

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: 8/23/2023

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 5:15 p.m. on August 23, 2023, and from 9:00 a.m. to approximately 12:00 p.m. on August 24, 2023 (see separate posting for August 24, 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 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 <https://www.utsystem.edu/board-of-regents/meetings/board-meeting-2023-08-23>.

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:
August 23, 2023
1:00 p.m.

CONVENE THE BOARD IN OPEN SESSION TO 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. San Antonio: Discussion regarding individual personnel matters associated with duties and responsibilities of the president and other university administrators regarding strategic issues related to real property

c. U. T. Rio Grande Valley: Discussion regarding individual personnel matters associated with duties and responsibilities of the president and other university administrators regarding strategic issues related to real property

2. 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 - San Antonio: Discussion and appropriate action regarding legal responsibilities concerning authorization to lease approximately 20,000 or more square feet of space in a to-be-built medical office building located at 6111 Via Mercado, San Antonio, Bexar County, Texas

d. U. T. M. D. Anderson Cancer Center: Discussion and appropriate action regarding legal issues associated with the purchase and acquisition of certain assets from Bellicum Pharmaceuticals, Inc. for mission related purposes

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

a. U. T. Health Science Center - San Antonio: Discussion and appropriate action regarding authorization to lease approximately 20,000 or more square feet of space in a to-be-built medical office building located at 6111 Via Mercado, San Antonio, Bexar County, Texas from an entity likely involving Lincoln Property Commercial Services Enterprises, Inc., and SASP Management, L.L.C. or related entities, for clinical, research and educational uses

b. U. T. Medical Branch - Galveston: Discussion and possible appropriate action regarding the purchase of real property consisting of approximately 4.40 acres and an approximately 373,070 square-foot hospital building and related parking garage currently leased to U. T. Medical Branch and located at 200 Blossom Street, Webster, Harris County, Texas, from HC 200 Blossom Street, LLC or related entity, for mission purposes to include clinical, research, and educational uses

c. U. T. San Antonio: Discussion regarding strategic issues related to real property

d. U. T. Rio Grande Valley: Discussion regarding strategic issues related to real property

RECONVENE THE BOARD IN OPEN SESSION FOR POSSIBLE ACTION ON EXECUTIVE SESSION ITEMS, IF ANY, TO TAKE ACTION ON AGENDA ITEMS, AND TO CONVENE COMMITTEE MEETINGS

1. U. T. System Board of Regents: Discussion and appropriate action regarding proposed revision to Regents' Rules and Regulations, Rule 70202 (Interest Rate Swap Policy), Section 9 and Definitions

PUBLIC HEARING OPPORTUNITY, PURSUANT TO TEXAS EDUCATION CODE SECTION 54.0513, REGARDING PROPOSED ONE-YEAR EXTENSION OF PREVIOUSLY APPROVED CHANGES TO DESIGNATED TUITION FOR NON-RESIDENT AND GRADUATE STUDENTS AT ACADEMIC INSTITUTIONS AND PROPOSED CHANGES TO DESIGNATED TUITION AT HEALTH INSTITUTIONS

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: Discussion and Appropriate Action regarding institutional Audit Committee chair changes; Report on the chief administrator travel, entertainment, and university residence maintenance expenses audit, the Systemwide Cancer Prevention and Research Institute of Texas (CPRIT) grants assurance work, the State Auditor's Office Statewide Single Audit Report for FY 2022 and Systemwide internal audit administrative items, including Required Communications and Annual Audit Plan Status
3. U. T. System: Approval of the U. T. Systemwide Annual Audit Plan for Fiscal Year 2024

