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Committee Meeting: 5/9/2007

Board Meeting: 5/10/2007
Austin, Texas

Rita C. Clements, *Chairman*
H. Scott Caven, Jr.
Judith L. Craven, *M.D.*
Cyndi Taylor Krier
Robert B. Rowling

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Convene	12:15 p.m. <i>Chairman Clements</i>		
1. U. T. Southwestern Medical Center - Dallas: Authorization to purchase approximately 2.4339 acres with improvements located at 5602 Redfield Street, Dallas, Dallas County, Texas, from National Self Storage, Inc., a Delaware corporation, for a purchase price not to exceed fair market value as established by independent appraisals for use as an expansion of the institution's biotechnology development complex	12:15 p.m. Action <i>President Wildenthal Ms. Mayne</i>	Action	44
2. U. T. M. D. Anderson Cancer Center: Authorization to negotiate and execute a land use agreement and access easements with the Texas Parks and Wildlife Department pertaining to the U. T. M. D. Anderson Cancer Center - Science Park Research Division in Smithville, Bastrop County, Texas	12:20 p.m. Action <i>President Mendelsohn Ms. Mayne</i>	Action	47
3. U. T. System: Report on FY 2006 post-tenure review	12:25 p.m. Report <i>Dr. Shine</i>	Not on Agenda	51
4. U. T. System: Quarterly report on health issues by Executive Vice Chancellor Shine	12:30 p.m. Report <i>Dr. Shine</i>	Not on Agenda	54
5. U. T. System: Discussion of and video presentation on international programs	12:45 p.m. Discussion <i>Dr. Shine</i>	Not on Agenda	54
Adjourn	1:15 p.m.		

1. **U. T. Southwestern Medical Center - Dallas: Authorization to purchase approximately 2.4339 acres with improvements located at 5602 Redfield Street, Dallas, Dallas County, Texas, from National Self Storage, Inc., a Delaware corporation, for a purchase price not to exceed fair market value as established by independent appraisals for use as an expansion of the institution's biotechnology development complex**

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Business Affairs, the Executive Vice Chancellor for Health Affairs, and President Wildenthal that authorization be granted by the U. T. System Board of Regents, on behalf of U. T. Southwestern Medical Center - Dallas, to

- a. purchase approximately 2.4339 acres with improvements located at 5602 Redfield Street, Dallas, Dallas County, Texas, from National Self Storage, Inc., a Delaware corporation, for a purchase price not to exceed fair market value as established by independent appraisals, plus all due diligence expenses, closing costs, and other costs and expenses to complete the acquisition of the property as deemed necessary or advisable by the Executive Director of Real Estate, for use as an expansion of the institution's biotechnology development complex; and
- b. authorize the Executive Director of Real Estate 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 or advisable to carry out the purpose and intent of the foregoing recommendation.

BACKGROUND INFORMATION

The subject property is within the acquisition area authorized for U. T. Southwestern Medical Center - Dallas by House Bill 287 passed by the 60th Legislature in 1967. The property is also within the acquisition area identified in the institution's Campus Master Plan approved by the Board of Regents on August 10, 2000.

The property's eastern boundary line is the common boundary line with an approximately 13-acre tract that the Board of Regents acquired from the City of Dallas in August 2004. At its August 10, 2006 meeting, the Board of Regents approved the construction of the first phase of a biotechnology development complex on the 13-acre tract. The 13-acre tract has significant frontage on Inwood Road. Acquisition of the subject property will provide additional contiguous acreage to the biotechnology development complex and will provide frontage along Redfield Street.

The property is currently operating as a self-storage facility with 335 storage units and 12 parking spaces. As leases of the storage units expire, U. T. Southwestern Medical Center - Dallas intends to integrate the site into its planned biotechnology development complex.

To fund the purchase, U. T. Southwestern Medical Center - Dallas will use institutional funds. The terms and conditions of the proposed purchase are specified in the transaction summary below:

Transaction Summary

Institution:	U. T. Southwestern Medical Center - Dallas
Type of Transaction:	Purchase
Total Area:	2.4339 acres
Improvements:	Self-storage facility with 335 storage units and 12 parking spaces
Location:	5602 Redfield Street, Dallas, Dallas County, Texas; see attached map
Seller:	National Self Storage, Inc., a Delaware corporation
Purchase Price:	Not to exceed fair market value as established by independent appraisals
Appraised Values:	\$1,296,750 (Dallas Central Appraisal District, 2006) Appraisal from Mark Donoho Company in process
Source of Funds:	Institutional funds
Intended Use:	Expansion of the institution's planned biotechnology development complex

