b>Affordability</b>	
Cost of Living Adjustment	<p>Discussed challenges around increasing cost of attendance, and potential gaps in institutional Cost of Living Adjustment (COLA) mechanisms. Explored the value of implementing a real-time student survey to identify and address gaps in the current COLA calculator.</p> <p>Shared information among student leaders across the U. T. System.</p>



4. U. T. System: Update on the U. T. System Historically Underutilized Business (HUB) program

Mr. Hopeton Hay, Executive Director, HUB Programs, reported on Systemwide HUB expenditures for Fiscal Year 2023, the highlights of which are set forth in the PowerPoint on the following pages.

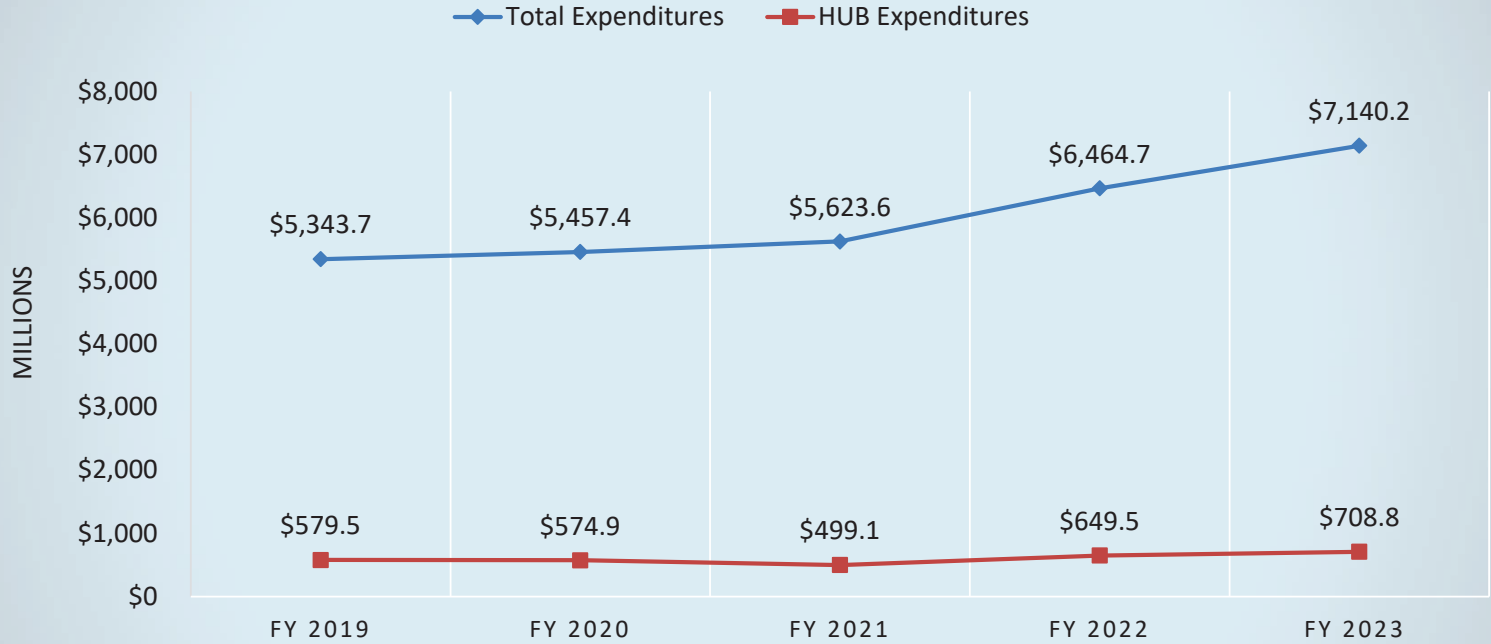
# Fiscal Year 2023 HUB Program Update

Hopeton Hay  
Executive Director, HUB Office

U. T. System Board of Regents Meeting  
May 2024

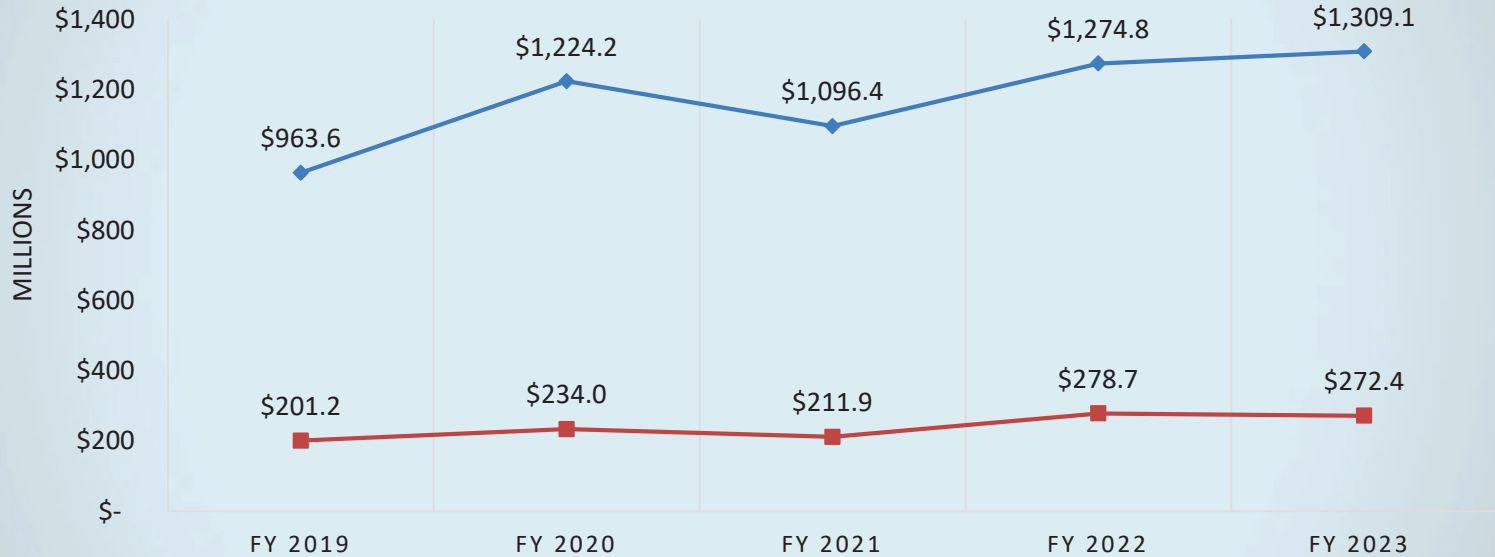


# U. T. Systemwide HUB Expenditures



# Academic Institutions

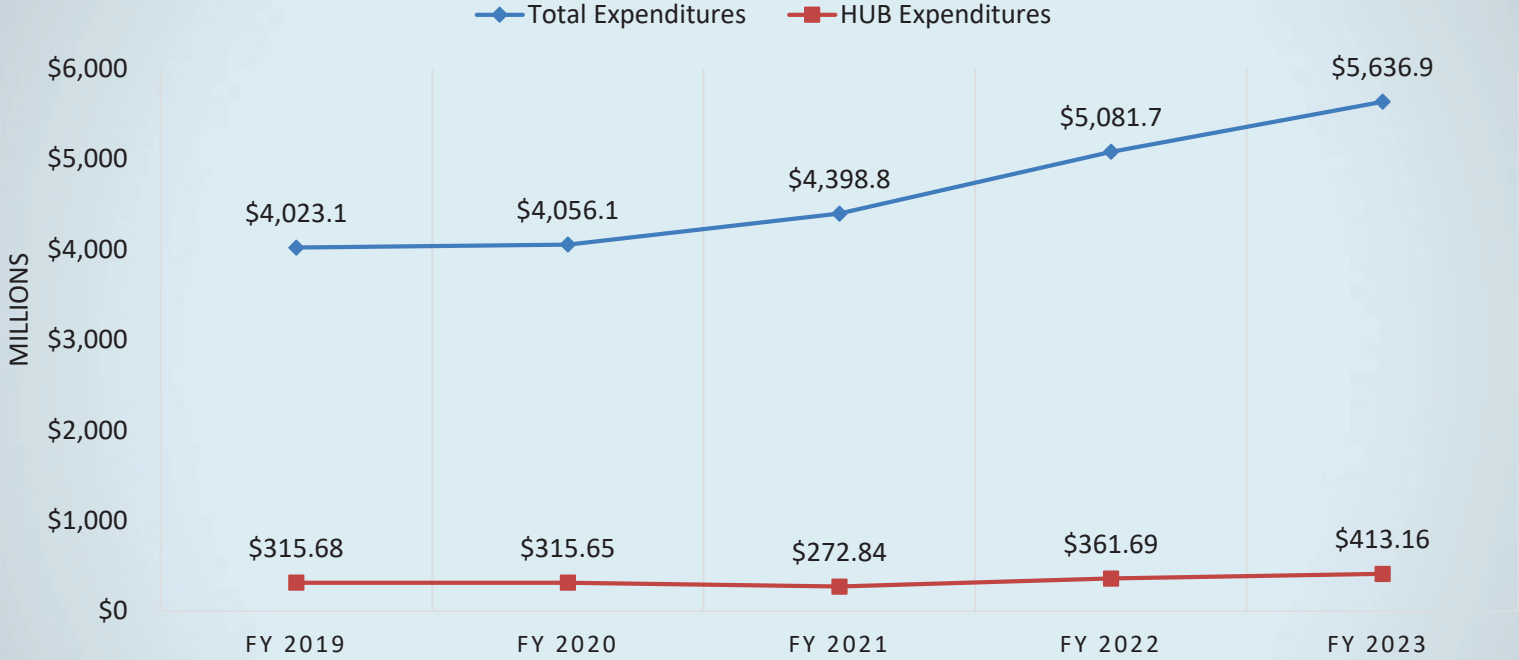
—◆— Total Expenditures —■— HUB Expenditures



