NOTICE OF OPEN MEETING FOR SUBMISSION TO SECRETARY OF STATE/TEXAS REGISTER DIVISION

NAME OF AGENCY: The University of Texas System

BOARD: Board of Regents

DATE OF MEETING: 5/8/2024

TIME OF MEETING: 1:00 pm

ROOM, BUILDING, & STREET LOCATION: Board Room and Executive Session Room, Second Floor, The University of Texas System Building, 210 West Seventh Street

CITY: Austin

IF EMERGENCY MEETING, REASON:

ORIGINAL MEETING TRD# (if applicable):

ADDITIONAL INFORMATION OBTAINED FROM: Karen A. Rabon, Senior Associate General Counsel to the Board of Regents, Telephone: 512/499-4402, Email: krabon@utsystem.edu

COMPLETE AGENDA (single space):

The U. T. System Board of Regents will meet from 1:00 p.m. to approximately 5:00 p.m. on May 8, 2024, and from 9:00 a.m. to approximately 12:00 p.m. on May 9, 2024 (see separate posting for May 9, 2024). Meetings are tentatively scheduled to follow each other consecutively but may start earlier or later than the posted time depending on the length of the discussions and the reports of previous meetings. Please note that the estimated date, times, and sequence of events given in the postings are only approximate and that the date, times, and order of any individual committee meetings or meeting topics may be adjusted, as necessary.

The link to the complete Agenda Book and to the live webcast of the open session portions will be available at <u>https://www.utsystem.edu/board-of-regents/meetings/board-meeting-2024-05-08</u>.

Because attendance by the full membership of each committee constitutes a quorum of the Board and because any member of the Board may attend and participate in any committee meeting, the meetings of all committees are also being posted as meetings of the full Board.

Members of the public are allowed to present written and oral testimony, for a reasonable amount of time as determined by the Chairman of the Board, on any topic listed on the agenda for a Committee or Board meeting that is open to the public. Testimony on topics not listed on the open session agenda will not be allowed.

Members of the public wishing to present testimony shall provide their name and agenda topic they wish to address to the General Counsel to the Board of Regents at least 24 hours in advance of the meeting. Requests to present testimony may be sent the General Counsel to the Board via email at <u>bor@utsystem.edu</u>. Insofar as possible, any person who provides oral testimony before the Board shall provide a written statement of the substance of such testimony to the General Counsel to the Board in sufficient time for copies to be distributed to the Regents prior to the meeting. The Board shall consider the public testimony presented to the Board on

an issue before making a decision on the issue. The Chairman or a majority of the Board may prescribe sanctions against any person exceeding established time limits or speaking on a topic not relevant to the agenda topic.

The U. T. System Board of Regents will convene the meeting according to the following agenda: May 8, 2024 1:00 p.m.

COMMITTEE MEETINGS

AUDIT, COMPLIANCE, AND RISK MANAGEMENT COMMITTEE

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

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

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

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

FINANCE AND PLANNING COMMITTEE

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

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

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

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

5. U. T. System: University Lands Update

ACADEMIC AFFAIRS COMMITTEE

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

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

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

HEALTH AFFAIRS COMMITTEE

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

FACILITIES PLANNING AND CONSTRUCTION COMMITTEE

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

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

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

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

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

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

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

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

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

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

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

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

RECESS TO EXECUTIVE SESSION PURSUANT TO *TEXAS GOVERNMENT CODE*, CHAPTER 551

1. Individual Personnel Matters Relating to Officers or Employees - Section 551.074 a. 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

2. Negotiated Contracts for Prospective Gifts or Donations - Section 551.073

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

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

3. Consultation with Attorney Regarding Legal Matters or Pending and/or Contemplated Litigation or Settlement Offers - Section 551.071

a. U. T. System Board of Regents: Discussion with Counsel on pending legal issuesb. U. T. System Board of Regents: Discussion and appropriate action regarding legal issues concerning pending legal claims by and against U. T. System

4. Deliberation Regarding Security Devices or Security Audits - Sections 551.076 and 551.089 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

RECONVENE THE BOARD IN OPEN SESSION FOR POSSIBLE ACTION ON EXECUTIVE SESSION ITEMS

RECESS

Meeting Accessibility: Meetings of the U. T. System Board of Regents are open to the public except for any posted executive session held in compliance with the Texas Open Meetings Act. Persons interested in attending committee and/or Board meetings or viewing the webcast online and desiring communication or other special accommodations should contact the Board Office at least two working days prior to the meeting. The Board Office is open Monday through Friday from 8:00 a.m. to 5:00 p.m., excluding holidays, and contact information follows: phone (512) 499-4402; fax (512) 499-4425; email <u>bor@utsystem.edu</u>; 210 West Seventh Street, Austin, Texas 78701, or RELAY Texas (TTY: 7-1-1).

