

2. Negotiated Contracts for Prospective Gifts or Donations – Section 551.073
- a. **U. T. Austin: Discussion and appropriate action regarding proposed negotiated gifts with potential naming features** *President Powers
Dr. Safady*
- b. **U. T. M. D. Anderson Cancer Center: Discussion and appropriate action regarding proposed negotiated gifts with potential naming features** *President Mendelsohn
Dr. Safady*
3. Consultation with Attorney Regarding Legal Matters or Pending and/or Contemplated Litigation or Settlement Offers – Section 551.071
- U. T. System Board of Regents: Discussion with Counsel on pending legal issues**
4. Deliberations Regarding the Purchase, Exchange, Lease, Sale, or Value of Real Property – Section 551.072
- C. RECONVENE IN OPEN SESSION TO CONSIDER ACTION ON EXECUTIVE SESSION ITEMS, IF ANY *12:45 p.m.*
- D. CONSIDER AGENDA ITEM
4. **U. T. System Board of Regents: Presentation by Cooper, Robertson & Partners, L. L. P., of two conceptual master plans for the Brackenridge Tract** *1:00 p.m.*
Report
*Mr. Paul Milana and
Dr. David McGregor,
Cooper Robertson
Ms. Mayne* **3**
- E. ADJOURN *3:15 p.m.
approximately*

1. **U. T. System Board of Regents: Approval of proposed appointment of members to the Audit and Ethics Committee of The University of Texas Investment Management Company (UTIMCO)**

RECOMMENDATION

The University of Texas Investment Management Company (UTIMCO) Board of Directors recommends that the U. T. System Board of Regents approve appointments to the Audit and Ethics Committee of the UTIMCO Board of Directors as follows:

Mr. Paul Foster (Chair)
Ms. Colleen McHugh
Mr. Charles W. Tate

It is also reported that the UTIMCO officers are as follows:

Chairman: Mr. Erle Nye
Vice-Chairman: Mr. J. Philip Ferguson
Vice-Chairman for Policy: Chancellor Francisco G. Cigarroa

BACKGROUND INFORMATION

Section 66.08 of the *Texas Government Code* requires that the U. T. System Board of Regents approve the appointment of members of the Audit and Ethics Committee of the Board of Directors of UTIMCO. The Board of Directors of UTIMCO recommended these appointments at their meeting held on June 8, 2009, conditioned on the approval of the U. T. System Board of Regents.

Vice Chairman Foster was appointed to the UTIMCO Board of Directors by the Board of Regents on December 6, 2007. He has served on the UTIMCO Audit and Ethics Committee since his appointment by the Board of Regents on February 7, 2008.

Vice Chairman McHugh was first appointed to the UTIMCO Board of Directors by the Board of Regents on November 10, 2005, and was reappointed on April 16, 2007. She was first appointed to serve on the UTIMCO Audit and Ethics Committee by the Board of Regents on August 10, 2006, and was reappointed on May 10, 2007, and on February 7, 2008.

Mr. Tate was first appointed to the UTIMCO Board of Directors by the Board of Regents on September 28, 2004, and was reappointed on March 26, 2008. He was first appointed to serve on the UTIMCO Audit and Ethics Committee by the Board of Regents on May 10, 2007, and was reappointed on February 7, 2008.

2. **U. T. Austin: Marine Science Institute-National Estuarine Research Reserve (MSI-NERR) Headquarters and Laboratory Expansion- Report on Minimum Elevation**

REPORT

On May 14, 2009, design development plans for the Marine Science Institute-National Estuarine Research Reserve (MSI-NERR) Headquarters and Laboratory Expansion were approved by the U. T. System Board of Regents subject to further discussion with Regents Dannenbaum and Powell to resolve concerns about the impact of storm surge on the first occupied level of the building. The Office of Facilities Planning and Construction has since provided information on the project design basis, relevant code and insurance standards, federal storm and flood models, and other issues to Regents Dannenbaum and Powell.