Minutes - 59

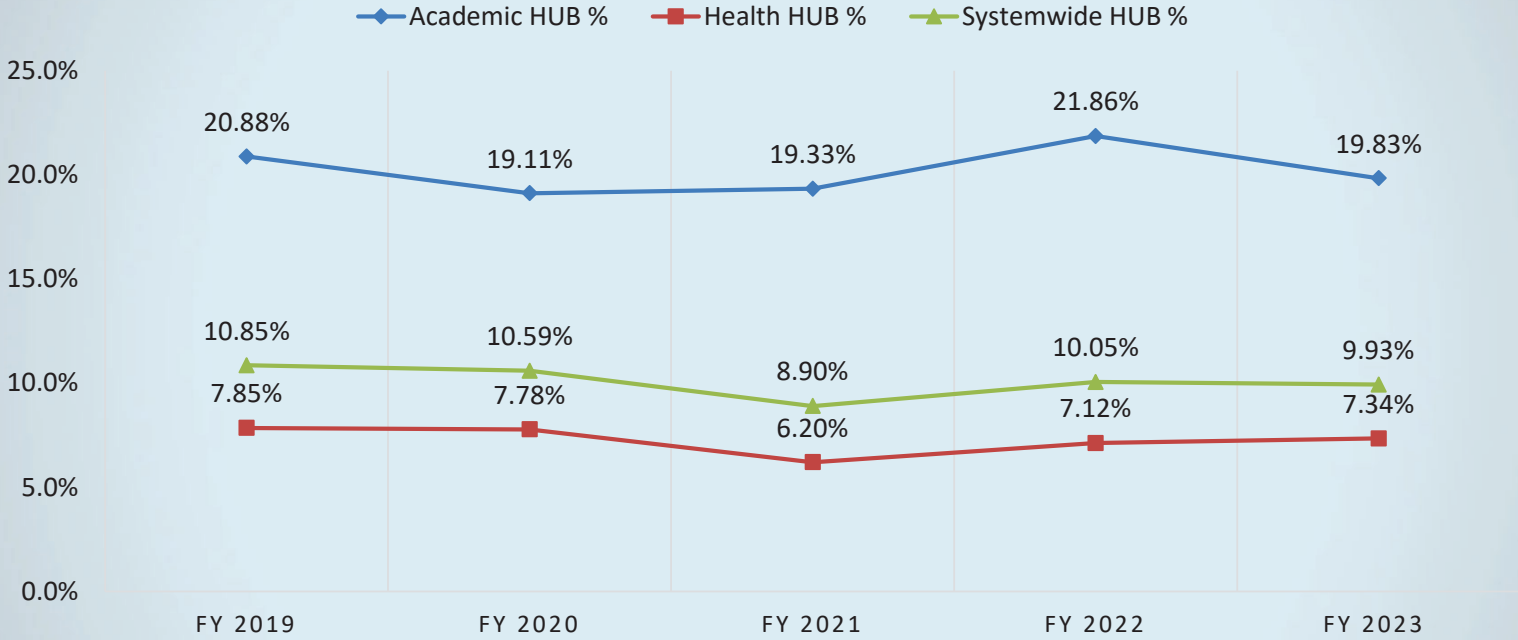
# Health Institutions

Minutes - 60

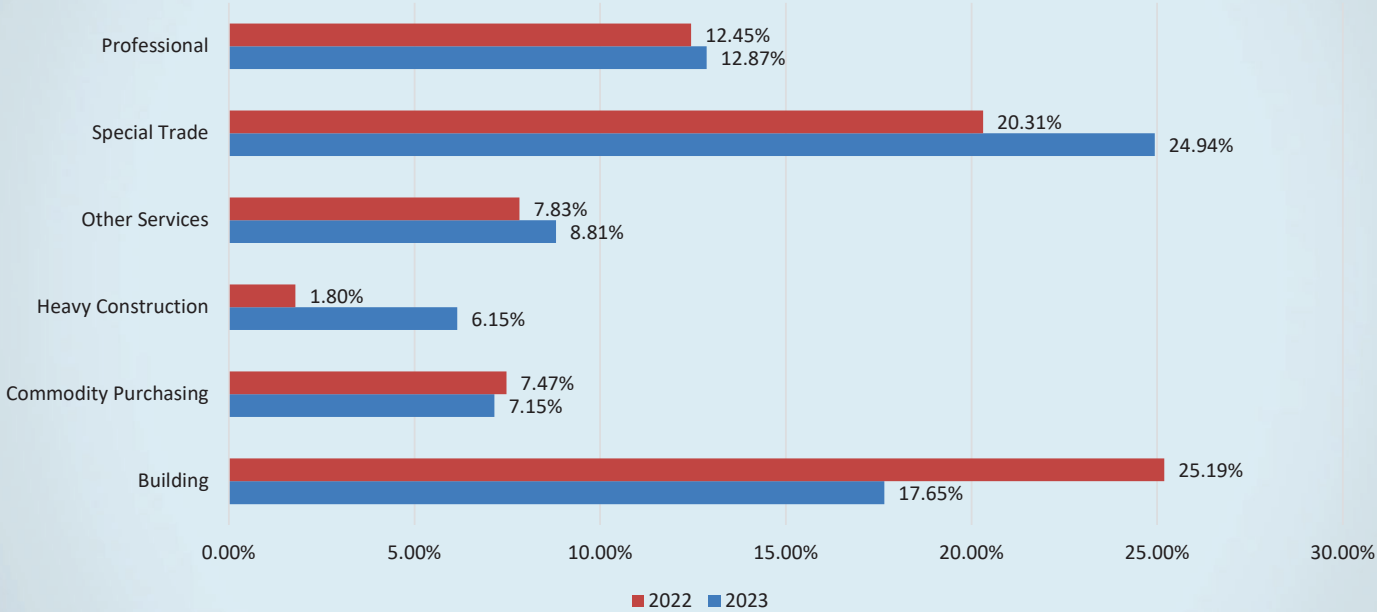


# HUB Percentage Academic, Health, Systemwide

Minutes - 61

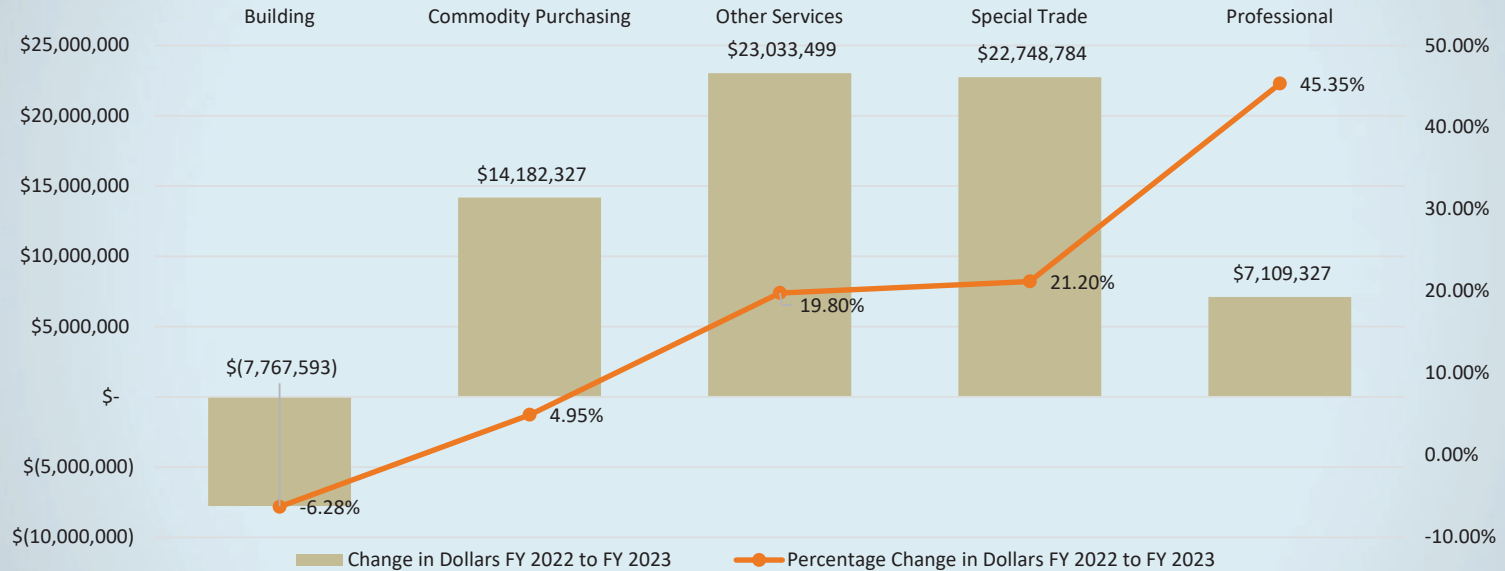


# U. T. Systemwide HUB Percentages Procurement Category



Minutes - 62

# U. T. Systemwide Change in HUB Expenditures FY 2022 – 2023



Minutes - 63



# Challenges and Opportunities in Building Construction

- Challenges
  - Significant growth of large capital projects in major metro areas is increasing competition for subcontractors
  - Labor shortages in some key trade areas constrain the ability of subcontractors to take on new work
- Opportunities
  - Market projects to HUB subcontractors across the state, not just in local markets
  - Enhance outreach to HUB community through additional subcontractor training to facilitate stronger ties with general contractors

# HUB Percentages and Expenditures – FY 2022 and FY 2023

U. T. System Institutions and Administration				
INSTITUTION	FY 2022 HUB PERCENT	FY 2023 HUB PERCENT	FY 2022 HUB DOLLARS	FY 2023 HUB DOLLARS
U. T. Arlington	20.50%	22.59%	\$40,337,821	\$38,065,411
U. T. Austin	16.78%	17.74%	\$109,244,166	\$121,371,123
U. T. Dallas	35.22%	26.98%	\$37,049,178	\$33,849,760
U. T. El Paso	23.74%	22.14%	\$15,153,352	\$16,424,991
U. T. Permian Basin	13.09%	10.10%	\$3,359,030	\$3,204,684
U. T. Rio Grande Valley	30.26%	25.85%	\$18,730,125	\$18,679,658
U. T. San Antonio	38.03%	33.60%	\$51,970,999	\$37,046,922
U. T. Tyler	8.48%	8.88%	\$2,868,584	\$3,777,966
U. T. Southwestern Medical Center	7.80%	7.56%	\$122,044,609	\$120,313,619
U. T. Medical Branch - Galveston	6.80%	7.36%	\$43,009,204	\$55,164,604
U. T. Health Science Center - Houston	11.20%	12.87%	\$26,004,724	\$33,783,333
U. T. Health Science Center - San Antonio	14.19%	13.55%	\$59,674,848	\$80,433,641
U. T. Health Science Center - Tyler	8.52%	15.02%	\$4,449,710	\$5,038,633
U. T. M. D. Anderson Cancer Center	4.89%	4.92%	\$106,511,460	\$118,427,556
U. T. System Administration	8.36%	11.93%	\$9,047,229	\$23,181,378
U. T. Systemwide	10.05%	9.93%	\$649,455,038	\$708,763,280

# Systemwide Collaborations

Systemwide Virtual HUB outreach events – Goods and Services (April ) and Construction (June)

U. T. System Supply Chain Alliance

U. T. Institutions and System Administration had active mentor-protégé relationships with 12 HUB firms as of March 2024

13 prime contracts and 12 subcontracts with HUB firms to grow U. T. Systemwide contracts with HUB firms

Over \$287 million spent with HUB firms with Alliance contracts in FY 2023

5. U. T. System Board of Regents: Presentation of Certificate of Appreciation to Student Regent John Michael Austin

Chairman Eltife expressed his appreciation and complimented Regent Austin on his service as Student Regent, emphasizing his passion for issues impacting medical students and applauded his dedication to looking for ways to improve the delivery in healthcare to all patients, specifically for encouraging the Board to bring medical Spanish to more schools in the U. T. System.

Chancellor Milliken remarked that Regent Austin has been an engaged and energetic representative while on the Board and thanked him for his service.

Regent Austin thanked the Governor for his appointment and thanked the Board Office staff for support. He commented that the Board has given him great advice and thanked U. T. Health Science Center - San Antonio for his medical education.

CERTIFICATE OF APPRECIATION

to

JOHN MICHAEL AUSTIN

Upon the occasion of completion of  
his term of service

as Student Regent  
of  
The University of Texas System

In appreciation for his wise counsel,  
conscientious stewardship, and dedicated service  
to The University of Texas System

2023 – 2024

RECESS TO EXECUTIVE SESSION.--At 9:35 a.m., the Board recessed to Executive Session, pursuant to *Texas Government Code* Section 551.074 to consider the matters listed on the Executive Session agenda.

RECONVENE THE BOARD IN OPEN SESSION FOR POSSIBLE ACTION ON EXECUTIVE SESSION ITEMS.-- At 10:53 a.m., in accordance with a notice being duly posted with the Secretary of State and there being a quorum present, Chairman Eltife called the meeting to order in Open Session.

- 1a. U. T. System: Discussion and appropriate action regarding individual personnel matters relating to appointment, employment, evaluation, compensation, assignment, and duties of presidents (academic and health institutions including interim presidents); U. T. System Administration officers (Executive Vice Chancellors and Vice Chancellors); other officers reporting directly to the Board (Chancellor, General Counsel to the Board, and Chief Audit Executive); Board members; and U. T. System and institutional employees

No action was taken on this item.

- 1b. U. T. System: Discussion and appropriate action regarding individual personnel matters relating to assignment and duties of the Chancellor, including responsibilities associated with the admissions procedures set forth in Regents' Rules and Regulations, Rule 40303

No action was taken on this item.

- 1c. U. T. Tyler: Discussion and appropriate action regarding presidential search, including the appointment of Dr. Julie V. Philley as President

See related Open Session Item 7 for action taken in Open Session.

- 2a. U. T. System Academic Institutions: Discussion and appropriate action regarding proposed negotiated gifts, including potential naming features

No action was taken on this item.

- 2b. U. T. System Health Institutions: Discussion and appropriate action regarding proposed negotiated gifts, including potential naming features

No action was taken on this item.

- 3a. U. T. System Board of Regents: Discussion with Counsel on pending legal issues

No action was taken on this item.