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: Financial Status Presentation and Monthly Financial Report
3. U. T. System Board of Regents: Equipment financing authorization for Fiscal Year 2024 and resolution regarding parity debt
4. U. T. System Board of Regents: Adoption of a Resolution authorizing the issuance, sale, and delivery of Permanent University Fund Bonds and authorization to complete all related transactions
5. 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
6. U. T. System Board of Regents: Adoption of resolutions authorizing certain bond enhancement agreements for Revenue Financing System debt and Permanent University Fund debt and ratification of Regents' Rule 70202, as amended, in its entirety
7. 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
8. U. T. System Board of Regents: Approval of amendments to the Investment Policy Statements for the Permanent University Fund, the General Endowment Fund, the Intermediate Term Fund, the Permanent Health Fund, the Long Term Fund, and the Liquidity Policy
9. U. T. System Board of Regents: Approval to amend The University of Texas/Texas A&M Investment Management Company (UTIMCO) Code of Ethics
10. U. T. System Board of Regents: Approval of the Annual Budget for Fiscal Year 2024, including the capital expenditures budget and other external direct charges to the Funds, and the Annual Fee and Allocation Schedule for The University of Texas/Texas A&M Investment Management Company (UTIMCO)

11. 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. U. T. San Antonio: Approval to establish a Doctor of Philosophy in Computer Engineering degree program
3. U. T. System: Discussion and appropriate action regarding proposed renewal of Agreement of Cooperation in Higher Education and Research with The National Council of Humanities, Sciences and Technologies (CONAHCYT) of Mexico
4. U. T. System Academic Institutions: Discussion and appropriate action regarding extending previously approved non-resident and graduate tuition and non-academic mandatory fee increases for the academic institutions to the 2024-2025 Academic Year
5. U. T. Arlington: Report on the Long Range Financial Plan

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. System: Discussion and appropriate action regarding tuition and fee proposals for Fiscal Years 2024 through 2028 for the five health institutions
3. U. T. System: Approval to distribute a portion of The University of Texas System Professional Medical Liability Benefit Plan premium returns and approve rates for the Plan
4. U. T. Southwestern Medical Center: Discussion and appropriate action regarding approval of proposed comprehensive leave program
5. U. T. M. D. Anderson Cancer Center: Report on the Long Range Financial Plan

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: Microelectronics and Engineering Research Center Cleanroom Expansion - Amendment of the current Capital Improvement Program to increase total project cost for Phases B-1 and B-2 of the project; approval to revise funding sources; approval of design development for Phase B-2; and appropriation of funds and authorization of expenditure
3. U. T. Dallas: Arts and Performance Complex - Performance Hall/Music Building, Phase II - Amendment of the current Capital Improvement Program to include project

4. U. T. Dallas: Student Success Center/Student Union, Phase I - Amendment of the current Capital Improvement Program to include project
5. U. T. Dallas: Esports Center - 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
6. U. T. El Paso: Advanced Teaching and Learning Complex - 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
7. U. T. Rio Grande Valley: Intercollegiate Athletics Expansion and Renovation - 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
8. U. T. San Antonio: San Pedro II - Amendment of the current Capital Improvement Program to increase total project cost; approval to revise funding sources; approval of design development; appropriation of funds and authorization of expenditure; and resolution regarding parity debt
9. U. T. System Board of Regents: Discussion and appropriate action regarding Stephen F. Austin State University: Forestry, Agriculture, and Interdisciplinary project - Amendment of the current Capital Improvement Program to include project; allocation of funds; and resolution regarding parity debt
10. U. T. Southwestern Medical Center: Peter O'Donnell Jr. Biomedical Research Building Shell Space Build-out - Amendment of the current Capital Improvement Program to include Phase II of the project; approval of total project cost; appropriation of funds; and resolution regarding parity debt
11. U. T. Medical Branch - Galveston: Infrastructure and Research Space Upgrade for Research Buildings - Phase 2A - Amendment of the current Capital Improvement Program to include Phase 2A of the project; approval of total project cost; appropriation of funding; and resolution regarding parity debt
12. U. T. Health Science Center - San Antonio: Science One Building - Amendment of the current Capital Improvement Program to include project
13. U. T. M. D. Anderson Cancer Center: Relocate School of Health Professions - Amendment of the current Capital Improvement Program to include project; approval of total project cost; and appropriation of funds
14. U. T. M. D. Anderson Cancer Center: South Campus Infrastructure and Parking Garage 2 - 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
15. U. T. M. D. Anderson Cancer Center: Clinical Services Building - Amendment of the current Capital Improvement Program to revise funding sources; approval of design development; appropriation of funds and authorization of expenditure; and resolution regarding parity debt