**U. T. SOUTHWESTERN
NORTH CAMPUS**

**U. T. SOUTHWESTERN
SOUTH CAMPUS**

U.T. Southwestern
biotechnology development
complex

SUBJECT PROPERTY



2. **U. T. M. D. Anderson Cancer Center: Authorization to negotiate and execute a land use agreement and access easements with the Texas Parks and Wildlife Department pertaining to the U. T. M. D. Anderson Cancer Center - Science Park Research Division in Smithville, Bastrop County, Texas**

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Business Affairs, the Executive Vice Chancellor for Health Affairs, and President Mendelsohn that authorization be granted by the U. T. System Board of Regents, on behalf of U. T. M. D. Anderson Cancer Center, to

- a. negotiate a land use agreement and access easements with the Texas Parks and Wildlife Department pertaining to the U. T. M. D. Anderson Cancer Center - Science Park Research Division in Smithville, Bastrop County, Texas; and
- b. authorize the Executive Director of Real Estate to execute the land use agreement, the access easements, and all related 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 or advisable to carry out the purpose and intent of the foregoing recommendation.

BACKGROUND INFORMATION

The U. T. M. D. Anderson Cancer Center - Science Park Research Division (Science Park) is located approximately two miles northwest of Smithville in Bastrop County, Texas. The Science Park consists of approximately 717 acres and is adjacent to and partially surrounded by Buescher State Park (Buescher Park). The Science Park land was formerly a part of Buescher Park, but, at the direction of the Texas Legislature in 1968, it was conveyed by the Texas Parks and Wildlife Department (TPWD) to the Board of Regents of The University of Texas System for the use and benefit of the U. T. M. D. Anderson Cancer Center. The deed from TPWD states that the property is "to be used as a science park and for research purposes."

U. T. M. D. Anderson Cancer Center has made a substantial investment in the establishment and development of the Science Park and the Science Park is a significant part of the institution's research program. Approximately 50 acres of the Science Park are currently developed or slated for development. That portion of the Science Park is labeled as Tract 3 on the attached map and currently contains four research buildings, representing approximately 92,617 useable square feet, and various other office and utility buildings totaling approximately 29,218 useable square feet.

Because of the importance and success of the Science Park, U. T. M. D. Anderson Cancer Center has plans for additional development of the Science Park. There is currently, however, only one means of ingress and egress into the Science Park, which access is through Buescher Park via Park Road 1. To facilitate and accommodate the future growth and development of the Science Park and for the safety, welfare, and convenience of its employees, vendors, and visitors, U. T. M. D. Anderson Cancer Center has discussed with TPWD the acquisition of a second access point off Park Road 1, an expansion of the width of the existing access point to accommodate commercial truck traffic servicing the Science Park, and an unpaved emergency evacuation route in the event of a forest fire or other emergency.

TPWD owns and manages Buescher Park, which consists of approximately 1,016.7 acres. Buescher Park includes a small lake, a pine-oak forest, hiking trails, and a variety of scenic and recreational opportunities. The park lake is about one mile from the Science Park. A portion of the undeveloped acreage within the 717-acre Science Park is a part of the watershed for the lake. That portion has not been surveyed, but is estimated to be in excess of 200 acres and is labeled as Tract 2 on the attached map. The remaining undeveloped portion of the Science Park, which also has not been surveyed and is estimated to be in excess of 200 acres, is outside the watershed. It is labeled as Tract 1 on the attached map. TPWD wishes to protect the watershed of the Buescher Park lake and the ecological, scenic, and open space values of the park and to mitigate the impact of the future development of the Science Park on Buescher Park.

In furtherance of their respective interests, U. T. M. D. Anderson Cancer Center and TPWD propose to enter into a land use agreement that provides for certain ingress and egress rights to the Science Park for the benefit of the U. T. M. D. Anderson Cancer Center and establishes for the benefit of TPWD certain standards, guidelines, and restrictions regarding the future use and development of the Science Park land. Details of the proposed agreement are contained in the transaction summary below:

Transaction Summary

Parties: Texas Parks and Wildlife Department and the Board of Regents of The University of Texas System, for the use and benefit of U. T. M. D. Anderson Cancer Center (U. T.)