- 3b. U. T. System Board of Regents: Discussion and appropriate action regarding legal issues concerning pending legal claims by and against U. T. System

No action was taken on this item.

- 3c. U. T. Austin: Discussion and appropriate action regarding legal issues associated with ground lease of approximately 6.5 acres of unimproved land located at 1900 Comal Street, Austin, Travis County, Texas, to The 2033 Higher Education Development Foundation, who will enter into a development contract with a private developer, for a mixed-use development including over 576 beds of graduate student housing; resolution regarding parity debt; and related finding of public purpose

See related Item 4a for action taken in Open Session.

- 3d. U. T. Austin: Discussion and appropriate action related to legal issues associated with a proposed State Agency Advance Funding Agreement with the Texas Department of Transportation related to the partial design package and associated environmental clearance documentation for potential cap or deck structures located above the proposed redesigned North Interstate Highway 35, between East Dean Keeton Street and East 15th Street and integrated into the I-35 Capital Express Central Project, Austin, Travis County, Texas, and related agreements; and finding of public purpose

See related Open Session Item 6 for action taken in Open Session.

- 3e. U. T. Austin: Discussion and appropriate action regarding legal issues associated with sublease of approximately 9,000 square feet of office space located at Innovation Tower, 1300 Red River Street, Austin, Texas 78701, Austin, Travis County, Texas, to The 2033 Higher Education Development Foundation; and finding of public purpose

See related Item 4c for action taken in Open Session.

- 4a. U. T. Austin: Discussion and appropriate action to lease approximately 6.5 acres of land located at 1900 Comal Street, Austin, Travis County, Texas, to The 2033 Higher Education Development Foundation, who will enter into a development contract with a private developer, for a mixed-use development including over 576 beds of graduate student housing; resolution regarding parity debt; and finding of public purpose

Regent Stedman made the following motion:

I move that the U. T. System Board of Regents take the following actions on behalf of U. T. Austin:

- a. authorize entering into a ground lease and related agreements with The 2033 Higher Education Development Foundation, (the “Foundation”) who will enter into a development contract with a private developer for a mixed-use development including over 576 beds of graduate student housing at 1900 Comal Street, Austin, Travis County, Texas, on terms and in accordance with parameters outlined in Executive Session;
- b. authorize U. T. Austin to utilize U. T. System’s Revenue Financing System (“RFS”) to finance the project, on terms in accordance with the parameters outlined in Executive Session; and
- c. make the findings required under Section 5 of the Amended and Restated Master Resolution establishing the RFS relating to the issuance of parity debt on behalf of U. T. Austin in an aggregate amount as outlined in Executive Session and that this action satisfies the official intent requirements set forth in Section 1.150-2 of the *Code of Federal Regulations*.

I further move that the Board:

- a. delegate authority to the Executive Vice Chancellor for Business Affairs, following review and approval by President Hartzell, the Chancellor, the Executive Vice Chancellor for Academic Affairs, and the Vice Chancellor and General Counsel (or their respective designees), to execute a ground lease to the Foundation and an installment purchase agreement for development and construction of the project described above and to execute all other documents and to take all further actions deemed necessary to enter into such ground lease and related agreements; and
- b. delegate authority to President Hartzell, following review and approval by the Chancellor, the Executive Vice Chancellors for Academic Affairs and Business Affairs, and the Vice Chancellor and General Counsel, to take all other steps necessary to effectuate this authorization, including the authority to execute a Memorandum of Understanding and any

related ancillary agreements with the Foundation and other parties for the project described above for the use, benefit, and enjoyment of U. T. Austin.

I also recommend that the Board find that:

1. the ground lease, installment purchase agreement, and any related agreements support the public mission of and serve a public purpose appropriate to the function of U. T. Austin;
2. pursuant to the ground lease, U. T. Austin will have sufficient safeguards in place to ensure the public purpose will continue to be met on an ongoing basis; and
3. the transaction will result in adequate consideration and benefits to U. T. Austin and the State of Texas.

The motion was seconded by Regent Perez and carried unanimously.

- 4b. U. T. Austin: Discussion and appropriate action related to real property matters associated with a proposed State Agency Advance Funding Agreement with the Texas Department of Transportation related to the partial design package and associated environmental clearance documentation for potential cap or deck structures located above the proposed redesigned North Interstate Highway 35, between East Dean Keeton Street and East 15th Street and integrated into the I-35 Capital Express Central Project, Austin, Travis County, Texas, and related agreements; and finding of public purpose

See related Open Session Item 6 for action taken in Open Session.

- 4c. U. T. Austin: Discussion and appropriate action regarding sublease of approximately 9,000 square feet of office space located at Innovation Tower, 1300 Red River Street, Austin, Texas 78701, Austin, Travis County, Texas, to The 2033 Higher Education Development Foundation; and finding of public purpose

Regent Crain made the following motion:

I move that the U. T. System Board of Regents take the following actions on behalf of U. T. Austin:

- a. authorize the sublease of approximately 9,000 square feet of office space located at Innovation Tower, 1300 Red River Street, Austin, Texas 78701, Austin, Travis County, Texas, to The 2033 Higher Education Development Foundation on terms in accordance with the parameters outlined in Executive Session; and



- b. delegate authority to the Executive Vice Chancellor for Business Affairs to execute all documents, instruments, and other agreements, subject to approval of all such documents as to legal form by the Office of General Counsel, and to take all further actions deemed necessary to carry out the purpose and intent of the foregoing actions within the parameters outlined in Executive Session.

I also recommend that the Board find that:

1. the sublease supports the public mission of and serves a public purpose appropriate to the function of U. T. Austin;
2. pursuant to the sublease agreement, U. T. Austin will have sufficient safeguards in place to ensure the public purpose will continue to be met on an ongoing basis; and
3. the transaction will result in adequate consideration and benefits to U. T. Austin and the State of Texas.

The motion was seconded by Regent Gauntt and carried unanimously.

5. U. T. System Board of Regents: Discussion and appropriate action regarding safety and security issues, including security audits and the deployment of security personnel and devices

No action was taken on this item.

#### AGENDA ITEMS (continued)

6. U. T. Austin: Discussion and appropriate action related to a proposed State Agency Advance Funding Agreement with the Texas Department of Transportation related to the partial design package and associated environmental clearance documentation for potential cap or deck structures located above the proposed redesigned North Interstate Highway 35 between East Dean Keeton Street and East 15th Street and integrated into the I-35 Capital Express Central Project, Austin, Travis County, Texas, and related agreements; and finding of public purpose

The Board approved the following recommendation:

#### RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Business Affairs, the Vice Chancellor and General Counsel, and the institutional president that the Board of Regents:

- a. authorize U. T. Austin to enter into a State Agency Advance Funding Agreement with the Texas Department of Transportation (TxDOT) requiring U. T. Austin to contribute approximately \$13,500,000 for a thirty percent (30%) design package and preparation of associated environmental clearance documentation for potential cap or deck structures located above the proposed redesigned North Interstate Highway 35, between East Dean Keeton Street and East 15th Street and integrated into the I-35 Capital Express Central Project, Austin, Travis County, Texas, and other related agreements;
- b. delegate authority to the institutional President or his designee to execute all documents, instruments, and other agreements, and to take all further actions deemed necessary to carry out the purpose and intent of the foregoing actions, following review and approval by the Chancellor, the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Business Affairs, and the Vice Chancellor and General Counsel;
- c. authorize the institutional President or his designee to continue negotiations with TxDOT regarding construction of potential cap or deck structures located above the proposed redesigned North Interstate Highway 35; and
- d. make a finding of public purpose as described below.

### BACKGROUND INFORMATION

Description:	U. T. Austin will enter into a State Agency Advance Funding Agreement (Agreement) with TxDOT for the preparation of environmental clearance documentation and the preparation of thirty percent (30%) design plans, specifications, and construction estimates (PS&E) package for cap or deck structures located above the proposed redesigned North Interstate Highway 35, between East Dean Keeton Street and East 15th Street and integrated into the I-35 Capital Express Central Project, Austin, Travis County, Texas.
Agreement Term:	The term of the Agreement will begin on execution of the Agreement and continue until the completion of all services and obligations contained in the Agreement.
Development Standards:	The architectural and engineering services will be provided by TxDOT using design firms procured in accordance with Federal and state law and doing the work in accordance with applicable design and engineering standards.
Contract Cost:	Approximately \$13,500,000

In approving this item, the Board will be asked to make a finding that:

1. the proposed Agreement with TxDOT and related agreements support the public mission of and serve a public purpose appropriate to the function of U. T. Austin by providing the initial design and feasibility analysis to facilitate the possible development of one or more caps over I-35 that would improve the connectivity, safety, and accessibility between the institution's east campus and main campus;
2. pursuant to the terms of the proposed Agreement, U. T. Austin will have sufficient safeguards in place to ensure the public purpose will continue to be met on an ongoing basis, including the right to review the PS&E work product and the right to terminate the advanced funding agreement; and
3. the transaction will result in adequate consideration and benefits to U. T. Austin and the State of Texas, including an understanding of the project's construction scope, schedule, and budget, important considerations for future and strategic planning.

7. U. T. Tyler: Discussion and appropriate action regarding the appointment of Dr. Julie V. Philley as President

Chairman Eltife made the following motion:

I move that Dr. Julie V. Philley, currently Executive Vice President for Health Affairs and Vice Provost at The University of Texas at Tyler, be selected President of U. T. Tyler, with terms of the appointment and compensation to be commensurate with the responsibilities of the office, negotiated in accordance with The University of Texas System policies, and submitted to the Board for approval via the usual budgetary procedures.

I further move that the Minutes reflect that, by approval of this motion, the Board has made a finding, as required by state law, that this appointment is in the best interest of U. T. Tyler and U. T. System.

The motion was seconded by Regent Crain and carried unanimously.

Before adjournment Chairman Eltife made the following announcements to recognize two very significant achievements.

U. T. Austin Professor Emerita Jacqueline Jones was awarded the Pulitzer Prize in History for her book, "No Right to an Honest Living." He congratulated Dr. Jones on this tremendous honor.

And Chairman Eltife congratulated the No. 1-ranked Texas Longhorns softball team who overtook its biggest rival, Oklahoma, on the last weekend of the season to claim the Big 12 regular season title.

ADJOURNMENT.--There being no further business, the meeting was adjourned at 11:00 a.m.

*/s/*  
Tina E. Montemayor  
Secretary to the Board of Regents  
May 9, 2024



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48. Contract (funds going out) - <b>U. T. M. D. Anderson Cancer Center</b> : Amendment to Local Sponsorship Agreement with Dash Soccer, LLC, to provide sponsorship and promotional benefits	<b>115</b>
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50. Request for Budget Change - <b>U. T. M. D. Anderson Cancer Center</b> : Tenure Appointments -- amendment to the 2023-2024 budget	<b>117</b>

**FACILITIES PLANNING AND CONSTRUCTION COMMITTEE**

No items for consent agenda

## MEETING OF THE BOARD

1. Minutes - U. T. System Board of Regents: Approval of Minutes of the regular meeting held February 21-22, 2024; and the special called meetings held February 16, 2024, February 22, 2024, and March 18, 2024
2. Other Matters - U. T. System: Approval of Newly Commissioned Peace Officers

In accordance with Section 51.203 of the *Texas Education Code*, the Board is asked to approve the Commissioning of the following Peace Officers. The Officers have completed training at the U. T. System Police Training Academy and passed the State of Texas Police Officer Licensing Examination, effective March 15, 2024.