Mr. Michael O'Donnell, Associate Vice Chancellor for Facilities Planning and Construction, will be available to answer additional questions.

3. **U. T. System Board of Regents: Proposed appointment of The Honorable Ricardo H. Hinojosa as Regental Representative to the U. T. Austin Intercollegiate Athletics Council for Men**

RECOMMENDATION

With the concurrence of Chancellor Cigarroa and President Powers, Chairman Huffines recommends that The Honorable Ricardo H. Hinojosa be appointed as a Regental representative to the U. T. Austin Intercollegiate Athletics Council for Men effective immediately to fill the term vacated by Mr. R. Steven Hicks, now a member of The University of Texas System Board of Regents, for a term to expire on August 31, 2013.

BACKGROUND INFORMATION

The U. T. Austin Intercollegiate Athletics Council for Men is a nine member advisory group composed of a student, an ex-student, two Regental appointees, and five members of the University General Faculty. The Regental appointments are for four-year staggered terms. Mr. Hicks was appointed to the Council on September 1, 2005, to serve through August 31, 2009; however he resigned from this position on April 2, 2009, upon taking the oath of office as a Regent.

A graduate of U. T. Austin, Judge Hinojosa earned his law degree from Harvard Law School. He received the Distinguished Alumnus Award from the Ex-Students' Association of U. T. Austin in 2001.

He served as member (1979-83) and chairman (1981-83) of the Pan American University Board of Regents and in 1986 he received the Distinguished Service Award from the Pan American University Alumni Association.

Judge Hinojosa has served on the U.S. District Court for the Southern District of Texas since 1983 and he is Acting Chairman of the U.S. Sentencing Commission.

4. **U. T. System Board of Regents: Presentation by Cooper, Robertson & Partners, L. L. P., of two conceptual master plans for the Brackenridge Tract**

REPORT

Mr. Paul Milana, the Partner-in-Charge, and Dr. David McGregor, Project Director, will present two conceptual master plans for the Brackenridge Tract, with portions of the presentation by other members of the master planning team assembled by Cooper, Robertson & Partners, L. L. P. No action will be taken by the Board on June 18, 2009. After the Board and interested parties have had a chance to review and consider the conceptual master plans, a public comment session will be held at a future date to be announced later.

BACKGROUND INFORMATION

On June 17, 1910, Colonel George W. Brackenridge, then a member of the U. T. System Board of Regents, gave to the Board for the benefit of U. T. Austin a 500-acre tract in West Austin along both sides of the Colorado River. The deed from Colonel Brackenridge states that the gift is made "for the purpose of advancing and promoting University education." Colonel Brackenridge had hoped that his gift would form the foundation of a new campus for U. T. Austin, but his dream was not realized. During the 99 years since Colonel Brackenridge's deed, some of the property that was geographically isolated from the remainder of the tract was sold and the proceeds were placed in an endowment for U. T. Austin, and some of the property was utilized for road rights-of-way and utilities. There now remain approximately 350 acres in the tract along both sides of Lake Austin Boulevard.

The Board of Regents has periodically examined the use of the Brackenridge Tract. A review in the 1980s led to the Brackenridge Development Agreement between the City of Austin and the Board of Regents. That agreement governs non-university development on the tract. Current uses of the tract are a mixture of university uses, commercial uses, and civic and recreational uses. A map depicting the current uses on the tract appears at the end of this background summary on Page 9.

With the initial term of the Brackenridge Development Agreement expiring in 2019 and with the ever pressing financial needs of U. T. Austin, Chairman James R. Huffines commenced the most recent review in July 2006 by appointing the Brackenridge Tract Task Force to study the tract and make recommendations to the Board. After more than a year of study, the Brackenridge Tract Task Force issued its written report in October 2007.