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 bor@utsystem.edu; 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

August 18, 2023

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: 8/24/2023

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

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The U. T. System Board of Regents will convene according to the following agenda:
August 24, 2023
9:00 a.m.

CONVENE 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 May 3-4, 2023; and the special called meeting held April 27, 2023, May 24, 2023, and July 27, 2023

2. UTIMCO Committee Appointment - U. T. System: Proposed appointment of two members to the Audit and Ethics Committee of the Board of Directors of The University of Texas/Texas A&M Investment Management Company (UTIMCO)
3. Contract (funds going out) - U. T. System: Henderson Bros Construction, LLC; Permian Dirt Works, LLC; and Childs Corporation to provide earthmoving and caliche pit reclamation services
4. Contract (funds going out) - U. T. System: Agreement with Kleen-Tech Services, LLC, to provide U. T. System with custodial services
5. Contract (funds going out) - U. T. System: Cornerstone Government Affairs, Inc., to provide advice, consultation, and advocacy services at the federal level
6. Other Fiscal Matters - U. T. System: Approval regarding authorization of additional \$1,000,000 of funding from the Internal Lending Program to supplement The University of Texas System Board of Regents' Promise Plus Endowment funding for tuition and fees
7. Contract (funds going out) - U. T. System: Amendment to Agreement with EdCERT LLC, dba Association of College and University Educators (ACUE), to provide credentialing for faculty in evidence-based teaching practices necessary for student success
8. Report - U. T. System Academic Institutions: Fiscal Year 2022 Post-Tenure Review
9. Contract (funds going out) - U. T. Arlington: Heritage One Roofing, Inc., to provide job order contracting services to campus facilities
10. Contract (funds going out) - U. T. Arlington: RS Frazier Roofing and Guttering, Inc., to provide job order contracting services to campus facilities
11. Contract (funds going out) - U. T. Arlington: Tri-Lam Roofing and Waterproofing, Inc., to provide job order contracting services to campus facilities
12. Request for Budget Change - U. T. Arlington: New award of tenure appointments
13. Lease - U. T. Arlington: Authorization to lease approximately 5,800 square feet of indoor space, approximately 1,600 square feet of outdoor space, and parking located at 841 West Mitchell Street, Arlington, Tarrant County, Texas, to DAY 1 ACADEMIES, dba Bezos Academy, a Delaware nonprofit corporation, for a tuition-free preschool education program; and finding of a public purpose
14. Contract (funds coming in) - U. T. Austin: Non-Clinical Funding Agreement between The University of Texas at Austin and Ascension Texas related to program support and the funding of non-clinical portions of joint programs
15. Contract (funds coming in and going out) - U. T. Austin: Amendment to Agreement with Compass Group, dba FLIK Hospitality Group, to provide hotel and building management services at AT&T Hotel and Conference Center on the U. T. Austin campus
16. Contract (funds going out) - U. T. Austin: Alpha Building Corporation to provide job order contracting services to campus facilities
17. Contract (funds going out) - U. T. Austin: Balfour Beatty Construction, LLC, to provide job order contracting services to campus facilities
18. Contract (funds going out) - U. T. Austin: Brown & Root Industrial Services, LLC, to provide job order contracting services to campus facilities
19. Contract (funds going out) - U. T. Austin: Centennial Contractors Enterprises, Inc., to provide job order contracting services to campus facilities
20. Contract (funds going out) - U. T. Austin: LMC Corporation to provide job order contracting services to campus facilities
21. Contract (funds going out) - U. T. Austin: Warden Construction Corporation to provide job order contracting services to campus facilities
22. Contract (funds going out) - U. T. Austin: One Diversified, LLC, to provide and install equipment and software in broadcast and videoboard control rooms located in Darrell K Royal-Texas Memorial Stadium

