# 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: 2/22/2023

TIME OF MEETING: 1:30 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 1:30 p.m. to approximately 5:00 p.m. on February 22, 2023, and from 9:00 a.m. to approximately 12:00 p.m. on February 23, 2023 (see separate posting for February 23, 2023). 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 times and sequence of events given in the posting are only approximate and that the 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 <a href="https://www.utsystem.edu/board-of-regents/meetings/board-meeting-2023-02-22">https://www.utsystem.edu/board-of-regents/meetings/board-meeting-2023-02-22</a>.

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.

The U. T. System Board of Regents will convene the meeting according to the following agenda: February 22, 2023 1:30 p.m.

#### CONVENE THE BOARD IN OPEN SESSION TO RECESS TO EXECUTIVE SESSION

- 1. 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

- 2. 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

RECONVENE THE BOARD IN OPEN SESSION FOR POSSIBLE ACTION ON EXECUTIVE SESSION ITEMS AND TO CONVENE COMMITTEE MEETINGS

#### **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

JOINT MEETING OF AUDIT, COMPLIANCE, AND RISK MANAGEMENT COMMITTEE WITH FINANCE AND PLANNING COMMITTEE

1. U. T. System: Fiscal Year 2022 Consolidated Annual Financial Report, including the Independent Auditors' Report, and audits of the financial statements of U. T. Austin, U. T. M. D. Anderson Cancer Center, U. T. Southwestern Medical Center, and U. T. Medical Branch - Galveston and for funds managed by The University of Texas/Texas A&M Investment Management Company (UTIMCO)

#### FINANCE AND PLANNING COMMITTEE

- 2. U. T. System Board of Regents: Discussion and appropriate action regarding Consent Agenda items, if any, assigned for Committee consideration
- 3. U. T. System: Financial Status Presentation and Monthly Financial Report
- 4. U. T. System Board of Regents: Adoption of Resolution Amending the Revenue Financing System Commercial Paper Note Program; authorization for officers of U. T. System to complete all transactions related thereto; and resolution regarding parity debt
- 5. U. T. System Board of Regents: The University of Texas/Texas A&M Investment Management Company (UTIMCO) 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. Approval to establish the following degree programs
- a. U. T. El Paso: Doctor of Philosophy in Physics
- b. U. T. Tyler: Doctor of Nursing Practice in Nurse Anesthesia
- 3. U. T. El Paso: Report on the Long Range Financial Plan for The University of Texas at El Paso

#### HEALTH 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. Southwestern Medical Center: Approval to establish a Doctor of Philosophy in Public Health degree program
- 3. U. T. Health Science Center Houston: Report on the Long Range Financial and Strategic Plan for The University of Texas Health Science Center at Houston

#### 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. Austin: Library Storage Facility Phase IV Amendment of the current Capital Improvement Program to include project
- 3. U. T. San Antonio: Student Housing Phase IV Amendment of the current Capital Improvement Program to include project
- 4. U. T. Southwestern Medical Center: South Campus Underground Infrastructure Replacement Amendment of the current Capital Improvement Program to include project; approval of total project cost; and appropriation of funds
- 5. U. T. Medical Branch Galveston: John Sealy Hospital and Emergency Room Building MEP Mitigation Amendment of the current Capital Improvement Program to include project; approval of total project cost; and appropriation of funds
- 6. U. T. M. D. Anderson Cancer Center: Clinical Services Building Amendment of the current Capital Improvement Program to include project
- 7. U. T. M. D. Anderson Cancer Center: South Campus Research Building 5 Approval of design development; appropriation of funds and authorization of expenditure; and resolution regarding parity debt
- 8. U. T. Tyler: Nursing Addition and Renovation Approval of design development; and appropriation of funds and authorization of expenditure
- 9. U. T. Austin: Microelectronics and Engineering Research Center Cleanroom Expansion Amendment of the current Capital Improvement Program to increase total project cost to include Phases B-1 and B-2 of the project; approval of total project cost; appropriation of funds; and resolution regarding parity debt
- 10. U. T. Health Science Center San Antonio: Inpatient Facility Amendment of the current Capital Improvement Program to increase total project cost; appropriation of funds and authorization of expenditure; and resolution regarding parity debt
- 11. U. T. M. D. Anderson Cancer Center: Replace Uninterruptible Power Supply Systems Cancer Prevention Building Data Center Amendment of the current Capital Improvement Program to increase total project cost; and appropriation of funds and authorization of expenditure

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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

February 17, 2023

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

NAME OF AGENCY: The University of Texas System

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The U. T. System Board of Regents will convene according to the following agenda: February 23, 2023 9:00 a.m.

