

Meeting No. 1,062

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

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September 28, 2010

Austin, Texas

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MEETING NO. 1,062

TUESDAY, SEPTEMBER 28, 2010.--The members of the Board of Regents of The University of Texas System convened this special called meeting via telephone conference call at 5:00 p.m. on Tuesday, September 28, 2010, in the Chairman's Office on the Ninth Floor, Ashbel Smith Hall, 201 West Seventh Street, Austin, Texas, with the following participation:

ATTENDANCE.--

| <u>Present</u>                             | <u>Absent</u> |
|--|---------------|
| Chairman McHugh (in person)                | Regent Gary   |
| Vice Chairman Foster                       |               |
| Vice Chairman Longoria                     |               |
| Regent Dannenbaum                          |               |
| Regent Hicks                               |               |
| Regent Pejovich                            |               |
| Regent Powell                              |               |
| Regent Stillwell                           |               |
| Regent Kalkwarf, Student Regent, nonvoting |               |

In accordance with a notice being duly posted with the Secretary of State and there being a quorum present, Chairman McHugh called the meeting to order.

COMMENTS BY CHAIRMAN MCHUGH REGARDING SHOOTING AT THE UNIVERSITY OF TEXAS AT AUSTIN.--Chairman McHugh made the following comments about the shooting on The University of Texas at Austin campus the morning of September 28, 2010.

Comments by Chairman McHugh

Before we begin the meeting, I would like to take the opportunity to comment on the unfortunate incident that closed the campus this morning at The University of Texas at Austin and ended in one death that appears to be the result of a self-inflicted gunshot wound.

We are fortunate that there were no additional victims of the tragic incident. The Board recognizes the quick action of the U. T. Austin and City of Austin Police Departments and other law enforcement officials in quickly cooperating and collaborating to assess the situation and doing their best to ensure the safety of the students, faculty, staff, and campus visitors.

Chairman McHugh then called on Chancellor Cigarroa for additional comments regarding the situation.

Comments by Chancellor Cigarroa

As a father of a U. T. Austin student, I know the level of concern parents had today when they received word of this event. I want to emphasize that law enforcement officials at the campus, city, county, and state level responded swiftly and effectively to the situation. Emergency alerts were issued timely throughout the University community to keep individuals out of harm's way while law enforcement officials worked diligently to secure buildings and public areas as the ordeal was brought under control.

I strongly commend U. T. Austin President Bill Powers and his leadership team for the manner in which this incident was handled, collaborating closely with Mayor Leffingwell and City of Austin leadership and other state and local officials. As the institution returns to normal operations, it is important to be reminded that we regard the safety of our students, faculty, staff, and visitors to be of paramount importance, and that the quick action of so many law enforcement officials helped ensure the well-being of the University community. We value and appreciate the efforts of City of Austin officials and particularly the Austin Police Department with whom we share the goal of a safe campus environment.

Chancellor Cigarroa extended sympathy to the family and classmates of the student who lost his life.

RECESS TO EXECUTIVE SESSION.--At 5:04 p.m., Chairman McHugh announced the Board would recess to convene in Executive Session pursuant to *Texas Government Code* Sections 551.071, 551.072, 551.073, and 551.074 to consider those matters listed on the Executive Session agenda.

RECONVENE IN OPEN SESSION.--At 6:20 p.m., the Board reconvened in open session for the following actions taken on matters discussed in Executive Session and to consider an agenda item.

1. U. T. Austin: Approval of a proposed negotiated gift with a potential naming feature

Chairman McHugh moved that the Board of Regents authorize President Powers and Vice Chancellor Safady to conclude negotiations necessary to finalize and accept a gift to benefit The University of Texas at Austin with a potential naming feature consistent with the terms outlined in Executive Session.

Vice Chairman Longoria seconded the motion, which carried unanimously.

- 2a. U. T. System Board of Regents: Discussion and appropriate action of legal issues related to the U. T. Brownsville/Texas Southmost College Educational Partnership Agreement

No action was taken on this item.