23. Contract (funds going out) - U. T. Austin: Amendment to Agreement with Surveying and Mapping, LLC, to provide surveying services for Capital Improvement Program projects
24. Interagency Agreement (funds coming in) - U. T. Austin: Interagency Agreement with Texas Health and Human Services Commission for U. T. Austin to provide recovery services training
25. Request for Budget Change - U. T. Austin: New award of tenure appointments
26. Request for Budget Change - U. T. Austin: Tenure Appointment -- amendment to the 2022-2023 budget
27. Employment Agreement - U. T. Austin: Approval of amendment to terms of Employment Agreement for Vice President and Athletics Director Christopher M. Del Conte
28. Lease - U. T. Austin: Authorization to sublease approximately 40,000 square feet of office space located at 1313 Red River Street, Travis County, Austin, Texas, commonly known as Innovation Tower, to the Texas Permanent School Fund Corporation (Texas PSF)
29. Request for Budget Change - U. T. Dallas: New award of tenure appointments
30. Other Matters - U. T. Dallas: Naming of Five Residence Halls
31. Logo - U. T. Dallas: Proposed athletics logos
32. Request for Budget Change - U. T. El Paso: New award of tenure appointments
33. Purchase - U. T. El Paso: Authorization to purchase an approximately 1.3389-acre tract of land improved with an approximately 12,054 square foot restaurant building and parking lot benefitting from a related access easement, located at 3601 Mesa Drive, El Paso, El Paso County, Texas, from 2020 Mesa El Paso, LLC, a Texas limited liability company, its successors or assigns, for future campus expansion
34. Contract (funds going out) - U. T. Permian Basin: Marcis & Associates to provide custodial services
35. Request for Budget Change - U. T. Permian Basin: New award of tenure appointments
36. Request for Budget Change - U. T. Rio Grande Valley: New award of tenure appointments
37. Request for Budget Change - U. T. Rio Grande Valley: New Hire with Tenure -- amendment to the 2022-2023 budget
38. Purchase - U. T. Rio Grande Valley: Authorization to purchase approximately 0.6 acres of land fully improved with two adjacent commercial buildings totaling approximately 54,050 square feet, located at 1002 and 1032 East Elizabeth Street, Brownsville, Cameron County, Texas, from The Roy F. and Joann Cole Mitte Foundation, for future campus expansion
39. Contract (funds going out) - U. T. San Antonio: AHI Facility Services, Inc., to perform custodial and structural pest control services, as well as other related services
40. Contract (funds going out) - U. T. San Antonio: Yellowstone Landscape-Central, Inc., to perform landscaping, grounds maintenance, and street sweeping services, as well as other related services
41. Request for Budget Change - U. T. San Antonio: Transfer \$2,500,000 from Auxiliary Housing Reserves Funds to Plant Funds for Chisholm Hall; Phase 2 of dorm renovation (RBC No. 11877) -- amendment to the 2022-2023 budget
42. Request for Budget Change - U. T. San Antonio: New award of tenure appointments
43. Sale - U. T. San Antonio: Authorization to market and sell approximately 20.6 acres of vacant land and possibly additional adjacent land containing a creek, of the Park West Campus of U. T. San Antonio, located along the southeast side of North Loop 1604 West, San Antonio, Bexar County, Texas, to a yet to be determined buyer
44. Contract (funds coming in) - U. T. Tyler: Interagency Cooperation Contract with the Texas Health and Human Services Commission to provide mental health services
45. Request for Budget Change - U. T. Tyler: New award of tenure appointments