CONVENE THE BOARD IN OPEN SESSION TO CONSIDER AGENDA ITEMS

#### STANDING COMMITTEE RECOMMENDATIONS AND REPORTS TO THE BOARD

- 1. 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 November 16-17, 2022; and the special called meeting held December 6, 2022
  - 2. Other Matters U. T. System: Approval of Newly Commissioned Peace Officers
  - 3. 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 Phase VIII of The University of Texas System's Rolling Owner Controlled Insurance Program (ROCIP)
- 4. Request for Budget Change U. T. System: Grant budget authority of \$1,508,393 funded from current period assessments to U. T. institutions to pay expenses associated with the Systemwide Microsoft Unified contract to be paid centrally by U. T. System Administration (RBC No. 11875) -- amendment to the 2022-2023 budget
- 5. Request for Budget Change U. T. System: Grant budget authority of \$4,000,000 funded from current period assessments to participating U. T. institutions to pay expenses associated with the UT Health Intelligence Platform formerly known as the Clinical Data Network coordinated by U. T. Health Science Center Houston on behalf of
- U. T. System Administration (RBC No. 11886) -- amendment to the 2022-2023 budget
- 6. Lease U. T. System: Authorization to lease approximately 4,044 rentable square feet of additional space adjacent to approximately 13,531 rentable square feet of existing office space and extend the lease term for the entire premises at 825 Town and Country Boulevard, Houston, Harris County, Texas, from CityCentre Five, LLC, or its successors, for mission and administrative use by the Office of University Lands
- 7. Other Matters U. T. System: Approval of the Fiscal Year 2024 Budget Preparation Policies including the Calendar for budget operations, and the Annual Operating Budget Rules and Procedures
- 8. Other Fiscal Matters U. T. Rio Grande Valley: Approval of \$24,000,000 of funding for U. T. Rio Grande Valley's Intercollegiate Athletics Minor Capital Projects; and resolution regarding parity debt
- 9. Contract (funds going out) U. T. Arlington: EAB Global, Inc., to create and execute a marketing plan for online programs
- 10. Contract (funds going out) U. T. Arlington: Benjamin Diversification Corporation, dba Comark Direct, to provide print and email communication to prospective students
- 11. Contract (funds going out) U. T. Arlington: Academic Partnerships, LLC, to provide online educational services
- 12. Request for Budget Change U. T. Arlington: New Hire with Tenure -- amendment to the 2022-2023 budget
- 13. Contract (funds going out) U. T. Austin: Perkins+Will, Inc. Design Consultant will provide site preparation, site utilities, and construction for a McCombs School of Business undergraduate construction project, OCC Project No. 102-1422
- 14. Contract (funds going out) U. T. Austin: Novati Technologies, LLC, to sell clean room equipment to U. T. Austin located on U. T. Austin's Montopolis Campus
- 15. Foreign Contract (funds going out) U. T. Austin: National Chengchi University to provide telephone interviewing services for the Department of Government in the College of Liberal Arts
- 16. Request for Budget Change U. T. Austin: Transfer \$25,000,000 from Vice President of Business Affairs Reserve AUF Instruction, Allocation for Budget Adjustments to Project Management and Controls System Repair and Replacement (R&R): Program –Allocated for Budget to confirm planned programs and projects and enable replacement or renewal of building assets, systems, and equipment necessary for facilities operations and to add operational life to educational and general spaces (RBC No. 11907) -- amendment to the 2022-2023 budget
- 17. Request for Budget Change U. T. Austin: New Hires with Tenure -- amendment to the 2022-2023 budget
- 18. Employment Agreement U. T. Austin: Approval of amendment to terms of Employment Agreement for current Head Strength Coach Torre Becton
- 19. Employment Agreement U. T. Austin: Approval of amendment to terms of Employment Agreement for current Assistant Football Coach Jeff Choate
- 20. Employment Agreement U. T. Austin: Approval of amendment to terms of Employment Agreement for current Assistant Football Coach Tashard Choice