<u>Name</u>	<u>Institution</u>
Michael D. Brandt	U. T. Austin
Alexis C. Brunson	U. T. Austin
Dylan A. Moore	U. T. Austin
Alec E. Villalobos	U. T. Austin
Savanna M. Woodruff	U. T. Austin
David A. Serna	U. T. Rio Grande Valley
William Chang	U. T. San Antonio
Johnny R. Reed	Stephen F. Austin State University
Hayden P. Hughes	U. T. Health Science Center - Houston
Patrick E. Moore	U. T. Health Science Center - Houston
Merlina R. Shorter	U. T. Health Science Center - Houston

## AUDIT, COMPLIANCE, AND RISK MANAGEMENT COMMITTEE

3. Resolution - U. T. System Board of Regents: Adoption of resolution to contract with Zurich American Insurance Company and affiliates, Schaumburg, Illinois, and to guarantee payments under The University of Texas System's Owner Controlled Insurance Program (OCIP) for the Clinical Services Building (CSB) construction project managed by The University of Texas M. D. Anderson Cancer Center

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Business Affairs and the Chief Risk Officer that the resolution to contract with Zurich American Insurance Company and affiliates, Schaumburg, Illinois, to guarantee payments under The University of Texas System's Owner Controlled Insurance Program (OCIP) for the Clinical Services Building (CSB) construction project, be adopted as set forth below:

### RESOLUTION

WHEREAS, Zurich American Insurance Company and affiliates (Zurich), will insure The University of Texas System (U. T. System) and other persons under the OCIP for the CSB construction project managed by The University of Texas M. D. Anderson Cancer Center;

WHEREAS, Pursuant to this OCIP, Zurich will issue one or more workers' compensation insurance policies and comprehensive general liability insurance policies that contain deductibles of \$250,000 per claim subject to a maximum of \$375,000 per occurrence that include allocated costs and indemnity payments; however, such deductibles are subject to a minimum aggregate limit based on \$830,568,485 in construction value at a rate of \$3.634772 per \$1,000 of construction value; and

WHEREAS, The Board of Regents of U. T. System understands and agrees that this large deductible OCIP requires the prompt reimbursement of sums advanced by Zurich to adjust or pay claims within the deductibles, and the Board desires to guarantee to Zurich the prompt reimbursement of the deductibles for the OCIP;

NOW THEREFORE, BE IT RESOLVED, That the Board hereby guarantees to Zurich the prompt repayment of the sums advanced by Zurich to adjust or pay claims within the deductibles for the OCIP, subject to the aggregate deductible limit for the program. This guaranty shall remain fully binding although Zurich may waive one or more defaults of the insured or fail to exercise any rights against the insured or modify one or more terms of the OCIP as required by law or with the consent of U. T. System; and, be it further

RESOLVED, That the Board represents and warrants to Zurich that the funds necessary to reimburse Zurich for the aggregate deductible liability of the insured for the OCIP are included in the appropriations for The University of Texas M. D. Anderson Cancer Center CSB construction project heretofore approved by the Board.

The resolution, which will be provided in lieu of a letter of credit, trust agreement, or cash, provides Zurich with assurances necessary to complete the CSB OCIP program.

## FINANCE AND PLANNING COMMITTEE

4. Contract (funds going out) - U. T. System: TouchNet Information Systems, Inc., to provide central payment hub for an e-commerce system for U. T. institutions

Agency: TouchNet Information Systems, Inc.

Funds: Anticipated total cost expected to exceed \$3,000,000 over life of the contract

Period: February 13, 2023 through February 12, 2026

Description: This nonexclusive Systemwide Agreement will allow each U. T. institution to obtain payment processing services on an as-needed basis. TouchNet Payment Gateway Suite is a central payment hub for an e-commerce system utilized for student payment processing in conjunction with student information systems. It consists of a core of transaction management routines, integration software, administration support routines, and Credit Card, Automated Clearing House (ACH), Debit Card Engines, and Campus Card payment methods. This is a common tool used to safely integrate and process payments. This contract allows the U. T. institutions to purchase the needed components of the software for business needs.

The Agreement has an unspecified cost or monetary value, but is expected to exceed the institutional threshold and is being placed on the Consent Agenda in accordance with Regents' *Rules and Regulations*, Rule 10501, Section 3.1.1. The U. T. System Office of Finance will monitor the spend over the life of the Agreement.

5. Contract (funds going out) - U. T. System: Extension of Agreement for Huron Consulting Services LLC to continue hosting online Effort Certification and Reporting Tool (ECRT) software

Agency: Huron Consulting Services LLC (Huron)

Funds: \$2,497,812 for the extension term; \$6,789,812 over the full contract term

Period: January 1, 2024 through December 31, 2028; subject to any affected U. T. institution terminating its participation earlier, at will, on 30 days' notice to Huron

Description: On November 9, 2007, the Board approved a U. T. System contract to license Huron's Effort Certification and Reporting Tool (ECRT) software for use by U. T. institutions. The software supports compliance with federal regulations on reporting time and effort expended by faculty and staff on research projects and in other professional activities (teaching, patient care, etc).

The ECRT software was initially hosted at U. T. M. D. Anderson Cancer Center. In October 2011, U. T. System transferred ECRT hosting responsibilities to Huron. On May 14, 2015, the Board approved the expenditure of up to \$1,300,000 to pay aggregate fees from inception of the hosting agreement through Calendar Year 2015. On May 12, 2016, the Board approved an extension of the Agreement through Calendar Year 2017, subject to a cap on aggregate hosting fees of \$2,000,000. However, the extension for Calendar Year 2017 was not executed while the institutions pursued adoption of alternative means of compliance.

Most U. T. institutions, however, concluded they lacked the ability to adopt alternative means of compliance, and U. T. System negotiated an extension with Huron through Calendar Year 2023, subject to each institution having the flexibility to terminate its participation earlier, as needed. On February 25, 2021, the Board approved that extension with fees totaling \$1,892,000 for all services related to ongoing use of the ECRT software by all affected institutions for Calendar Years 2021 through 2023. In the meantime, aggregate fees through Calendar Year 2020 under the hosting services agreement totaled \$2,400,000.

6. Other Fiscal Matters - U. T. Rio Grande Valley: Approval of financing for Intercollegiate Athletics Expansion and Renovation Plan; and resolution regarding parity debt

The Executive Vice Chancellor for Business Affairs recommends approval of this item authorizing funding of \$9,000,000 from Revenue Financing System (RFS) bond proceeds for U. T. Rio Grande Valley to finance field renovation at HEB Park. The debt is expected to be repaid with athletics revenues and financial support from the City of Edinburg. Annual debt service is estimated at \$501,000. The institution's Scorecard Rating of 4.4 at the Fiscal Year-end 2023 is below the maximum threshold of 6.0 and demonstrates that the institution has the financial capacity to satisfy its direct obligations related to parity debt. The institution therefore requests that the Board resolve in accordance with Section 5 of the Amended and Restated Master Resolution Establishing The University of Texas System Revenue Financing System that:

- parity debt shall be issued to fund all or a portion of the projects' cost, including any costs prior to the issuance of such parity debt;
- sufficient funds will be available to meet the financial obligations of the U. T. System, including sufficient Pledged Revenues as defined in the RFS Master Resolution to satisfy the Annual Debt Service Requirements of the Financing System, and to meet all financial obligations of the U. T. System Board of Regents relating to the Financing System;
- U. T. Rio Grande Valley, which is a "Member" as such term is used in the RFS Master Resolution, possesses the financial capacity to satisfy its direct obligation as defined in the Master Resolution relating to the issuance by the U. T. System Board of Regents of parity debt in an aggregate amount of \$9,000,000; and
- this resolution satisfies the official intent requirements set forth in Section 1.150-2 of the *Code of Federal Regulations* that evidences the Board's intention to reimburse project expenditures with bond proceeds.

7. Other Fiscal Matters - U. T. Health Science Center - Houston: Approval of financing capital costs of an ambulatory surgery center; and resolution regarding parity debt

On February 23, 2023, the U. T. System Board of Regents authorized U. T. Health Science Center - Houston, together with Surgical Care Affiliates, LLC, a Delaware limited liability company, and/or its affiliate (SCA), to develop and construct an ambulatory surgery center in U. T. Health Science Center - Houston's and U. T. Physicians' multi-specialty clinic at Bellaire Station, 6500 West Loop South, Bellaire, Texas, 77401, and authorized the expenditure of up to \$35,000,000 of institutional funds for U. T. Health Science Center - Houston's portion of the project costs. The Executive Vice Chancellor for Business Affairs recommends approval of this item authorizing up to \$15,000,000 for U. T. Health Science Center - Houston to finance capital costs related to constructing the ambulatory surgery center. The debt is expected to be repaid with clinical revenue. Annual debt service is estimated at \$1,870,000. The institution's Scorecard Rating of 3.5 at Fiscal Year-end 2023 is below the maximum threshold of 6.0 and demonstrates that the institution has the financial capacity to satisfy its direct obligations related to parity debt. The institution therefore requests that the Board resolve in accordance with Section 5 of the Amended and Restated Master Resolution Establishing The University of Texas System Revenue Financing System that:

- parity debt shall be issued to fund all or a portion of the project, including any costs prior to the issuance of such parity debt;
- sufficient funds will be available to meet the financial obligations of the U. T. System, including sufficient Pledged Revenues as defined in the RFS Master Resolution to satisfy the Annual Debt Service Requirements of the Financing System, and to meet all financial obligations of the U. T. System Board of Regents relating to the Financing System;
- U. T. Health Science Center - Houston, which is a "Member" as such term is used in the RFS Master Resolution, possesses the financial capacity to satisfy its direct obligation as defined in the Master Resolution relating to the issuance by the U. T. System Board of Regents of parity debt in an aggregate amount of \$15,000,000; and
- this resolution satisfies the official intent requirements set forth in Section 1.150-2 of the *Code of Federal Regulations* that evidences the Board's intention to reimburse project expenditures with bond proceeds.

**ACADEMIC AFFAIRS COMMITTEE**

8. Report - U. T. System Academic Institutions: Fiscal Year 2023 Post-Tenure Review

In accordance with *Texas Education Code* Section 51.942 and Regents' *Rules and Regulations*, Rule 31102, the following report on the Fiscal Year 2023 post-tenure review for the U. T. System academic institutions is provided by the Executive Vice Chancellor for Academic Affairs.

During Fiscal Year 2023, 455 tenured faculty members at the nine academic institutions were subject to post-tenure review. Of the 455 faculty members subject to review, 235 or 52% were evaluated as Exceeds Expectations; 203 or 45% received Meets Expectations; 12 or 3% received Does Not Meet Expectations; and 5 or 1% received Unsatisfactory evaluations. Twenty-seven faculty members retired or resigned the tenured position before their post-tenure review.

The following summary tables provide additional details of the post-tenure review results for Academic Year 2022-2023.

**Summary of Post-Tenure Review Results**

	Total Actually Reviewed*	Total Exceeding Expectations	Total Meets Expectations	Total Does Not Meet Expectations	Total Unsatisfactory	Decided to Retire or Resign Before Review
UTA	35	18	15	1	1	1
UTAUS	161	87	67	3	4	18
UTD	72	25	45	2	0	2
UTEP	42	24	17	1	0	1
UTPB	7	0	7	0	0	0
UTRGV	46	38	8	0	0	0
UTSA	56	29	25	2	0	4
SFA**	20	N/A	18	2	N/A	1
UTT	16	14	1	1	0	0
Total	455	235	203	12	5	27
		52%	45%	3%	1%	

**PRESENT STATUS OF EACH REVIEW THAT DOES NOT MEET EXPECTATIONS:**

**U. T. Arlington:** Development plan in place and being monitored by department chair and dean.

**U. T. Austin:** Development plans in place through AY 2024-2025.

**U. T. Dallas:** Development plans in place for both faculty and are being monitored by the dean and chair.

**U. T. El Paso:** Development plan in place, additional support provided to faculty member, and being monitored by the dean and chair.

**U. T. San Antonio:** Development plans in place with progress monitored by the dean and chair.

**Stephen F. Austin:** Both faculty retired following the comprehensive reviews.

**U. T. Tyler:** Faculty member has been assigned an instructional coach to work on improving area of deficiency.

**PRESENT STATUS OF EACH UNSATISFACTORY PERFORMANCE:**

**U. T. Arlington:** A performance improvement plan has been developed by the dean and chair.

**U. T. Austin:** One faculty member retired. Evaluation plan extension approved for one faculty member. Development plans in place for and are being monitored for two faculty members.

\* "Total Actually Reviewed" does not include those who decided to retire or resign before review.

\*\* SFA's revised policy on the evaluation of tenured faculty went into effect on September 1, 2023. The first results conforming to the performance categories in Regents' Rule 31102 will appear in the Fiscal 2024 report.