- 2b. U. T. System Board of Regents: Discussion with Counsel on pending legal issues

No action was taken on this item.

- 3a. U. T. Southwestern Medical Center – Dallas: Authorization to purchase approximately 7.2 acres of unimproved real property located at 1840 and 1852 Plantation Road, Dallas, Dallas County, Texas, from The Coca-Cola Company, a Delaware corporation, at a purchase price not to exceed fair market value as determined by independent appraisals for use as parking for the proposed New University Hospital

Vice Chairman Foster moved that the Board take the following actions on behalf of The University of Texas Southwestern Medical Center at Dallas:

- a. authorize the purchase of vacant real property located at 1840 and 1852 Plantation Road, Dallas, Dallas County, Texas, from The Coca-Cola Company, 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 parking for the proposed New University Hospital; and
- b. authorize the Executive Director of Real Estate to execute all documents, instruments, and other agreements, and to take all further actions deemed necessary or advisable to carry out the purpose and intent of the foregoing actions within the parameters outlined in the Executive Session.

Regent Stillwell seconded the motion, which carried unanimously.

- 3b. U. T. System Board of Regents: Discussion and appropriate action regarding issues related to the real property lease for the U. T. Brownsville/Texas Southmost College Educational Partnership Agreement

No action was taken on this item.

- 4a. U. T. System Board of Regents: Discussion and appropriate action regarding individual personnel issues related to the U. T. Brownsville/Texas Southmost College Educational Partnership Agreement

No action was taken on this item.

- 4b. U. T. System: Discussion and appropriate action regarding individual personnel matters relating to appointment, employment, evaluation, compensation, assignment, and duties of U. T. System and institutional employees

No action was taken on this item.

- 4c. 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), 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), and U. T. System and institutional employees

No action was taken on this item.

## AGENDA ITEMS

1. U. T. El Paso: Authorization to acquire approximately 0.137 of an acre of unimproved land being a portion of Lots 7 and 8, Block F13, Alexander Addition and Block 19, Mundy Heights, El Paso, El Paso County, Texas, from El Paso Electric Company for use as a portion of the site for the planned University Parking Garage II on the campus

On behalf of The University of Texas at El Paso, the Board

- a. granted authority to acquire approximately 0.137 of an acre of unimproved land being a portion of Lots 7 and 8, Block F13, Alexander Addition and Block 19, Mundy Heights, El Paso, El Paso County,

Texas, from El Paso Electric Company for use as a portion of the site for the planned University Parking Garage II on the campus; and

- b. authorized the Executive Director of Real Estate to execute all documents, instruments, or other agreements, and to take all further actions deemed necessary or advisable to carry out the purpose and intent of the foregoing action.

U. T. El Paso will soon commence construction of the University Parking Garage II on the campus in the area between Rim Road and West Schuster Avenue. Construction of the garage, consisting of approximately 248,467 square feet with approximately 694 parking spaces, was approved by the Board of Regents on August 12, 2010.

In completing the final preconstruction surveying work for the parking garage, the institution determined that the design for the garage results in a corner of the structure being situated on land owned by the El Paso Electric Company. To facilitate construction of the garage, the El Paso Electric Company has indicated its willingness to convey the 0.137 of an acre parcel to the Board of Regents for the benefit of U. T. El Paso. The conveyance will be at no charge to the institution other than costs incurred by U. T. El Paso for its due diligence inspections, surveying, title policy, and other typical closing costs.

2. U. T. San Antonio: Honoring naming of the Humanities and Social Sciences Building (Deferred)

This item was included in the Agenda Book for the meeting but was intentionally not included in the Agenda posted with the Secretary of State and was deferred.

SCHEDULED MEETING.--The next regularly scheduled meeting will be held on November 10-11, 2010, in Austin, Texas.

ADJOURNMENT.--There being no further business, the meeting was adjourned at 6:25 p.m.

/s/ Carol A. Felkel  
Secretary to the Board of Regents

October 4, 2010