- 21. Employment Agreement U. T. Austin: Approval of amendment to terms of Employment Agreement for current Assistant Football Coach Blake Gideon
- 22. Employment Agreement U. T. Austin: Approval of amendment to terms of Employment Agreement for current Assistant Football Coach Kyle Flood
- 23. Employment Agreement U. T. Austin: Approval of amendment to terms of Employment Agreement for current Assistant Football Coach Terry Joseph
- 24. Employment Agreement U. T. Austin: Approval of amendment to terms of Employment Agreement for current Assistant Football Coach Pete Kwiatkowski
- 25. Employment Agreement U. T. Austin: Approval of amendment to terms of Employment Agreement for current Assistant Football Coach Alan Jacob (A.J.) Milwee
- 26. Request for Budget Change U. T. Dallas: New Hire with Tenure -- amendment to the 2022-2023 budget
- 27. Contract (funds coming in and going out) U. T. El Paso: Sodexo Services of Texas Limited Partnership to provide campus food services
- 28. Contract (funds going out) U. T. El Paso: ASB Sports Acquisition, Inc., dba Game One, to provide athletic apparel and equipment to the University Athletics Department and Campus
- 29. Request for Budget Change U. T. El Paso: New Hire with Tenure -- amendment to the 2022-2023 budget
- 30. License U. T. El Paso: Authorization to license approximately 16,624 square feet in the building located at 315 West Schuster Avenue, El Paso, El Paso County, Texas, to the Young Women's Christian Association El Paso Del Norte Region, a Texas non-profit corporation, to operate a childcare center; and finding of a public purpose
- 31. Request for Budget Change U. T. Rio Grande Valley: News Hire with Tenure -- amendment to the 2022-2023 budget
- 32. Employment Agreement U. T. Rio Grande Valley: Approval of terms of Employment Agreement for new Head Football Coach Travis Bush
- 33. Employment Agreement U. T. Rio Grande Valley: Approval of amendment and restatement of terms of Employment Agreement for current Head Volleyball Coach Todd Lowery
- 34. Contract (funds going out) U. T. San Antonio: Civitas Learning, Inc., to provide continued use of Student Success Learning Management System
- 35. Lease U. T. San Antonio: Authorization to extend the term of a ground lease to the Roadrunner Foundation of approximately one acre located at the institution's Park West Athletics Complex, on Kyle Seale Parkway in San Antonio, Bexar County, Texas, for the construction of an approximately 15,000 square foot team and locker-room facility to support athletic fields
- 36. Request for Budget Change U. T. Tyler: New Hire with Tenure -- amendment to the 2022-2023 budget
- 37. Gift U. T. Tyler: Authorization of expenditure by Health Science Center at U. T. Tyler of a gift of \$245,000 for the purchase of 3D Mammography equipment at Jacksonville Hospital, dba UT Health Jacksonville; and finding of public purpose
- 38. Contract (funds coming in) U. T. Southwestern Medical Center: To provide physician and other health services to Dallas County Hospital District, dba Parkland Health and Hospital System
- 39. Contract (funds going out) U. T. Southwestern Medical Center: Agreement for Sponsorship, along with Children's Health System of Texas, for an exclusive health care sponsorship with Frisco Stadium, LLC
- 40. Contract (funds going out) U. T. Southwestern Medical Center: Amendment to Agreement with Allentown, LLC, to provide research animal equipment
- 41. Contract (funds going out) U. T. Medical Branch Galveston: Hologic, Inc., to provide infectious disease testing
- 42. Contract (funds going out) U. T. Medical Branch Galveston: Texas EM-I Medical Services, P. A., to provide emergency department coverage