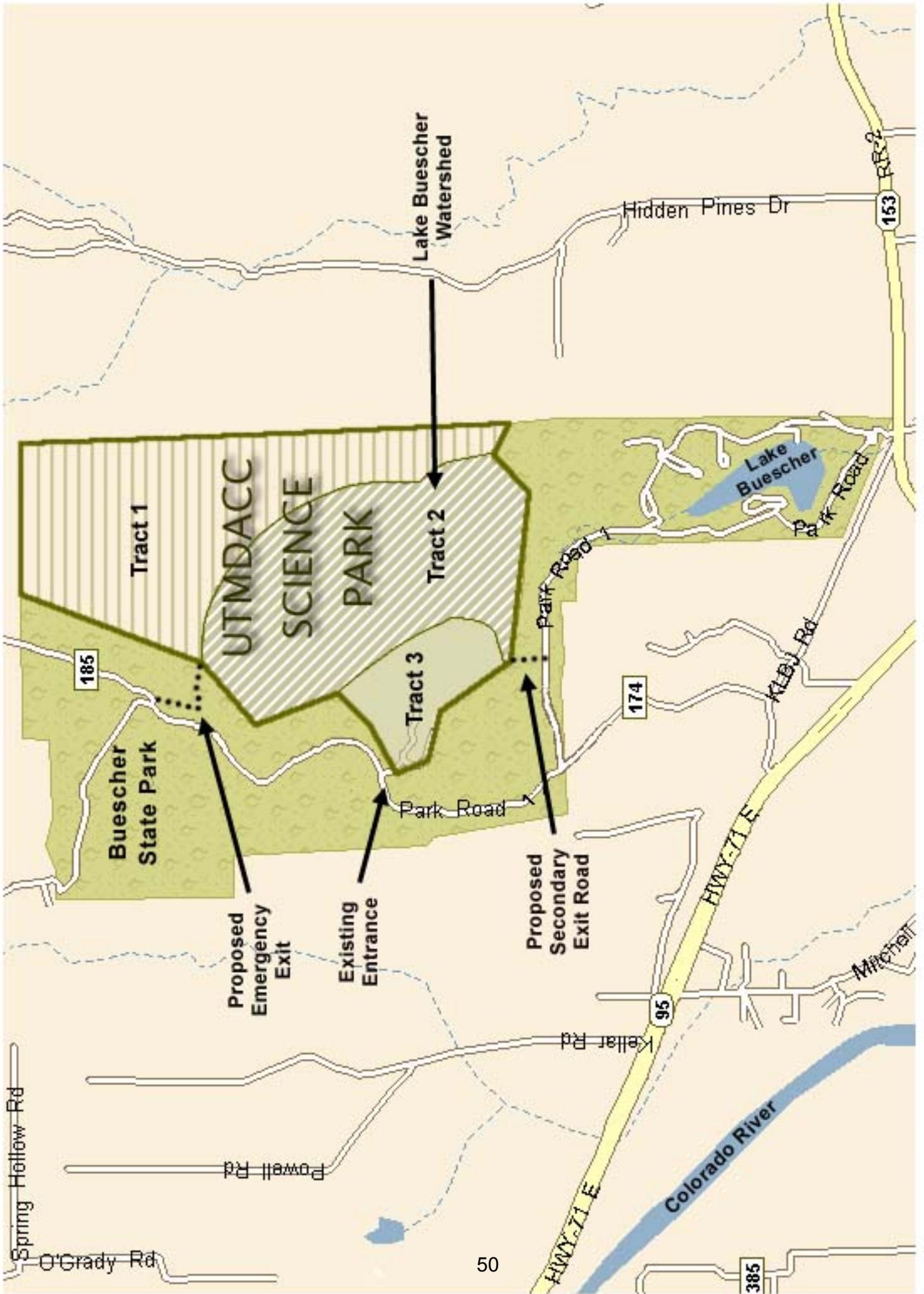
Easements: TPWD will grant three ingress and egress easements to U. T. across the adjacent Buescher Park: (1) an expansion of the existing access point from Park Road 1 to the Science Park; (2) a second access point from Park Road 1 to the Science Park; and (3) an emergency evacuation route from the Science Park. U. T. will have the right to place utilities within the access easements and to landscape within the easements. U. T. will construct the paved access roads in accordance with TPWD

standards; the evacuation route will be a dirt road. U. T. and TPWD will share the costs of the maintenance of portions of Park Road 1.

Future Development In General: U. T. will work cooperatively with TPWD to avoid, minimize, or mitigate the impact of any future development of the Science Park on the park lake's watershed, and the associated habitat, scenic, and watershed values associated with Buescher Park. U. T. will use the best available technology that represents standard practices to protect conservation values, with the objective of not altering drainage patterns, volumes, velocity, and quality of drainage into the park lake. No review or approval by TPWD will be required for emergency actions.