46. Purchase - U. T. Tyler: Authorization to purchase an approximately 0.1377-acre tract of land out of the to-be-vacated Pickens Drive right-of-way, located at the intersection of 3400 Old Omen Road and 4200 Pickens Drive, Tyler, Smith County, Texas, from the City of Tyler, for access control to U. T. Tyler's adjoining properties
47. Report - U. T. System Health Institutions: Fiscal Year 2022 Post-Tenure Review
48. Contract (funds coming in) - U. T. Southwestern Medical Center: To provide professional and technical services to support the operations of UT Southwestern Moncrief Cancer Center, a not-for-profit corporation
49. Contract (funds going out) - U. T. Southwestern Medical Center: Amendment to Agreement for Dallas Basketball Limited, dba the Dallas Mavericks, Sponsorship Agreement
50. Request for Budget Change - U. T. Southwestern Medical Center: New award of tenure appointments
51. Request for Budget Change - U. T. Medical Branch - Galveston: New award of tenure appointments
52. Request for Budget Change - U. T. Medical Branch - Galveston: New Hires with Tenure -- amendment to the 2022-2023 budget
53. Request for Budget Change - U. T. Medical Branch - Galveston: New Hire with Tenure -- amendment to the 2021-2022 budget
54. Employment Agreement - U. T. Medical Branch - Galveston: Approval of terms of Employment Agreement with Jochen Reiser, M.D., Ph.D., as President of The University of Texas Medical Branch at Galveston
55. Lease - U. T. Medical Branch - Galveston: Authorization to consolidate and extend leases of approximately 62,312 square feet in a building located at 20740 Gulf Freeway, Webster, Harris County, Texas, from Clear Lake Center, L. P., for mission purposes, including operational and administrative use
56. Lease - U. T. Medical Branch - Galveston: Authorization to lease approximately 26,500 square feet of space in a medical office building under construction located at 1715 South Friendswood Drive, Friendswood, Galveston County, Texas, from 1715 Friendswood LLC, for clinical and other mission uses
57. Purchase - U. T. Medical Branch - Galveston: Authorization to purchase an approximately 11.83-acre tract of vacant land located at the northeast corner of League City Parkway (State Highway 96) and Columbia Memorial Parkway, with frontage along the south side of Woodcock Steet, League City, Galveston County, Texas, from G LC18 LLC, for future growth of U. T. Medical Branch - Galveston's ambulatory network
58. Contract (funds coming in) - U. T. Health Science Center - Houston: Amendment to Interagency Cooperative Contract with the Texas Health and Human Service Commission to operate an inpatient mental health hospital
59. Request for Budget Change - U. T. Health Science Center - Houston: New award of tenure appointments
60. Request for Budget Change - U. T. Health Science Center - San Antonio: New award of tenure appointments
61. Request for Budget Change - U. T. Health Science Center - San Antonio: Tenure Appointments -- amendment to the 2022-2023 budget
62. Contract (funds going out) - U. T. M. D. Anderson Cancer Center: Protiviti, Inc., to provide accounting and financial reporting personnel
63. Contract (funds going out) - U. T. M. D. Anderson Cancer Center: Amendment to Agreement with Broaddus & Associates to provide project management services for miscellaneous assignments of limited scope
64. Contract (funds going out) - U. T. M. D. Anderson Cancer Center: Amendment to Agreement with Jacobs Project Management Co. to provide project management services for miscellaneous assignments of limited scope