CERTIFICATION: I certify that I have reviewed this document and that it conforms to all applicable Texas Register filing requirements.

Karen A. Rabon Senior Associate General Counsel to the Board of Regents The University of Texas System 512/499-4402

May 3, 2024

NOTICE OF OPEN MEETING FOR SUBMISSION TO SECRETARY OF STATE/TEXAS REGISTER DIVISION

NAME OF AGENCY: The University of Texas System

BOARD: Board of Regents

DATE OF MEETING: 5/9/2024

TIME OF MEETING: 9:00 am

ROOM, BUILDING, & STREET LOCATION: Board Room and Executive Session Room, Second Floor, The University of Texas System Building, 210 West Seventh Street

CITY: Austin

IF EMERGENCY MEETING, REASON:

ORIGINAL MEETING TRD# (if applicable):

ADDITIONAL INFORMATION OBTAINED FROM: Karen A. Rabon, Senior Associate General Counsel to the Board of Regents, Telephone: 512/499-4402, Email: krabon@utsystem.edu

COMPLETE AGENDA (single space):

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an issue before making a decision on the issue. The Chairman or a majority of the Board may prescribe sanctions against any person exceeding established time limits or speaking on a topic not relevant to the agenda topic.

The U. T. System Board of Regents will convene according to the following agenda: May 9, 2024 9:00 a.m.

RECONVENE THE BOARD IN OPEN SESSION TO CONSIDER AGENDA ITEMS

STANDING COMMITTEE RECOMMENDATIONS AND REPORTS TO THE BOARD

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

 Other Matters - U. T. System: Approval of Newly Commissioned Peace Officers
 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

 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
 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

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

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

 Report - U. T. System Academic Institutions: Fiscal Year 2023 Post-Tenure Review
 Request for Budget Change - U. T. Arlington: Tenure Appointments -- amendment to the 2023-2024 budget

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

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

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

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

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

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 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

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

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 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

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

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

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

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

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

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

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

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

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

32. Contract (funds going out) - U. T. Southwestern Medical Center: Asher Media, Inc., to perform media buying and planning services

33. Contract (funds going out) - U. T. Southwestern Medical Center: The Adcom Group, Inc., to perform media buying and planning services

 Contract (funds going out) - U. T. Southwestern Medical Center: Lanier Parking Meter Services, LLC., will provide valet parking services to patients and visitors
 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

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

37. Contract (funds going out) - U. T. Medical Branch - Galveston: Amendment to Agreement with Avant Healthcare Professionals, LLC, to provide contract nurses
38. Request for Budget Change - U. T. Medical Branch - Galveston: Tenure Appointments -- amendment to the 2023-2024 budget

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

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

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

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

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

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

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

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

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

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

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

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

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

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

RECESS TO EXECUTIVE SESSION PURSUANT TO *TEXAS GOVERNMENT CODE*, CHAPTER 551

Individual Personnel Matters Relating to Officers or Employees - Section 551.074
 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
 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 c. U. T. Tyler: Discussion and appropriate action regarding presidential search, including the appointment of Dr. Julie V. Philley as President

2. Negotiated Contracts for Prospective Gifts or Donations - Section 551.073

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

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

3. Consultation with Attorney Regarding Legal Matters or Pending and/or Contemplated Litigation or Settlement Offers - Section 551.071

a. U. T. System Board of Regents: Discussion with Counsel on pending legal issues
b. U. T. System Board of Regents: Discussion and appropriate action regarding legal issues concerning pending legal claims by and against U. T. System

c. 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

d. 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

e. 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

4. Deliberations Regarding the Purchase, Exchange, Lease, Sale, or Value of Real Property - Section 551.072

a. 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

b. 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

c. 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

5. Deliberation Regarding Security Devices or Security Audits - Sections 551.076 and 551.089 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

RECONVENE THE BOARD IN OPEN SESSION TO CONSIDER ACTION, IF ANY, ON EXECUTIVE SESSION ITEMS AND TO CONSIDER AGENDA ITEMS

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

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

ADJOURN AT APPROXIMATELY 12:00 p.m.

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CERTIFICATION: I certify that I have reviewed this document and that it conforms to all applicable Texas Register filing requirements.

Senior Associate General Counsel to the Board of Regents The University of Texas System 512/499-4402

May 3, 2024