- 43. Purchase U. T. Medical Branch Galveston: Authorization to purchase two lots totaling approximately 1.7622 acres of mostly vacant land located at 1824 Highway 6, Alvin, Brazoria County, Texas, from OC Alvin, Ltd., a Texas limited partnership, for future medical use
- 44. Purchase U. T. Medical Branch Galveston: Authorization to purchase approximately 0.234 acres of land and improvements, including an approximately 2,300 square foot medical office building and parking lot, located at 215 Oak Drive South, Suite D, Lake Jackson, Brazoria County, Texas, from Michael P. Gilliland, for medical clinic related use
- 45. Request for Budget Change U. T. Medical Branch Galveston: Tenure Appointment -- amendment to the 2021-2022 budget
- 46. Request for Budget Change U. T. Health Science Center Houston: Tenure Appointment -- amendment to the 2022-2023 budget
- 47. Request for Budget Change U. T. Health Science Center San Antonio: New Hires with Tenure -- amendment to the 2022-2023 budget
- 48. Contract (funds going out) U. T. M. D. Anderson Cancer Center: Amendment to Agreement with JB York Construction, Inc., to provide job order contracting services
- 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: New Hires with Tenure -- amendment to the 2022-2023 budget
- 51. Lease U. T. M. D. Anderson Cancer Center: Authorization to lease approximately 16,000 usable square feet from Realty1 Partners or affiliated assignees in a to-be-constructed building located near the northeast corner of State Highway 6 and Sienna Ranch Road in Missouri City, Fort Bend County, Texas, for imaging, clinical, and general office use
- 52. Purchase U. T. M. D. Anderson Cancer Center: Authorization to purchase the remaining approximately 3.2261% undivided interest in a tract of unimproved land totaling approximately 5,000 square feet known as Lot 3, Block 38, Institute Place, and located near the SE corner of Hepburn Street and Almeda Road, Houston, Harris County, Texas, from Toni Nassar for future campus expansion
- 53. Purchase U. T. M. D. Anderson Cancer Center: Authorization to purchase approximately 1.196 acres of land located near the southwest corner of the intersection of Vintage Preserve Parkway and Louetta Road, Houston, Harris County, Texas, from Vintage Marketplace II, LTD., for mission use to provide supplemental parking for U. T. M. D. Anderson's Northwest Houston facility
- 2. U. T. System: Annual Meeting with Officers of the U. T. System Employee Advisory Council
- 3. U. T. System Board of Regents: Discussion and appropriate action regarding proposed revision to Regents' *Rules and Regulations*, Rule 10501 (Delegation to Act on Behalf of the Board), regarding delegation of approval of certain contracts
- 4. U. T. System Board of Regents: Discussion and appropriate action regarding proposed revision to Regents' *Rules and Regulations*, Rule 20204 (Determining and Documenting the Reasonableness of Compensation), regarding Board approval of compensation
- 5. U. T. System Board of Regents: Discussion and appropriate action regarding proposed revision to Regents' *Rules and Regulations* to amend Rule 20205 (Expenditures for Travel and Entertainment by Chief Administrators) and to approve a new Rule 80107 regarding University residences

- 6. U. T. System Board of Regents: Discussion and appropriate action regarding proposed revision to Regents' *Rules and Regulations*, Rule 20601 (Aircraft Use), regarding research-related travel
- 7. U. T. System Board of Regents: Discussion and appropriate action regarding proposed revision to Regents' *Rules and Regulations*, Rule 40101 (Faculty Role in Educational Policy Formulation) to delete outdated provisions
- 8. U. T. System: Report on development performance for the U. T. Institutions
- 9. U. T. System Board of Regents: Discussion and appropriate action regarding proposed appointments to the Board of Directors of The University of Texas/Texas A&M Investment Management Company (UTIMCO)