9. Request for Budget Change - U. T. Arlington: Tenure Appointments -- amendment to the 2023-2024 budget

The following Requests for Budget Change (RBC) have been administratively approved by the Chancellor and the Executive Vice Chancellor for Academic Affairs and are recommended for approval by the U. T. System Board of Regents:

College, Department, and Name	From	To	RBC #
<b>College of Liberal Arts</b>			
History			
Ann Hawkins	New Hire	Associate Vice Provost and Professor (T)	13119
<b>School of Social Work</b>			
Social Work			
Kirk Foster	New Hire	Dean and Professor (T)	13084

10. Contract (funds coming in) - U. T. Austin: Amendment to Agreement with Bottling Group, LLC, to provide and supply beverages, food, and sundry items to contractor-owned vending machines on campus

Agency: Bottling Group, LLC

Funds: \$426,000 for Amendment term; total value of \$2,688,663

Period: January 1, 2025 through December 31, 2027

Description: This is an amendment to an existing Agreement with Bottling Group, LLC. Bottling Group will continue to provide and supply beverages, food, and sundry items for vending machines on campus. The underlying Agreement and all prior Amendments were previously approved by the Board of Regents.

The original parent Vending Machine Agreement had a term of December 1, 2017 through December 31, 2021, with the option to extend for two additional three-year periods. At the end of the initial three-year term, the Fourth Amendment updated the Amendment to replace the original renewal terms with six additional one-year terms. This Seventh Amendment adds \$426,000 to the Agreement and changes the length of the Agreement to one three-year period of January 1, 2025 through December 31, 2027. The Agreement was procured under a competitive procurement process.

Pursuant to *Texas Education Code* Section 51.945, students were provided an opportunity to comment prior to determination that this vending machine provider should be selected. Board approval for this Amendment is sought in accordance with *Texas Government Code* Section 2203.005(a) and The University of Texas Systemwide Policy UTS 130 pertaining to Vending Machine Contracts.

11. Contract (funds coming in and going out) - U. T. Austin: Amendment to Master Research Services Agreement between Ascension Seton and The University of Texas at Austin, on behalf of Dell Medical School

Agency: Ascension Seton

Funds: \$9,000,000 through the end of the amended contract term

Period: March 15, 2024 through August 31, 2025

Description: Under the Agreement, Ascension Seton and U. T. Austin both receive and provide services. Ascension Seton and U. T. Austin add specific research statements of work (SOW) to the Agreement, each of which allows for the provisions of services by one party to the other with respect to joint research efforts. Each SOW identifies a specific research project and set of services, along with payment and other relevant terms. Initial term was October 1, 2017 through August 31, 2019, and did not require Board approval as the contract value was below the institution's delegation threshold. A contract amendment was approved by the Board of Regents on May 23, 2019, at a total contract value of approximately \$2,734,106, and, on May 6, 2020, the Board of Regents approved an increase in total contract value to \$6,000,000.

Actual funds expended or received to date total approximately \$7,120,000. U. T. Austin is requesting approval to increase the total contract value to \$9,000,000 for the duration of the current term based on new and expected research.

12. Contract (funds coming in and going out) - U. T. Austin: Sodexo Operations, LLC, to provide concessions and catering services for University Athletic Facilities

Agency: Sodexo Operations, LLC

Funds: \$310,500,000 over the full contract term, including renewal option

Period: March 18, 2024 through June 30, 2031; with one three-year renewal option

Description: Sodexo Operations, LLC, will provide concessions, catering, premium hospitality, club services, and student-athlete performance nutrition for Athletic Facilities. The Agreement was procured based upon a competitive procurement, namely, a Request for Proposal.

Pursuant to *Texas Education Code* Section 51.945, student athletes were provided an opportunity to comment prior to the determination that this food service provider should be selected.

13. Contract (funds going out) - U. T. Austin: BEST Crowd Management to provide temporary staff labor workforce services at University events

Agency: BEST Crowd Management

Funds: \$7,500,000 over the full contract term, including renewal options

Period: January 1, 2024 through December 31, 2026; with three two-year renewal options

Description: BEST Crowd Management will provide temporary staff labor workforce services on an as-needed basis for University events. This Agreement was procured based upon a competitive procurement, namely, a Request for Proposal.

14. Contract (funds going out) - U. T. Austin: Innovative Solution Advisors, LLC, dba Stadium People, to provide temporary staff labor workforce services at University events

Agency: Innovation Solution Advisors, LLC, dba Stadium People

Funds: \$12,500,000 over the full contract term, including renewal options

Period: January 1, 2024 through December 31, 2026; with three two-year renewal options

Description: Innovative Solution Advisors, LLC, dba Stadium People, will provide temporary staff labor workforce services on an as-needed basis for University events. This Agreement was procured based upon a competitive procurement, namely, a Request for Proposal.

15. Interagency Agreement (funds coming in) - U. T. Austin: Amendment to Interagency Agreement with the Texas Department of Family and Protective Services

Agency: Texas Department of Family and Protective Services

Funds: \$5,076,472 through the end of the amended contract term

Period: March 1, 2024 through December 31, 2025

Description: This is an Amendment to an existing Interagency Agreement. Under this Agreement, U. T. Austin will provide conference and training services for the Texas Department of Family and Protective Services. This Fifth Amendment adds \$1,510,963 to the Revenue Generation Agreement, bringing the total contract value to \$5,076,472.

16. Request for Budget Change - U. T. Austin: Transfer \$7,306,677 from Applied Research Laboratories (ARL) Prorated Direct Costs (PDC), Operating Income to ARL PDC, Salaries and Wages and Maintenance, Operations, and Equipment for FY 2022-2023 operations (RBC No. 13101) -- amendment to the 2022-2023 budget

The following Request for Budget Change (RBC) for FY 2022-2023 operations has been administratively approved by the Executive Vice Chancellor for Academic Affairs and is recommended for approval by the U. T. System Board of Regents:

Description	\$ Amount	RBC #
Amount of Transfer:	7,306,677	13101
From: Applied Research Laboratories Prorated Direct Costs – - Service Center funds - Operating Income	7,306,677	
To: Applied Research Laboratories Prorated Direct Costs – - Service Center funds - Salaries and Wages	5,087,000	
Applied Research Laboratories Prorated Direct Costs – - Service Center funds - Maintenance, Operation, and Equipment	2,219,677	

17. Request for Budget Change - U. T. Austin: Transfer \$10,299,620 from Texas Advanced Computing Center (TACC) Data Services, Equipment Rep (Income) to TACC Data Services, Equipment Rep (Expenses) for hardware purchases and staff service center support for FY 2023-2024 operations (RBC No. 13123) -- amendment to the 2023-2024 budget

18. Request for Budget Change - U. T. Austin: Tenure Appointments -- amendment to the 2023-2024 budget

The following Requests for Budget Changes (RBC) have been administratively approved by the Chancellor and the Executive Vice Chancellor for Academic Affairs and are recommended for approval by the U. T. System Board of Regents:

College, Department, and Name	From	To	RBC #
<b>College of Natural Sciences</b>			
Molecular Biosciences			
Sarah Ades	New Hire	Dean and Professor (T)	13128
<b>LBJ School of Public Affairs</b>			
Public Affairs			
Herschel Thomas	New Hire	Associate Professor (T)	13130

19. Lease - U. T. Austin: Authorization to extend the lease of approximately 15,212 rentable square feet of space located at 28 West 44th Street, New York City, New York, from APF 28W44 Owner LP, a limited partnership, for mission use, including by the McCombs School of Business, Moody College of Communication, and College of Fine Arts

Description: Authorization to extend the lease of approximately 15,212 rentable square feet of space located at 28 West 44th Street, New York City, New York, for mission use, including by McCombs School of Business, Moody College of Communication, and College of Fine Arts

Lessor: APF 28W44 Owner LP, a limited partnership

Term: The existing lease for U. T. Austin’s benefit expires on January 31, 2027. The institution is responding to favorable market conditions by restructuring and extending the lease by an additional 10 years in exchange for a reduction in rent and a significant contribution from Lessor in the form of free rent and a tenant improvement allowance.

The remaining two years of the current lease term will be added to the 10-year extension, resulting in a new 12-year term, with one renewal option of five years at 95% of fair market value. Lessee will have the option to terminate the lease on the seventh anniversary of the new lease commencement date with at least 12 months prior written notice.

Savings Due to Restructure: Lessee's remaining obligation for the current lease term is \$2,175,698. Lessor will reduce this obligation by \$829,395 over the first two years of the new lease term as the result of a rental rate reduction and a 10-month rent abatement period. Lessee will also receive a tenant improvement allowance of \$55 per rentable square foot, equal to \$836,660.

Lease Cost: Initial annual base rent is \$60.50 per rentable square foot for five years and 10 months and will escalate to \$63.50 per rentable square foot through the expiration of the term, with a compounding 1.5% fixed annual escalation in lieu of pro-rata Operating Expense payments. Lessee will pay its proportionate share of increases in real estate taxes over a 2025 Base Year, currently estimated at \$806,844 over the term of the 12-year lease term. Electricity to the space will be sub-metered and Lessee will be responsible for electric costs plus 5%.

The cumulative cost of Lessee's Base Rent, Fixed Escalations, and estimated Taxes during the 12-year lease term equals approximately \$12,612,073.

20. Contract (funds going out) - U. T. Dallas: Top Material Co., Ltd, to provide equipment for Pouch Cell R&D Line and Cylindrical R&D Line for the Batteries and Energy to Advance Commercialization and National Security (BEACONS) Center

Agency: Top Material Co., Ltd

Funds: Approximately \$4,344,000

Period: March 7, 2024 through December 1, 2024

Description: U. T. Dallas will receive \$30,000,000 over three years from the U.S. Department of Defense to develop and commercialize new battery technologies and manufacturing processes, enhance the domestic availability of critical raw materials, and train high-quality workers for jobs in an expanding battery energy storage workforce. Top Material Co, Ltd, will provide capital equipment for use in the pouch cell research and development line and the cylindrical research and development line at the Batteries and Energy to Advance Commercialization and National Security (BEACONS) center. The Pouch Cell R&D line and Cylindrical Cell R&D line equipment are specialized semi-automated battery production lines required to meet deliverables defined in U. T. Dallas's agreement with the Department of Defense.

21. Lease - U. T. Dallas: Authorization to extend and expand the leased area to approximately 40,345 square feet of space located at 1600 Viceroy Drive, Dallas County, Dallas, Texas, from 1600 Viceroy Summit, LLC, and Argyle 377 Investments, LLC, for mission related purposes including office and research use by the U. T. Dallas Center for Vital Longevity and other U. T. Dallas programs

- Description: Authorization to extend and expand the leased area of approximately 34,852 square feet to approximately 40,345 square feet of space located at 1600 Viceroy Drive in Dallas, Texas. The space is used for offices and research by the U. T. Dallas Center for Vital Longevity and other U. T. Dallas programs. The institution is also requesting approval to extend the term.
- Lessor: 1600 Viceroy Summit, LLC, and Argyle 377 Investments, LLC, its successors and/or assigns
- Term: The initial lease approved by the Board on March 3, 2010, was for approximately 31,734 rentable square feet, with a size increase of an additional 3,118 square feet, for a total of 34,852 square feet, which became effective January 1, 2011. The lease commenced on June 1, 2010, for a period of 120 months, with one 60-month renewal option. In lieu of exercising the 60-month renewal option, the first lease amendment extended the term to May 31, 2023. This second lease amendment extends the term of the lease for an additional 60 months until May 31, 2028.
- Lease Cost: The total lease expense previously approved by the Board of Regents was approximately \$9,621,805 for the initial term and potential 60-month renewal option. The first lease amendment did not include additional expenses beyond what the Board previously approved and did not require Board approval.
- This second amendment initial base rent is \$23.00 per square foot annually with partial rent abatement for the first three months for an estimated total of \$4,608,090. Lessee is responsible for operating expenses in excess of the Base Year 2011 amount, and the excess amount is estimated to be \$755,965 for the second amendment lease term. Lessee is also responsible for electricity charges for the second amendment lease term, estimated to be \$888,918.
- Tenant Improvements: The lessor provided the initial lease space in turnkey condition and contributed additional tenant improvement funds of approximately \$276,000 related to the First Amendment and this Second Amendment. The institution has contributed an estimated approximate \$362,000 towards improvements related to the lease space since the initial lease.