The Brackenridge Tract Task Force report contained numerous findings and recommendations, including a recommendation that a master planner be engaged to prepare a comprehensive analysis of the Brackenridge Tract resulting in conceptual master planning documents that identify the possibilities and constraints of the tract and that serve as a guide for the near-term and long-term uses of the tract. Other recommendations of the Task Force were:

1. The Brackenridge Development Agreement should be allowed to expire in May 2019 when its initial term ends.
2. The Board should include the Brackenridge Field Laboratory, which occupies 82 acres adjoining Lady Bird Lake, in the master planning process to determine whether the field lab should be restructured in its current location or relocated.
3. The 74 acres along Lady Bird Lake now occupied by the Colorado and Brackenridge Apartments for graduate student housing should be more beneficially utilized as part of a new master plan to produce significant revenue for U. T. Austin.
4. The Lions Municipal Golf Course lease, occupying 141 acres, should be allowed to expire when its initial term ends in 2019 and the tract should be included in the master planning process.
5. The 14 acres leased to the West Austin Youth Association should be included in the master planning process.
6. The master planning process should include a determination as to whether the extension of the hike and bike trail along Lady Bird Lake would be beneficial to and enhance the value of the entire tract.

On March 26, 2008, following an open selection process, the U. T. System Board of Regents selected Cooper, Robertson & Partners, L. L. P. (Cooper Robertson) as the firm to develop a minimum of two conceptual master plans for the development of the Brackenridge Tract. In seeking a master planner, the Board had three specific objectives:

1. To meet its fiduciary and legal obligations under the terms of the gift deed from Colonel Brackenridge. The Board's obligation is to use the tract in the best interests and for the maximum benefit of U. T. Austin. The Task Force observed

on Page 26 of its report that "the pressing financial needs of [U. T. Austin] . . . , the increases in population and changes in land use in the City, and the tremendous increase in the value of the land compel a new vision for the tract that will provide greater financial benefits to [U. T. Austin] in support of its educational mission."

2. To achieve redevelopment of the tract in a manner that will not require the Board of Regents to sell portions of the tract, absent a compelling reason to do so. On Page 27 of its report, the Task Force stated that, "[b]ecause [U. T. Austin] is perpetual in nature and thus all future needs for the use of its lands cannot be determined, any future discussion of the use of the remaining lands within the Brackenridge Tract should begin with the presumption that the land should not be sold without a compelling reason."
3. To provide opportunities through the master planning process for members of the U. T. Austin community, members of the Austin community, neighborhood, civic and governmental leaders, other interested parties, and the general public to give input with respect to development options and strategies for the tract.

A contract with the master planning firm was entered into on April 21, 2008. The scope of work required under the contract is extensive and stipulates that the conceptual master plans for development of the Brackenridge Tract must be integrated planning documents that consider building sites, streets, parking and land uses; utility infrastructure and capacity; transportation within the tract and between the tract, the surrounding neighborhood, and arterials; recreational and open space, community services, and landscaping; way-finding/graphics; design guidelines, including building heights; compatibility with surrounding neighborhoods; sustainability and stewardship of resources; environmental and endangered species issues; and other relevant components. The focus of the conceptual plans is to be the strategic use of the Brackenridge Tract to support the educational mission of U. T. Austin.

Specific work areas within the scope of work are:

- Site analyses that result in a report of the most pressing issues and constraints that may affect redevelopment;
- Collaborative planning with U. T. Austin with respect to the existing uses of the graduate student housing on approximately 74 acres and the Brackenridge Field Laboratory on approximately 82 acres;
- Regulatory analyses that examine land use, planning, development, environmental laws, and other laws and regulations that may affect how the tract can be developed, including an analysis of the current Brackenridge Development Agreement between the Board of Regents and the City of Austin, which the Task Force recommended be allowed to terminate in 2019 when its initial term expires;