### 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
- b. U. T. Tyler: Discussion and appropriate action regarding proposed new hire and compensation for
- 1. David I. Jones, M.D., Clinical Assistant Professor of Medicine in the Health Science Center at Tyler, Department of Pulmonary/Critical Care;
- 2. Varalaxmi Nannaka, M.D., Clinical Assistant Professor of Medicine in the Health Science Center at Tyler, Department of Pulmonary/Critical Care;
- 3. Ketan Patel, M.D., Clinical Assistant Professor of Medicine in the Health Science Center at Tyler, Department of Pulmonary/Critical Care; and
- 4. Carla Wang-Kocik, M.D., Clinical Assistant Professor of Medicine in the Health Science Center at Tyler, Department of Pulmonary/Critical Care
- c. U. T. Southwestern Medical Center: Discussion and appropriate action regarding
- 1. proposed new hire and compensation for Nicholas D. Andersen, M.D., Associate Professor, Department of Cardiovascular and Thoracic Surgery;
- 2. proposed new hire and compensation for Barbara Gaines, M.D., Professor, Department of Surgery;
- 3. proposed compensation for W. P. Andrew Lee, M.D., Executive Vice President for Academic Affairs, Provost, and Dean, U. T. Southwestern Medical School; and
- 4. proposed compensation for Holly G. Crawford, MBA, Executive Vice President for Business Affairs
- d. U. T. Health Science Center Houston: Discussion and appropriate action regarding proposed new hire and compensation for
- 1. Eric O. Klineberg, M.D., Professor, Spine Director, Vice Chair, Department of Orthopedic Surgery, McGovern School of Medicine; and
- 2. Sohail Jalal, M.D., Associate Professor, Center for Advanced Cardiopulmonary Therapies and Transplantation Electrophysiology, McGovern School of Medicine
- e. U. T. M. D. Anderson Cancer Center: Discussion and appropriate action regarding
- 1. proposed new hire with tenure and compensation for Eyal Gottlieb, Ph.D., Vice President for Research and Professor, Department of Cancer Biology; and
- 2. proposed new hire and compensation for Kerin Adelson, M.D., Chief Quality and Value Officer, and Professor, Office of the Chief Medical Executive

- 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. Health Science Center Houston: Discussion and appropriate action regarding legal issues associated with a) proposed transaction with Surgical Care Affiliates, LLC, a Delaware limited liability company, and/or its affiliate (SCA) pursuant to which U. T. Health Science Center - Houston and SCA shall, as members of two legal entities, own interest in, develop, operate, and manage an Ambulatory Surgery Center (ASC), b) authorization for U. T. Health Science Center - Houston to develop and construct an ASC on the first floor of U. T. Health Science Center - Houston's and U. T. Physicians' multi-specialty clinic at Bellaire Station, 6500 W. Loop South, Bellaire, TX 77401 (Proposed Transaction); c) allocation and authorization of expenditure of up to \$35 million of institutional funds for U. T. Health Science Center - Houston's portion of the project costs associated with the Proposed Transaction; d) authorization for U. T. Health Science Center - Houston to supply physician services to the ASC through a professional coverage agreement; e) delegation of authority to the institutional president to execute related documents and take other action necessary; and f) finding of public purpose d. U. T. M. D. Anderson Cancer Center: Discussion and appropriate action regarding legal issues associated with an additional capital contribution to an established joint venture with Resilience US, Inc., a subsidiary of National Resilience, Inc., for gene and cell therapy cGMP manufacturing for clinical development, commercial supply, and other mission related issues, and finding of public purpose
- e. U. T. M. D. Anderson Cancer Center: Discussion and appropriate action concerning legal issues regarding the previously approved strategic collaborative relationship with Harris County Hospital District d/b/a Harris Health System to furnish certain cancer care services and other mission related issues, and a renewed finding of public purpose
- 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 extension of the ground lease to the West Austin Youth Association, located at 1314 Exposition Boulevard, Austin, Travis County, Texas and related finding of public purpose
- b. U. T. M. D. Anderson Cancer Center: Discussion regarding a previously approved ground lease with Harris Health System on Harris Health's Lyndon B. Johnson Hospital campus, 5656 Kelley Street, Houston, Harris County, Texas

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

10. U. T. Health Science Center - Houston: Discussion and appropriate action regarding a) proposed transaction with Surgical Care Affiliates, LLC, a Delaware limited liability company, and/or its affiliate (SCA) pursuant to which U. T. Health Science Center - Houston and SCA shall, as members of two legal entities, own interest in, develop, operate, and manage an

Ambulatory Surgery Center (ASC), b) authorization for U. T. Health Science Center - Houston to develop and construct an ASC on the first floor of U. T. Health Science Center - Houston's and U. T. Physicians' multi-specialty clinic at Bellaire Station, 6500 W. Loop South, Bellaire, TX 77401 (Proposed Transaction); c) allocation and authorization of expenditure of up to \$35 million of institutional funds for U. T. Health Science Center - Houston's portion of the project costs associated with the Proposed Transaction; d) authorization for U. T. Health Science Center - Houston to supply physician services to the ASC through a professional coverage agreement; e) delegation of authority to the institutional president to execute related documents and take other action necessary; and f) finding of a public purpose

ADJOURN AT APPROXIMATELY 12:00 p.m.

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

February 17, 2023