Total Cost: Total estimated lease expense to be approved by the Board of Regents for the Second Amendment is approximately \$6,252,974, which includes estimated base rent, estimated operating expenses, and estimated utilities. Additionally, approval of the lessee funded tenant improvement expenses outlined above is requested.

22. Request for Budget Change - U. T. El Paso: Transfer \$9,452,589 from Road Shows and Special Events Revenue to Road Shows and Special Events Maintenance and Operations to adjust budget related to increased stadium event activities (RBC No. 13138) -- amendment to the 2023-2024 budget

23. Purchase - U. T. Rio Grande Valley: Authorization to purchase two adjacent tracts of land totaling a combined approximately 1.81 acres of land improved with a vacant medical support facility consisting of approximately 9,094 square feet, located at 1720 Treasure Hills Boulevard, Harlingen, Cameron County, Texas, from Valley Baptist Medical Development Corporation and Valley Baptist Realty Company, LLC, for mission purposes to include classrooms, offices, and student support space

Description: Authorization to purchase approximately 1.81 acres of land improved with a vacant medical support facility consisting of approximately 9,094 square feet, located at 1720 Treasure Hills Boulevard, Harlingen, Cameron County, Texas. The property is adjacent to the institution's Harlingen campus and will initially be used by the U. T. Rio Grande Valley School of Podiatric Medicine for classrooms, offices, and student support space.

U. T. Rio Grande Valley intends to renovate the property after acquisition and has estimated the costs to be approximately \$8,630,000.

Seller: Valley Baptist Realty Company, LLC, and Valley Baptist Medical Development Corporation, or successors or assigns

Purchase Price: Not to exceed fair market value as determined by an independent appraisal; appraisal confidential pursuant to *Texas Education Code* Section 51.951

24. Other Matters - U. T. Rio Grande Valley: Formal approval to conclude negotiations and authorize execution of necessary document for athletic conference membership in the Southland Conference

The Chancellor, the Executive Vice Chancellor for Academic Affairs, and the Vice Chancellor and General Counsel support the request that the institutional president be delegated authority to conclude negotiations and execute necessary document(s) for membership in the Southland Conference (Southland), with significant terms as outlined below:

1. U. T. Rio Grande Valley will join Southland on July 1, 2024.
2. U. T. Rio Grande Valley will be assessed a one-time entrance fee of \$250,000 spread over the first five years in equal installments (\$50,000 per year) from monies withheld by Southland from annual Southland distributions to the institution.
3. U. T. Rio Grande Valley will be responsible for annual Southland membership dues of \$41,000 beginning on July 1, 2024.
4. U. T. Rio Grande Valley will be responsible for causing the payment by Southland of the institution's withdrawal fee from the Western Athletic Conference (not to exceed \$2,000,000). U. T. Rio Grande Valley will repay the Southland \$250,000 of this amount spread over the first five years in equal installments (\$50,000 per year) from monies withheld by the Southland from annual Southland distributions to the institution.

The change in conference membership was reviewed in March 2024 following the process provided for certain time-sensitive athletics matters as allowed by Regents' Rule 10501, Subsection 2.2.13, upon a determination of special circumstances.

U. T. Rio Grande Valley has determined that Southland is the most suitable conference because it is geographically and financially advantageous to an enhanced student-athlete experience through building in-state, natural rivalries within the institution's primary recruiting base, facilitating parents' attendance, and supporting student-athletes academically through reduced travel time. Southland membership aligns with the strategic plans for athletics and the university.

Full membership in Southland when U. T. Rio Grande Valley joins the conference will include the following institutions: Houston Christian University; the University of the Incarnate Word; Lamar University; McNeese State University; University of New Orleans; Nicholls State University; Northwestern State University; Southeastern Louisiana University; Texas A&M University-Commerce; and Texas A&M University-Corpus Christi.

25. Contract (funds coming in) - U. T. San Antonio: Trademark License Agreement with Playfly Sports Properties, LLC

Agency: Playfly Sports Properties, LLC (Playfly)

Funds: \$20,725,000 guaranteed royalty for the entire term and a signing bonus of \$250,000, plus the potential for additional revenue to U. T. San Antonio related to contract incentives. In addition, Playfly will invest and expend \$750,000 for various revenue-generating initiatives, such as replacement or upgrades to existing non-permanent signage or marketing promotions, with the specific use of such expenditures to be mutually agreed upon between U. T. San Antonio and Playfly.

Period: February 26, 2024 through June 30, 2033

Description: Athletics Trademark License and Multimedia Rights Program Agreement licensing U. T. San Antonio trademarks and other athletic multimedia rights to Playfly in exchange for royalties benefiting U. T. San Antonio's Athletics Department arising out of sponsorship agreements, social media operations, broadcasting and publishing arrangements, and related revenue-generating media engagements.

The Agreement resulted from a competitive selection process facilitated by U. T. San Antonio's Purchasing Office, in which Playfly was the highest ranked respondent.

26. Lease - U. T. San Antonio: Authorization to market and lease approximately 2.7 acres of vacant land, and possibly additional adjacent land containing a creek, on the Northwest corner of the Main Campus, located at the Southeast corner of Babcock Road and North Loop 1604 West, San Antonio, Bexar County, Texas, to a yet to be determined lessee

Description: Authorization to market and lease approximately 2.7 acres of vacant land on the Northwest corner of the Main Campus, located at the Southeast corner of Babcock Road and North Loop 1604 West, San Antonio, Bexar County, Texas, to a yet to be determined lessee. The lease may include additional adjacent land containing a creek.

The lease property is separated from the rest of the Main Campus by Maverick Creek. U. T. San Antonio seeks to lease the property, likely for commercial uses under a long-term ground lease.

Lease Terms: The property is currently being marketed by U. T. San Antonio, although the institution may also market the property through brokers. The institution expects the lease will be for a commercially reasonable term and will include typical ground lease provisions. The Board's fee interest in the property will not be subordinated.

Ground Rent Ground rent will be no less than fair market value. The institution has obtained an appraisal of market value; the appraisal is confidential pursuant to *Texas Education Code* Section 51.951.

27. Purchase - U. T. San Antonio: Authorization to purchase approximately 1.5 acres of land improved with commercial storefront buildings and a surface parking lot, bounded by Dolorosa Street, South Flores Street, and West Nueva Street, San Antonio, Bexar County, Texas, from GrayStreet Kallison LLC, for future campus expansion; and resolution regarding parity debt

Description: Authorization to purchase approximately 1.5 acres of land improved with commercial storefront buildings and a surface parking lot in downtown San Antonio, Bexar County, Texas. The property includes approximately 68,500 square feet of mostly vacant commercial storefront improvements and approximately 125 surface parking spaces. Bounded by Dolorosa Street, South Flores Street, and West Nueva Street, the property abuts U. T. San Antonio's San Pedro downtown campus and is adjacent to the recently built San Pedro I building containing the institution's National Security Collaboration Center.

The subject property will consolidate with U. T. San Antonio's existing San Pedro campus, currently containing approximately 6.6 acres of land. It will extend the campus to Flores Street, both protecting the campus edge and creating a presence on a major commercial street adjacent to San Antonio City Hall, the Bexar County Courthouse, and the cathedral of San Antonio.

Seller: GrayStreet Kallison LLC, a Texas limited liability company, or assigns

Purchase Price: Not to exceed fair market value as determined by independent appraisal. Appraisal confidential pursuant to *Texas Education Code* Section 51.951.

Use: The property will be used for future campus expansion, which may include mission use and third party uses. Immediate use by U. T. San Antonio will be for parking and parking monetization.

Source of Funds: Revenue Financing System debt to be repaid out of institutional funds. The institution's Scorecard Rating of 3.3 at Fiscal Year-end 2023 is below the maximum threshold of 6.0 and demonstrates that the institution has the financial capacity to satisfy its direct obligations related to parity debt.

In approving this item, the Board will be making the findings required under Section 5 of the Amended and Restated Master Resolution establishing the Revenue Financing System relating to the issuance of parity debt on behalf of U. T. San Antonio in an aggregate amount not to exceed fair market value as established by independent appraisal, and this action satisfies the official intent requirements set forth in Section 1.150-2 of the *Code of Federal Regulations*.

28. Request for Budget Change - **Stephen F. Austin State University**: Tenure Appointments -- amendment to the 2023-2024 budget

The following Requests for Budget Change (RBC) have been administratively approved by the Chancellor and the Executive Vice Chancellor for Academic Affairs and are recommended for approval by the U. T. System Board of Regents:

College, Department, and Name	From	To	RBC #
<b>James I. Perkins College of Education</b>			
Kinesiology and Health Science Wycliffe Njororai	New Hire	Chair and Professor (T)	13064
<b>Arthur Temple College of Forestry and Agriculture</b>			
Department of Agriculture Joe Douglas Smith	New Hire	Chair and Associate Professor (T)	13065
<b>James I. Perkins College of Education</b>			
Department of Human Services and Educational Leadership Forrest C. Lane	New Hire	Dean and Professor (T)	13136

29. Employment Agreement - **Stephen F. Austin State University**: Approval of terms of Employment Agreement with Neal Weaver, Ph.D., as President of Stephen F. Austin State University

The following agreement has been approved by the Chancellor and Executive Vice Chancellor for Academic Affairs, has been signed by Dr. Weaver, and is recommended for approval by the U. T. System Board of Regents. Terms of employment under this agreement are subject to Regents' *Rules and Regulations*, Rules 10501 and 20201, and *Texas Education Code* Section 51.948.

Item:	President
Funds:	\$525,000 annually
Period:	Beginning May 13, 2024
Description:	Agreement for employment of Dr. Neal Weaver, as President of Stephen F. Austin State University. The President reports to the Chancellor and shall hold office without fixed term, subject to the pleasure of the Chancellor following input by the Executive Vice Chancellor for Academic Affairs and approval by the Board of Regents. The employment agreement is on the following pages.

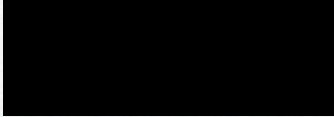


# The University of Texas System

OFFICE OF THE CHANCELLOR  
210 WEST SEVENTH STREET  
AUSTIN, TX 78701  
512.499.4201  
[UTSYSTEM.EDU](http://UTSYSTEM.EDU)

March 21, 2024

Neal Weaver, PhD



Dear Dr. Weaver:

On behalf of the Board of Regents of The University of Texas System, I am pleased to offer you the position of President of Stephen F. Austin State University, effective May 13, 2024. Your annual salary will be \$525,000, payable in monthly installments. You will be eligible for annual salary increases upon the Chancellor's recommendation to the Board of Regents, beginning September 2025. State law also entitles you to applicable fringe benefits. Among these benefits are State-paid OASI, longevity pay, workers' compensation liability, insurance coverage, retirement, insurance premium sharing, and paid leave. Information about these benefits will be transmitted under separate cover.

You will receive a one-time payment of \$30,000, less any applicable taxes, for transitional expenses. Acceptance of this offer may have tax consequences for you. If you have questions about the tax implications of the relocation allowance payment, you may wish to consult a tax professional for advice.

As a condition of your employment, for the benefit and convenience of SFA and The University of Texas System, you will be required to reside in the Juanita Curry Boynton House during your term as President. The Juanita Curry Boynton House is used as the President's official residence and as a venue for SFA activities. Under the current rules of the Internal Revenue Service, it is our understanding that the provision of a required official residence is not considered taxable income to you. The use of Juanita Curry Boynton House and any renovation, furnishing, and décor is subject to applicable Regents' Rules and Stephen F. Austin State University Handbook of Operating Procedures Policy 05-405. The university provides necessary furnishings in event space and utilities for the operation of the Juanita Curry Boynton House, including phone lines, basic cable, internet, and computer equipment. Assigned university personnel may be utilized to provide agreed-upon personal services, with the understanding that the time and value of such use is documented. The value of the personal services will be reported as taxable income to you.