Watershed Development: U. T. will submit plans for development of the portion of the Science Park land that is within the lake watershed (Tract 2 on the attached map) to TPWD for review and comment and will agree to seriously consider comments and recommendations from TPWD and make a good faith effort to incorporate and implement TPWD's recommendations to the extent that such recommendations are technically and financially feasible and reasonable. U. T. will coordinate with TPWD with respect to the other portions of the Science Park land to the extent required by law (Tracts 1 and 3 on the attached map).

Development Standards: No building will be constructed within 150 feet of Park Road 1 except for utility enclosures and a guard house and except as may be approved by TPWD; architecturally complementary materials and designs will be used; a tree buffer will be used to screen development from Park Road 1; the maximum height of structures will be four stories, not to exceed 80 feet; all exterior illumination will follow current standards of the U.S. Pattern Lighting Code developed by the International Dark-Sky Association or similar standard; no nonnative or nonindigenous plants or animals will be introduced into the Science Park land, except within the research facilities.



3. **U. T. System: Report on FY 2006 post-tenure review**

REPORT

Executive Vice Chancellor Shine will report on the Fiscal Year 2006 post-tenure review for the health institutions using the attachment on Pages 52 - 53.

**U. T. System Health Institutions
2005-06 Post-Tenure Review Report**

During Fiscal Year 2006, 206 tenured faculty members at the five health institutions with tenured faculty were subject to post-tenure review. Of the 206 faculty members subject to review, 196 (or 95.1%) were evaluated as Performing Satisfactorily; 6 (or 2.9%) received Needs Additional Support or Marginal evaluations; and 4 (or 1.9%) received Unsatisfactory evaluations.

The following summary tables provide additional details of the post-tenure review results for academic year 2005-06.

Summary of Post-Tenure Review Results

	Total Subject to Review	Total Performing Satisfactorily	Total Needs Additional Support or Marginal	Total Unsatisfactory
UT SWMC-Dallas	30	30	0	0
UTMB-Galveston	32	31	1	0
UT HSC-Houston	27	27	0	0
UT HSC-San Antonio	56	53	2	1
UT MDACC *	61	55	3	3
Total	206	196	6	4
		95.1%	2.9%	1.9%

Post-Tenure Review Results by Gender

	Subject to Review		Performing Satisfactorily		Needs Additional Support or Marginal		Unsatisfactory	
	Male	Female	Male	Female	Male	Female	Male	Female
UT SWMC-Dallas	29	1	29	1	0	0	0	0
UTMB-Galveston	26	6	25	6	1	0	0	0
UT HSC-Houston	21	6	21	6	0	0	0	0
UT HSC-San Antonio	42	14	40	13	1	1	1	0
UT MDACC *	47	14	42	13	2	1	3	0
Total	165	41	157	39	4	2	4	0

* UT MDACC offers "term tenure."

Post-Tenure Review Results by Ethnicity

	Total Subject to Review					Performing Satisfactorily				
	White	Black	Hispanic	Asian	Other	White	Black	Hispanic	Asian	Other
UT SWMC-Dallas	25	0	1	4	0	25	0	1	4	0
UTMB-Galveston	25	0	1	5	1	24	0	1	5	1
UT HSC-Houston	25	2	0	0	0	25	2	0	0	0
UT HSC-San Antonio	49	0	5	1	1	47	0	5	1	0
UT MDACC*	47	2	0	12	0	43	2	0	10	0
Total	171	4	7	22	2	164	4	7	20	1

	Needs Additional Support or Marginal					Unsatisfactory				
	White	Black	Hispanic	Asian	Other	White	Black	Hispanic	Asian	Other
UT SWMC-Dallas	0	0	0	0	0	0	0	0	0	0
UTMB-Galveston	1	0	0	0	0	0	0	0	0	0
UT HSC-Houston	0	0	0	0	0	0	0	0	0	0
UT HSC-San Antonio	2	0	0	0	0	0	0	0	0	1
UT MDACC*	2	0	0	1	0	2	0	0	1	0
Total	5	0	0	1	0	2	0	0	1	1

* UT MDACC offers "term tenure."

4. **U. T. System: Quarterly report on health issues by Executive Vice Chancellor Shine**

REPORT

Executive Vice Chancellor Shine will report on health matters of interest to the U. T. System. This is a quarterly update to the Health Affairs Committee of the U. T. System Board of Regents.

5. **U. T. System: Discussion of and video presentation on international programs**

Dr. Shine will lead a discussion of the international programs in the U. T. System health institutions, using the attachments on Pages 72 - 83 of the Supplemental Materials (Volume 2) of the Agenda Book. President Stobo will show a video clip on Rift Valley Fever in Kenya, an example of global telemedicine at work.