



AGENDA
SPECIAL CALLED TELEPHONE MEETING
of
THE UNIVERSITY OF TEXAS SYSTEM
BOARD OF REGENTS
December 21, 2020
Austin, Texas

CONVENE THE BOARD IN OPEN SESSION TO RECESS TO EXECUTIVE SESSION

10:00 a.m.

1. 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. Austin: Discussion regarding legal issues related to the utilization of the Brackenridge Tract, including land bounded by Exposition Boulevard, Lake Austin Boulevard, and Enfield Road, Austin, Travis County, Texas, and discussion and appropriate action regarding legal issues associated with extension of the lease to the West Austin Youth Association and related finding of public purpose**
 - c. **U. T. Austin: Discussion regarding legal issues related to the sale of 226 acres of unimproved land to Travis County for habitat conservation related to the Balcones Canyonlands Conservation Plan and retention with use restrictions of approximately 27 acres of improved land out of the approximately 253-acre Dobie Paisano Ranch, located at 11353 Rawhide Trail, Austin, Travis County, Texas**
 - d. **U. T. Medical Branch - Galveston: Discussion and appropriate action regarding *KaZee, Inc. v. Dr. Ben Raimer, in his Official Capacity as President Ad Interim of UTMB, and Todd Leach, in his Official Capacity as Chief Information Officer of UTMB*; Civil Action No. 4:19-cv-0031; In the Eastern District of Texas, Sherman Division**
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. 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 presidents ad interim); 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**
 - b. **U. T. Tyler and U. T. Health Science Center - Tyler: Discussion and appropriate action regarding individual personnel matters related to the presidency of the realigned Tyler entity**
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
5. Deliberations Regarding the Purchase, Exchange, Lease, Sale, or Value of Real Property – Section 551.072
 - a. **U. T. Austin: Discussion and appropriate action regarding the lease, uses, or value of property related to the Brackenridge Tract, including land bounded by Exposition Boulevard, Lake Austin Boulevard, and Enfield Road, Austin, Travis County, Texas, and discussion and appropriate action regarding extension of the lease to the West Austin Youth Association and related finding of public purpose**
 - b. **U. T. Austin: Discussion and appropriate action regarding the sale of 226 acres of unimproved land to Travis County for habitat conservation related to the Balcones Canyonlands Conservation Plan and retention with use restrictions of approximately 27 acres of improved land out of the approximately 253-acre Dobie Paisano Ranch, located at 11353 Rawhide Trail, Austin, Travis County, Texas**

RECONVENE IN OPEN SESSION TO CONSIDER ACTION ON EXECUTIVE SESSION ITEMS AND AGENDA ITEMS

*10:30 a.m.
approximately*

1. **U. T. System Board of Regents: Approval of Consent Agenda** 3
2. **U. T. Austin: Allocation of \$8,409,000 of Permanent University Fund (PUF) proceeds for the Texas Advanced Computing Center (TACC) and \$300,000 of Available University Fund (AUF) proceeds for Cybersecurity Audits** 4
3. **U. T. Tyler and U. T. Health Science Center - Tyler: Discussion and appropriate action to name Kirk A. Calhoun, M. D. as president of the realigned Tyler entity**

ADJOURN

*11:00 a.m.
approximately*

1. **U. T. System Board of Regents: Approval of Consent Agenda**

RECOMMENDATION

The Board will be asked to approve the Consent Agenda on [Page 5](#).

2. U. T. Austin: Allocation of \$8,409,000 of Permanent University Fund (PUF) proceeds for the Texas Advanced Computing Center (TACC) and \$300,000 of Available University Fund (AUF) proceeds for Cybersecurity Audits

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Health Affairs, and the Executive Vice Chancellor for Business Affairs that the U. T. System Board of Regents approve the allocation of \$8,409,000 of Permanent University Fund (PUF) proceeds for the Texas Advanced Computing Center (TACC) at U. T. Austin and \$300,000 of Available University Fund (AUF) proceeds for Cybersecurity Audits.

BACKGROUND INFORMATION

U. T. Austin requests additional support for the Texas Advanced Computing Center (TACC) to continue providing ongoing evolution of the U. T. Research Cyberinfrastructure with expanded support for Artificial Intelligence research to all U. T. System institutions. On November 14, 2013, the Board approved a \$10 million PUF allocation to design and construct an annex to the TACC and a \$2 million Available University Fund allocation to support TACC staff dedicated to the U. T. Research Cyberinfrastructure project.

TACC has provided and continues to provide world-class computing resources to the research enterprise across the U. T. System. TACC currently provides the largest university-based supercomputer in the world and has been selected by the National Science Foundation to be the site of the future national Leadership-Class Computing Facility. By opening up TACC research to users across the System, numerous students and faculty will benefit. Continuing the investment to maintain leadership in this critical technology area helps U. T. Austin attract top faculty across most science and engineering fields.

The \$8,409,000 in PUF proceeds will be used to fund capital costs of new hardware, which includes vendor maintenance and support. The \$300,000 in AUF proceeds will be used for required outside cybersecurity audits of TACC operations.



**THE UNIVERSITY OF TEXAS SYSTEM
BOARD OF REGENTS
CONSENT AGENDA**

Special Called Board Meeting:
December 21, 2020
Austin, Texas

1. Contract (funds coming in) - U. T. Austin: Retail Merchandising and E-Commerce Agreement with Fanatics Retail Group Concessions, LLC, to provide operations of certain retail venues and online stores for Intercollegiate Athletics

Agency: Fanatics Retail Group Concessions, LLC

Funds: Agreement provides for a minimum guaranteed payment of \$1,000,000 per year for a total of \$10,000,000

Period: July 1, 2020 through June 30, 2030

Description: Fanatics Retail Group Concessions, LLC, will operate and provide management, personnel, equipment, and merchandise necessary for successful operation of the Texas Longhorns official retail venues and online stores. Fanatics was selected through a competitive Request for Proposal process.

2. Contract (funds coming in) - U. T. Austin: Second Amendment to Agreement with Bottling Group, LLC, to provide beverage vending machines on campus

Agency: Bottling Group, LLC

Funds: \$1,190,000 over the term of this Amendment and all possible renewal options

Period: December 1, 2020 through December 31, 2021; with two three-year optional renewal periods

Description: Nonexclusive vending machine agreement for Bottling Group, LLC, to sell carbonated and non-carbonated beverages, bottled water, sports drinks, isotonic beverages, and fruit juices in machines located throughout campus. The First Amendment was not presented to the Board for approval due to an inadvertent administrative oversight. The underlying Agreement was approved by the U. T. System Board of Regents on November 9, 2019. This Second Amendment will increase the pricing of the vending machine items. Pursuant to *Texas Education Code* Section 51.945, students were provided an opportunity to comment prior to determination that this food service provider should be selected. This Agreement was competitively procured pursuant to a Request for Proposal.