THE UNIVERSITY OF TEXAS AT ARLINGTON · THE UNIVERSITY OF TEXAS AT AUSTIN · THE UNIVERSITY OF TEXAS AT DALLAS · THE UNIVERSITY OF TEXAS AT EL PASO

THE UNIVERSITY OF TEXAS PERMIAN BASIN · THE UNIVERSITY OF TEXAS RIO GRANDE VALLEY · THE UNIVERSITY OF TEXAS AT SAN ANTONIO

STEPHEN F. AUSTIN STATE UNIVERSITY · THE UNIVERSITY OF TEXAS AT TYLER · THE UNIVERSITY OF TEXAS SOUTHWESTERN MEDICAL CENTER

THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON · THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON

THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT SAN ANTONIO · THE UNIVERSITY OF TEXAS MD ANDERSON CANCER CENTER

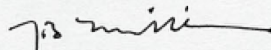
Neal Weaver, PhD  
March 21, 2024  
Page 2

Under Regents' Rule 20201, presidents of UT institutions serve without fixed terms, subject to the continuing approval of the Chancellor and the Board. Your performance as President of SFA will be evaluated annually under Rule 20201, and you will be asked to present your vision and goals for SFA to the Board within 12 to 18 months of taking office.

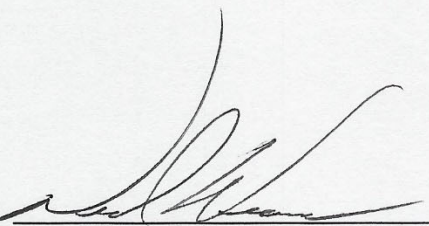
All of us look forward to working with you as President of Stephen F. Austin State University, and we stand ready to assist you in your transition.

Please sign and date this letter and return it to my office if these terms are agreeable. If you have any questions, please let me know.

Sincerely,



James B. Milliken  
Chancellor

Accepted: 

Date: MARCH 27, 2024

cc: Archie Holmes, Executive Vice Chancellor for Academic Affairs  
Jonathan Pruitt, Executive Vice Chancellor for Business Affairs  
Stacey Napier, General Counsel to the Board of Regents  
Judith Kruwell, Interim Vice President for Finance & Administration,  
Stephen F. Austin State University



30. Request for Budget Change - U. T. Tyler: Tenure Appointments -- amendment to the 2023-2024 budget

The following Request for Budget Change (RBC) has been administratively approved by the Chancellor and the Executive Vice Chancellor for Academic Affairs and are recommended for approval by the U. T. System Board of Regents:

<u>College, Department, and Name</u>	<u>From</u>	<u>To</u>	<u>RBC #</u>
<b>College of Engineering</b>			
Civil Engineering Sudarshan Kurwadkar	New Hire	Chair and Professor (T)	13141
<b>School of Nursing</b>			
Martin Rivera	New Hire	Chair and Professor (T)	13043

**HEALTH AFFAIRS COMMITTEE**

31. **Report - U. T. System Health Institutions: Fiscal Year 2023 Post-Tenure Review**

In accordance with *Texas Education Code* Section 51.942 and Regents' *Rules and Regulations*, Rule 31102, the following report on the Fiscal Year 2023 post-tenure review for the U. T. System health institutions is provided by the Executive Vice Chancellor for Health Affairs.

During Fiscal Year 2023, 210 tenured faculty members at the five health institutions with tenured faculty were subject to post-tenure review. Of the 210 tenured faculty members a total of 195 faculty members were reviewed, 95 or 48.71% were evaluated as Exceed Expectations; 96 or 49.23% received Meet Expectations; 2 or 1.03% received Does Not Meet Expectations; and 2 or 1.03% received Unsatisfactory evaluations. Of the 210 tenured faculty members, fifteen faculty members retired or resigned the tenured position before their post-tenure review.

The following summary tables provide additional details of the post-tenure review results for Academic Year 2022-2023.

**Summary of Post-Tenure Review Results**

	Total Subject to Review*	Total Exceeds Expectations	Total Meets Expectations	Total Does Not Meet Expectations	Total Unsatisfactory	Decided to Retire or Resign Before Review
UTSWMC	43	28	13	1	1	5
UTMB	29	16	13	0	0	2
UTHSC-H	34	27	7	0	0	5
UTHSC-SA	30	20	10	0	0	3
UTMDACC	59	4	53	1	1	0
Total	195	95	96	2	2	15
		48.71%	49.23%	1.03%	1.03%	

**PERFORMANCE THAT DOES NOT MEET EXPECTATIONS:**

**U. T. Southwestern Medical Center:** The faculty member was provided an action plan; salary was reduced for Fiscal Year 2024. The faculty member will be reviewed again in Fiscal Year 2025.

**U. T. M. D. Anderson Cancer Center:** The faculty member was in the fifth year of term tenure and did not receive a vote for renewal of term tenure in Fiscal Year 2023 and was provided expectations for increased academic productivity. The faculty member engaged in increased academic productivity and was approved for term tenure in Fiscal Year 2024.

**UNSATISFACTORY PERFORMANCE:**

**U. T. Southwestern Medical Center:** The faculty member was provided an action plan and re-reviewed from the prior year. The faculty member will be reviewed again in Fiscal Year 2024.

**U. T. M. D. Anderson Cancer Center:** The faculty member was reviewed as unsatisfactory in Fiscal Year 2023 and received a non-renewal of appointment notification for Fiscal Year 2024.

\* "Total Subject to Review" does not include those who decided to retire or resign before review.

32. Contract (funds going out) - U. T. Southwestern Medical Center: Asher Media, Inc., to perform media buying and planning services
- Agency: Asher Media, Inc.
- Funds: \$50,000,000 over the entire term, including renewals
- Period: March 19, 2024 through March 18, 2027; with option to renew for two additional one-year terms
- Description: Asher Media, Inc., will perform media buying and planning services. The Agreement was competitively bid.
33. Contract (funds going out) - U. T. Southwestern Medical Center: The Adcom Group, Inc., to perform media buying and planning services
- Agency: The Adcom Group, Inc.
- Funds: \$50,000,000 over the entire term, including renewals
- Period: March 20, 2024 through March 19, 2027; with option to renew for two additional one-year terms
- Description: The Adcom Group, Inc., will perform media buying and planning services. The Agreement was competitively bid.
34. Contract (funds going out) - U. T. Southwestern Medical Center: Lanier Parking Meter Services, LLC., will provide valet parking services to patients and visitors
- Agency: Lanier Parking Meter Services, LLC.
- Funds: \$42,000,000 over the entire term, including renewals
- Period: March 1, 2024 through December 31, 2028; including two one-year renewal options
- Description: Lanier Parking Meter Services, LLC., will provide valet parking services to patients and visitors. Services will be performed at 10 U. T. Southwestern Medical Center hospital and clinic locations with some locations operating seven days a week. The Agreement was competitively bid.

35. Contract (funds going out) - U. T. Southwestern Medical Center: Amendment to Agreement with Nash Holdings, Inc., dba Endeavor Management, dba RTRN Strategy, to provide advertising and video production services

Agency: Nash Holdings, Inc., dba Endeavor Management, dba RTRN Strategy

Funds: \$5,615,000 over the entire term, including renewals

Period: March 19, 2024 through July 20, 2024; with option to renew for two additional one-year terms

Description: Nash Holdings, Inc., will provide advertising and video production services. The Agreement dated July 21, 2021, was not previously submitted for Board consideration because the total contract amount was below the institution's delegated approval threshold. This First Amendment increases the fee cap to \$5,615,000. The Agreement was competitively bid.

36. Contract (funds going out) - U. T. Southwestern Medical Center: Amendment to Agreement with Unify, Inc., to provide managed voice telecom services

Agency: Unify, Inc.

Funds: \$7,157,334

Period: March 1, 2024 through February 28, 2027

Description: Unify, Inc., will provide managed voice telecom services to the main campus and other facilities at U. T. Southwestern Medical Center. The initial Agreement, with a contract value of \$8,000,000, was with Atos IT Solutions and Services, Inc., which was purchased by Unify, Inc., and was effective March 1, 2018, and approved by the Board on May 1, 2018. The initial Agreement was acquired via an Exclusive Acquisition Justification. The First Amendment to the Agreement added \$1,100,000 to the contract value and was effective March 1, 2021, and approved by the Board on May 6, 2021. The estimated value for this Second Amendment is \$7,157,334, for a total of \$16,257,334 over the full contract term.

37. Contract (funds going out) - U. T. Medical Branch - Galveston: Amendment to Agreement with Avant Healthcare Professionals, LLC, to provide contract nurses

Agency: Avant Healthcare Professionals, LLC

Funds: \$10,910,000

Period: November 1, 2023 through December 19, 2025

Description: U. T. Medical Branch - Galveston (UTMB) entered into an initial Staffing Agreement (Agreement) with Avant Healthcare Professionals, LLC (Avant), effective December 20, 2022, wherein nurse staffing services were provided to several UTMB facilities. The initial Agreement did not require Board approval as the total contract value was below the institution's delegated approval threshold. This First Amendment of Staffing Agreement, effective November 1, 2023, seeks to increase the contract value from \$2,660,000 to \$10,910,000 to provide additional services at the Texas Department of Criminal Justice Hospital Galveston and Jennie Sealy Hospital medical-surgical units.

38. Request for Budget Change - U. T. Medical Branch - Galveston: Tenure Appointments -- amendment to the 2023-2024 budget

The following Requests for Budget Changes (RBC) have been administratively approved by the Chancellor and the Executive Vice Chancellor for Health Affairs and are recommended for approval by the U. T. System Board of Regents:

<u>College, Department, and Name</u>	<u>From</u>	<u>To</u>	<u>RBC #</u>
<b>School of Nursing</b>			
Graduate Studies			
Patricia Ann Carter	New Hire	Professor (T)	13114
<b>School of Medicine</b>			
Obstetrics and Gynecology			
Karin Fox	New Hire	Professor (T)	13121
Internal Medicine			
Vineet Gupta (T)	New Hire	Professor (T)	13122
Orthopedic Surgery and Rehabilitation Services			
Susan Chubinskaya	New Hire	Professor (T)	13131

39. Interagency Agreement (funds coming in) - U. T. Health Science Center - Houston: To provide resources to aid in the diagnosis of child abuse and neglect for the Texas Department of Family and Protective Services

Agency: Texas Department of Family and Protective Services

Funds: \$14,474,185

Period: September 1, 2024 through August 31, 2029

Description: Interagency contract to create resources that will improve access to medical professionals with expertise in the diagnosis of child abuse or neglect for the Texas Department of Family and Protective Services.

40. Request for Budget Change - U. T. Health Science Center - San Antonio: Tenure Appointments -- amendment to the 2023-2024 budget

The following Requests for Budget Changes (RBC) have been administratively approved by the Chancellor and the Executive Vice Chancellor for Health Affairs and are recommended for approval by the U. T. System Board of Regents:

College, Department, and Name	From	To	RBC #
<b>Long School of Medicine</b>			
Glenn Biggs Institute for Alzheimer's Neurodegenerative Diseases			
Antonio Lucio Teixeira Junior	New Hire	Professor (T)	13120
<b>School of Health Professions</b>			
Health Sciences			
Ahmad Galaleldeen	New Hire	Professor (T)	13118
<b>School of Public Health</b>			
Health, Behavior, and Society			
Cristina S. Barroso	New Hire	Chair and Associate Professor (T)	13116

41. Lease - U. T. Health Science Center - San Antonio: Authorization to lease approximately 45,000 rentable square feet of space located at 11071 State Highway 151, San Antonio, Bexar County, Texas, from Westover Hills MOB I, LLC, for medical and office uses

Description: Authorization to lease approximately 45,000 rentable square feet of space composed of the initial premises (approximately 30,000 square feet), and additional premises (approximately 15,000 square feet) of shell space located at 11071 State Highway 151, San Antonio, Bexar County, Texas, from Westover Hills MOB I, LLC, for medical and office uses. The additional premises rent will be a shell rent rate for approximately seven months, which landlord will then buildout and begin charging full base rent.