- Financial and market analyses to include an analysis of future development options for the Brackenridge Tract that will maximize income from the redevelopment of the Brackenridge Tract, using sound planning principles, to support the educational mission of U. T. Austin while contributing positively to the community;
- Opportunities for members of the U. T. Austin community, members of the Austin community, neighborhood, civic and governmental leaders, other interested groups and individuals, and the general public to give input with respect to development options and strategies for the tract;
- The development of a minimum of two conceptual plans for redevelopment of the Brackenridge Tract that comprehensively address the issues described above; and
- The development of an evaluation process that enables the Board of Regents to formally assess the strengths and weaknesses of the conceptual plans and a schedule of the steps required to implement the selected conceptual master plan(s).

In the analyses and information gathering phase, Cooper Robertson and its team engaged in numerous interviews and discussions with interested parties and groups. Also during that phase, surveyors, traffic planners, and other subcontractors of Cooper Robertson gathered data about the tract and the surrounding neighborhood.

To obtain public input and provide information, the master planning team held a public listening session on June 25, 2008, an information session on August 12, 2008, a weeklong series of workshops and public meetings November 3 through 7, 2008, and two public update sessions on May 20, 2009. These public sessions were held in the Lower Colorado River Authority complex on the Brackenridge Tract. Cooper Robertson held numerous meetings with representatives selected by U. T. Austin regarding the student housing on the Brackenridge Tract and regarding the Brackenridge Field Laboratory.

Drawing from the analyses, data gathering, and public input, the master planners developed the Design Principles, which are set forth on Pages 7 - 8. Then, using the Design Principles as guidance, the master planning team undertook a series of design studies and analyzed and tested numerous plan options. The resulting two conceptual master plans will now be presented to the Board of Regents by Cooper Robertson and its team.

DESIGN PRINCIPLES

PREPARED BY COOPER, ROBERTSON & PARTNERS, L. L. P.

Legacy

Honor the intent of Colonel Brackenridge's gift that the land be used "in trust for the University of Texas" at Austin for the "purpose of advancing and promoting University education" and preserve opportunities for future University uses on the Tract.

Context and Compatibility

Recognize and respond to the Tract's context within the City of Austin as a part of the City's waterfront and to the context of the West Austin neighborhood by respecting the character of its edges with appropriate land uses, building scale, landscape, and traffic mitigation.

Place Making and Public Realm

Conceive the Tract as a distinct and integrated whole, greater than the sum of its parts, organized as a collection of walkable neighborhoods with an integrated system of streets, trails, and freely accessible, usable open space, collectively known as the public realm.

Compact Development

Employ compact development strategies that maximize open space, embody a hierarchy of experiences, and encourage mixed-use, pedestrian friendly and vibrant areas that will characterize the Tract within the region, the city, and the vicinity.

Ecology and Environment

Celebrate the lakefront and other significant natural features of the Tract, such as its creek and mature trees, by organizing a larger open space system about these elements, while embracing the best methods and practices to ensure their preservation and to support the regional ecology.