65. Contract (funds going out) - U. T. M. D. Anderson Cancer Center: Amendment to Agreement with Cardinal Health 110, LLC; Cardinal Health 112, LLC; and Cardinal Health 108, LLC, to provide full line of wholesale drug services
 66. Request for Budget Change - U. T. M. D. Anderson Cancer Center: New award of tenure appointments
 67. Other Fiscal Matters - U. T. System Board of Regents: Amend the current Capital Improvement Program to include Capital Construction Assistance Projects (CCAP), allocation of funds and resolution regarding parity debt
 68. Contract (funds going out) - U. T. System: Engineered Air Balance Co., Inc., to perform total building commissioning technical and procedural services
3. U. T. System Board of Regents: Discussion and appropriate action regarding proposed revision to Regents' *Rules and Regulations* to amend and retitle Rule 10701 (Policy Against Discrimination) and take other action to comply with applicable law
 4. U. T. System Board of Regents: Discussion and appropriate action regarding proposed revision to Regents' *Rules and Regulations*, Rule 31002, Section 1 (Notice to Nontenured Faculty); Rule 31007 (Tenure); Rule 31008 (Termination of a Faculty Member); and Rule 31102 (Evaluation of Tenured Faculty) and additional action to comply with state law
 5. U. T. System Board of Regents: Discussion and appropriate action regarding proposed revision to Regents' *Rules and Regulations* to amend Rules 40401 (Assessment, Collection, Delegation, and Waiver of Tuition, Fees, and Charges) and 50101 (Student Conduct and Discipline) regarding nonpayment of tuition, fees, or other charges
 6. U. T. System Board of Regents: Discussion and appropriate action regarding proposed revision to Regents' *Rules and Regulations*, Rule 80103 (Solicitation), Section 2, regarding exceptions to prohibition on solicitation
 7. U. T. System Board of Regents: Discussion and appropriate action regarding proposed revision to Regents' *Rules and Regulations*, Rule 80301 (Capital Improvement Program), regarding major projects
 8. U. T. System Board of Regents: Discussion and appropriate action regarding higher education affordability
 9. U. T. System: Discussion and appropriate actions regarding the establishment of the Regents' Research Excellence Program and the allocation and expenditure of \$55 million of Available University Funds and additional funding from the Internal Lending Program and other sources
 10. U. T. System Board of Regents: Discussion and appropriate action regarding the establishment of Stephen F. Austin State University, a member of The University of Texas System

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. 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 (such as Chancellor, General Counsel to the Board, and Chief Audit Executive); U. T. System and institutional employees, and related personnel aspects of the operating budget for Fiscal Year 2024

c. U. T. System: Discussion and appropriate action concerning individual personnel matters relating to appointment, employment, evaluation, compensation, assignment, and duties of U. T. System and institutional employees including employees covered by Regents' *Rules and Regulations*, Rule 20204, regarding compensation for highly compensated employees, and Rule 20203, regarding compensation for key executives

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. Austin: Discussion and appropriate action regarding legal issues related to the utilization of the Brackenridge Tract, including land bounded by the Exposition Boulevard, Lake Austin Boulevard, and Enfield Road, Austin, Travis County, Texas, and associated leases and agreements

b. U. T. Austin: Discussion regarding legal issues related to taking action to acquire, exercising eminent domain to condemn specific units if necessary, the Two Thousand Whitis Place Condominiums located at 2000 Whitis Avenue, Austin, Travis County, Texas

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 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

b. U. T. Austin: Discussion and appropriate action regarding proposed acquisition of the property consisting of all units and common areas in the Two Thousand Whitis Place Condominiums located at 2000 Whitis Avenue, Austin, Travis County, Texas, including consideration of the use of eminent domain to condemn specific units if necessary, from various owners for future campus expansion

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

11. U. T. System: Discussion and appropriate action regarding a) the nonpersonnel aspects of the operating budgets for Fiscal Year 2024, including Permanent University Fund Bond Proceeds allocations for Library, Equipment, Repair and Rehabilitation Projects, for the Faculty Science and Technology Acquisition and Retention program, and for capital expenses for

Stephen F. Austin State University and Internal Lending Program funds for Stephen F. Austin State University, and b) finding that expenditure of AUF is appropriate

12. U. T. System: Discussion and appropriate action regarding personnel aspects of the U. T. System Administration and institutional operating budgets for Fiscal Year 2024

ADJOURN AT APPROXIMATELY 12:00 p.m.

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 bor@utsystem.edu; 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

August 18, 2023