Additionally, the lease contains a right of first refusal allowing U. T. Health Science Center - San Antonio to lease additional space that may be available in the building. The additional lease space of approximately 15,000 would increase the total lease premises up to approximately 60,000 square feet.

Authorization is sought for the expenditure of funds for possible future space size increases of up to approximately 60,000 square feet, at rental rates not exceeding fair market value.

Lessor: Westover Hills MOB I, LLC

Term: The initial term of the lease will be for approximately 93 months from the lease commencement date, which is estimated to be November 1, 2024, for both the initial premises of approximately 30,000 square feet, and the additional premises of approximately 15,000 square feet of space to total approximately 45,000 rentable square feet. U. T. Health Science Center - San Antonio will receive potentially up to three months of abated base rent for the initial premises and additional premises. Tenant will also have the option to extend the term of the lease for approximately 84 months. Furthermore, the term may be extended if the right of first refusal is exercised for a period beyond 84 months.

Lease Cost: Estimated base rent for the initial term and potential renewal term, including the additional premises once the shell space is built out is approximately \$30,264,348, which includes the shell rent of \$10.00 per square foot for the additional premises, estimated to be \$87,500. It is anticipated the shell rent for the additional premises of approximately 15,000 square feet will be paid from approximately February 1, 2025, to August 31, 2025, which already takes into consideration the three months of abated base rent.

Full rent for additional premises will start on approximately September 1, 2025.

Initial base rent in year one of the initial term will be \$28.00 per square foot with 3% annual increases each year thereafter. The base rent for the renewal period will be the then current fair market value.

Tenant is responsible for operating expenses. Total estimated operating expenses for the initial term, which includes exercising the right of first refusal space of approximately 15,000 square feet in the second year of the initial term, are estimated to be approximately \$5,546,972. The initial annual operating expense is estimated to be approximately \$12.00 per square foot. The three months of abated base rent totals approximately \$315,000, which includes the initial premises and additional premises. Assuming 3% annual operating expense escalations, operating expenses during the renewal term are estimated to be approximately \$6,785,180.

**Tenant Improvements:** The Lessor is contributing approximately \$3,375,000 (\$75 per square foot). Additionally, U. T. Health Science Center - San Antonio will contribute an estimated \$50.00 per square foot, which is currently estimated to be \$3,000,000, assuming that U. T. exercises the right of first refusal.

**Additional Future Lease Space:** U. T. Health Science Center - San Antonio may desire to lease additional space within the building in the future as the right of first refusal provision allows. The total building size is approximately 60,000 square feet. Were the Board of Regents to authorize the additional approximately 15,000 square feet of space, U. T. Health Science Center - San Antonio would occupy the entire building of approximately 60,000 square feet. If the remaining approximately 15,000 square feet becomes available, U. T. Health Science Center - San Antonio requests authority to lease the building of approximately 60,000 square feet at rental rates not exceeding fair market value.

**Total Cost:** Total estimated lease expense over the initial term and potential renewal term is approximately \$45,596,501. The total estimated lease expense assumes U. T. exercises the right of first refusal for approximately 15,000 square feet, beginning in the second year of the initial term and continuing through the end of the potential renewal term, and includes all estimated base rent, operating expenses, and proposed tenant improvements paid by U. T. Health Science Center - San Antonio.



42. Contract (funds going out) - U. T. M. D. Anderson Cancer Center: DXC Technology Services LLC to provide implementation support services and project-based staff augmentation for information services activities and initiatives

Agency: DXC Technology Services LLC

Funds: The total cost of services under this Agreement, including all renewals, is estimated to be \$20,000,000.

Period: April 1, 2024 through March 31, 2029; with three one-year renewal options

Description: DXC Technology Services LLC (DXC) will provide resources consisting of trained and experienced personnel to support U. T. M. D. Anderson Cancer Center's Information Services division in the Enterprise Development & Integration work area. DXC will provide implementation support services and project-based staff augmentation as needed for U. T. M. D. Anderson Cancer Center's Information Services activities and initiatives. The implementation services could include, but are not limited to, application implementation services, technical implementation services, process re-design services and organizational change management services. This Agreement was competitively bid.

43. Contract (funds going out) - U. T. M. D. Anderson Cancer Center: GSD&M LLC to perform advertising services

Agency: GSD&M LLC

Funds: The total cost of services under this Agreement, including all renewals, is estimated to be \$225,000,000.

Period: March 20, 2024 through March 19, 2027; with two 12-month renewal options

Description: GSD&M LLC will perform advertising services to promote U. T. M. D. Anderson Cancer Center's brand and reputation. GSD&M LLC will dedicate a team to support U. T. M. D. Anderson Cancer Center's advertising strategy, regional and local media planning and buying, media monitoring, tracking and optimizations, reporting, creative development and production, and research support for key campaigns. GSD&M LLC will also provide estimates for purchases of media and estimates of work to U. T. M. D. Anderson Cancer Center. This Agreement was competitively bid.

44. Contract (funds going out) - U. T. M. D. Anderson Cancer Center: Jacobs Engineering Group Inc. to conduct inspections for a detailed comprehensive assessment of facilities to identify systems and components that require maintenance or planned action

Agency: Jacobs Engineering Group Inc.

Funds: Approximately \$14,000,000 over the full contract term, including all renewal options

Period: December 15, 2023 through December 14, 2026; with two 12-month renewal options

Description: Jacobs Engineering Group Inc. will conduct inspections of distinct systems and system components of U. T. M. D. Anderson Cancer Center's facilities, as assigned by U. T. M. D. Anderson Cancer Center, and provide a detailed comprehensive assessment of needed maintenance or planned action for those systems and system components. Jacobs Engineering Group Inc. will establish an integrated program that will provide U. T. M. D. Anderson Cancer Center with the ability to update data and continue using the program for developing ongoing facilities maintenance, renewal, and adaptation plans. The Agreement was competitively bid.

45. Contract (funds going out) - U. T. M. D. Anderson Cancer Center: Moroch Partners, Inc., to perform advertising services

Agency: Moroch Partners, Inc.

Funds: The total cost of services under this Agreement, including all renewals, is estimated to be \$75,000,000.

Period: March 20, 2024 through March 19, 2027; with two 12-month renewal options

Description: Moroch Partners, Inc., will perform advertising services to promote U. T. M. D. Anderson Cancer Center's brand and reputation. Moroch Partners, Inc., will dedicate a team to support U. T. M. D. Anderson Cancer Center's advertising strategy, media planning and buying, media monitoring, tracking and optimizations, reporting, creative development and production, research support for key campaigns; and will also provide estimates for purchase of media and estimate of work to U. T. M. D. Anderson Cancer Center. Moroch Partners, Inc., will handle primarily local offline buying and analytics. This Agreement was competitively bid.

46. Contract (funds going out) - U. T. M. D. Anderson Cancer Center: P&W Architects, LLP, dba PhiloWilke Partnership, to provide architectural services

Agency: P&W Architects, LLP, dba PhiloWilke Partnership

Funds: Approximately \$10,000,000 over the full contract term, including renewal options

Period: June 7, 2022 through June 6, 2024; with three successive 12-month renewal options

Description: P&W Architects, LLP, will provide architectural services on miscellaneous projects of limited scope to be performed on a nonexclusive, indefinite quantity basis, as requested by U. T. M. D. Anderson Cancer Center and there is no minimum amount of work required. The estimated contract spend has been updated based on new information regarding expanded construction activities, and it is being brought forward for Board approval as required by Section 3.1.1 of Regents' Rule 10501. This Agreement was competitively bid.

47. Contract (funds going out) - U. T. M. D. Anderson Cancer Center: Stantec Architecture, Inc., to provide architectural services

Agency: Stantec Architecture, Inc.

Funds: Approximately \$10,000,000 over the full contract term, including renewal options

Period: May 25, 2022 through May 24, 2024; with three successive 12-month renewal options

Description: Stantec Architecture, Inc., will provide architectural services on miscellaneous projects of limited scope to be performed on a nonexclusive, indefinite quantity basis, as requested by U. T. M. D. Anderson Cancer Center and there is no minimum amount of work required. The estimated contract spend has been updated based on new information regarding expanded construction activities, and it is being brought forward for Board approval as required by Section 3.1.1 of Regents' Rule 10501. This Agreement was competitively bid.

48. Contract (funds going out) - U. T. M. D. Anderson Cancer Center: Amendment to Local Sponsorship Agreement with Dash Soccer, LLC, to provide sponsorship and promotional benefits

Agency: Dash Soccer, LLC

Funds: Not to exceed \$5,588,625

Period: March 1, 2024 through December 31, 2027

Description Dash Soccer, LLC, provides sponsorship and promotional benefits subject to U. T. M. D. Anderson Cancer Center's payment of the Sponsorship Fees. Dash Soccer, LLC, provides multiple opportunities for marketing, community relations, cancer prevention education, patient acquisition, fundraising, and business development for U. T. M. D. Anderson Cancer Center. U. T. M. D. Anderson Cancer Center gains significant brand exposure through prominent logo placement across the front of the Dash jersey, in addition to stadium signage and social/digital/broadcast media. This sponsorship allows U. T. M. D. Anderson Cancer Center to reach national and international audiences. This First Amendment extends the term by three years and increases the contract value to \$5,588,625.

The initial Sponsorship Agreement effective January 9, 2020, and the Local Sponsorship Agreement, effective January 1, 2023, were not submitted for Board approval as the total contract value was below the institution's delegated approval threshold. The Agreement was acquired via an Exclusive Acquisition Justification.

49. Contract (funds going out) - U. T. M. D. Anderson Cancer Center: Amendment to Amended and Restated Sponsorship Agreement with Dynamo Soccer, LLC, and Dynamo Stadium, LLC, to provide sponsorship and promotional benefits

Agency: Dynamo Soccer, LLC, and Dynamo Stadium, LLC

Funds: Not to exceed \$32,854,500

Period: February 8, 2024 through December 31, 2027

Description Dynamo Soccer, LLC, provides sponsorship and promotional benefits subject to U. T. M. D. Anderson Cancer Center's payment of the Sponsorship Fees. Dynamo Soccer, LLC, provides multiple opportunities for marketing, community relations, cancer prevention education, patient acquisition, fundraising, and business development for U. T. M. D. Anderson Cancer Center. U. T. M. D. Anderson Cancer Center gains significant brand exposure through prominent logo placement across the front of the Dynamo jersey, in addition to stadium signage and social/digital/broadcast media. This sponsorship allows U. T. M. D. Anderson Cancer Center to reach national and international audiences. This Second Amendment, dated February 8, 2024, extends the term by three years and adds \$15,454,500 to the cap amount, bringing the total estimated contract value to \$32,854,500.

The Amended and Restated Sponsorship Agreement, with a contract value not to exceed \$13,400,000 and effective December 1, 2019, was submitted and approved by the Board on February 27, 2020. The First Amendment to the Amended and Restated Sponsorship Agreement, which increased the cap amount by \$4,000,000 to \$17,400,000, was submitted and approved by the Board on February 22, 2023. The original Sponsorship Agreement, effective August 1, 2018, was not submitted for Board approval as the total contract value was below the institution's delegated approval threshold. This Agreement was acquired via an Exclusive Acquisition Justification.

50. Request for Budget Change - U. T. M. D. Anderson Cancer Center: Tenure Appointments -- amendment to the 2023-2024 budget

The following Requests for Budget Change (RBC) have been administratively approved by the Chancellor and the Executive Vice Chancellor for Health Affairs and are recommended for approval by the U. T. System Board of Regents:

College, Department, and Name	From	To	RBC #
<b>Medical Staff</b>			
Department of Head and Neck Surgery Mark E. Zafereo	Professor	Professor (T)	13124
Department of Immunology Susan Bullman	New Hire	Associate Professor (T)	13125
Department of Genomic Medicine Christopher D. Johnston	New Hire	Associate Professor (T)	13126
Department of Gastrointestinal Medical Oncology Xiling Shen	New Hire	Professor (T)	13127

**FACILITIES PLANNING AND CONSTRUCTION COMMITTEE**

No items for Consent Agenda