Mobility and Connectivity

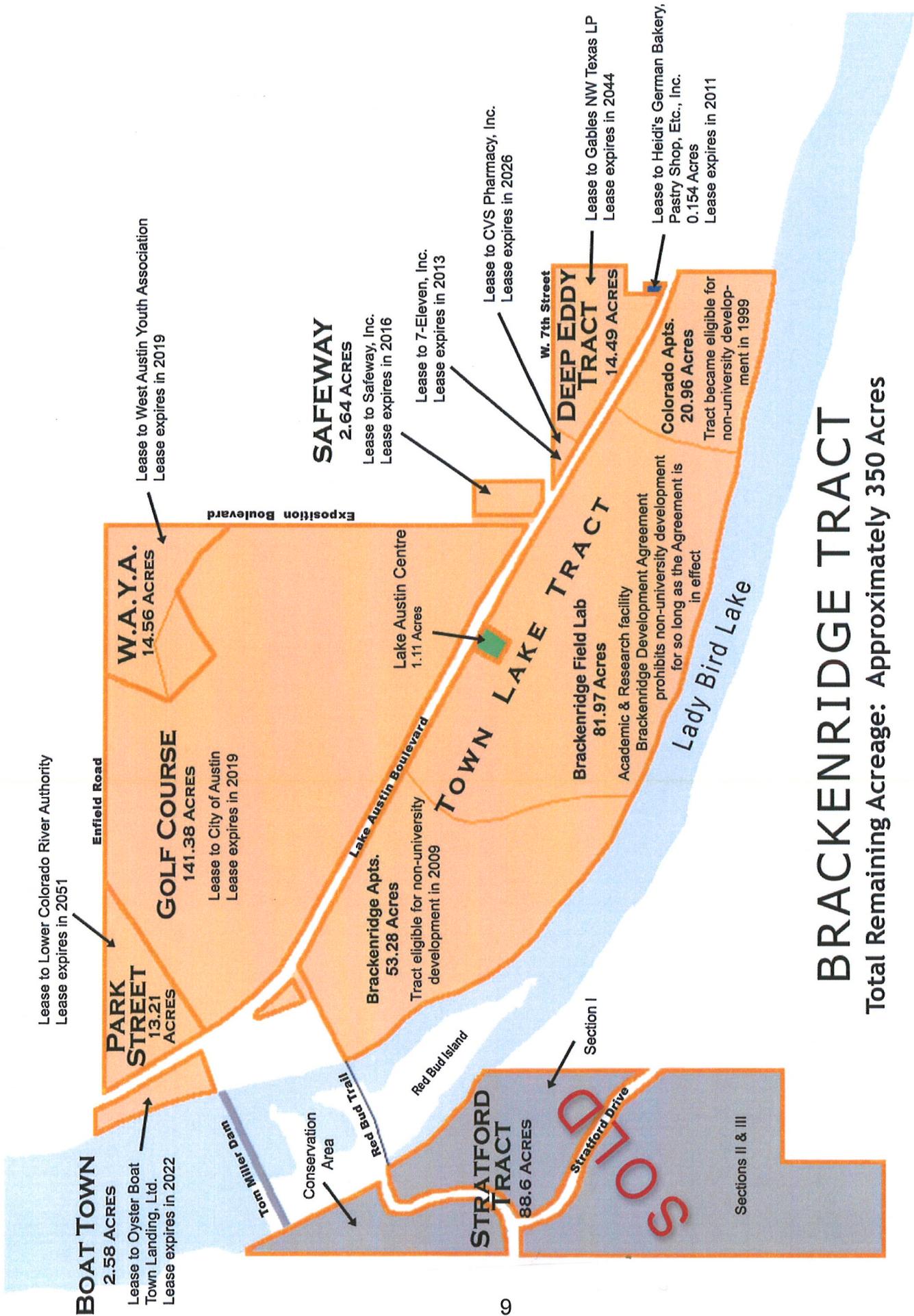
Recognize that transportation solutions are achieved at a city-wide scale, but design to minimize neighborhood traffic impacts by providing additional connections that reduce the dependence upon Enfield Road and Exposition, by mixing uses to capture otherwise off-site trips, and by planning for future transit options. Incorporate a hike and bike system that is interconnected to upland pathways.

Sustainability

Plan the future of the Tract based on a holistic approach to sustainability which considers social and economic, as well as natural, systems and resources, building upon the strengths of the past and what exists today while preserving options for future generations.

Feasibility, Flexibility, and Economic Viability

Develop an economically feasible plan that can be phased over time, be flexible to changing markets and conditions, and generate income from the Tract, using sound planning principles, to support the educational mission of the University while contributing positively to the community.



BRACKENRIDGE TRACT

Total Remaining Acreage: Approximately 350 Acres

NOTE: Some leases contain optional extension terms, which are not noted on this map.