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John W. Barnhill, Jr., Chairman
Paul Foster
Printice L. Gary
Colleen McHugh

Board Meeting: 2/12/2009
Austin, Texas

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1. **U. T. Arlington: Authorization to enter into contracts, easements, and agreements with Oncor Electric Delivery Company LLC, a Delaware limited liability company, which was selected through a request for proposals process to provide electrical utility distribution and transmission services to existing and future properties and facilities of U. T. Arlington in Tarrant and Dallas Counties, Texas**

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Business Affairs, and President Spaniolo that authorization be granted by the U. T. System Board of Regents, on behalf of U. T. Arlington, to

- a. enter into contracts, easements, and agreements with Oncor Electric Delivery Company LLC, a Delaware limited liability company ("Oncor"), which was selected through a request for proposals process to provide electrical utility distribution and transmission services to existing and future properties and facilities of U. T. Arlington in Tarrant and Dallas Counties, Texas; and
- b. authorize the institution's Vice President for Business Affairs to execute the contract and related agreements and the Executive Director of Real Estate to execute all documents, easements, and other agreements regarding real property, subject to approval of all such documents as to legal form by the Office of General Counsel, and to take all further actions deemed necessary or advisable to carry out the purpose and intent of the foregoing recommendation.

BACKGROUND INFORMATION

On October 2, 2008, U. T. Arlington issued a Request for Proposals (RFP) for electrical utility distribution and transmission services covering the Tarrant and Dallas Counties, Texas. Oncor was the only respondent. Section 51.923 of the *Texas Education Code* permits a contract with Oncor by its selection through a request for proposals process.

U. T. Arlington desires to enter into a master contract for a term of five years for the provision of electrical distribution and transmission services for its current and future facilities located in Tarrant and Dallas Counties, Texas. The contract will permit the institution and Oncor to enter into addenda under the master contract with respect to specific projects. Easements will be granted as needed so that the utility services can be provided. Services and fees are based on Oncor's tariffs and regulations from the Texas Public Utility Commission.

Authorization to enter into the master contract enabling project-specific addenda and easements is being sought so that U. T. Arlington may minimize delays related to the provision of electrical distribution and transmission services to construction and renovation projects at existing and future properties.

2. **U. T. Pan American: Authorization to purchase approximately one acre of unimproved land located on Jackson Road north of University Drive, out of Lot 5, Section 273, Texas-Mexican Railway Company Survey, Edinburg, Hidalgo County, Texas, from Mr. Jaime A. Rodriguez for a purchase price not to exceed fair market value as determined by an independent appraisal for storm water drainage and detention and for future programmed development of campus expansion**

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Business Affairs, and former President Cárdenas that authorization be granted by the U. T. System Board of Regents, on behalf of U. T. Pan American, to

- a. purchase approximately one acre of unimproved land located on Jackson Road north of University Drive, out of Lot 5, Section 273, Texas-Mexican Railway Company Survey, Edinburg, Hidalgo County, Texas, from Mr. Jaime A. Rodriguez for a purchase price not to exceed fair market value as determined by an independent appraisal, 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 storm water drainage and detention and for future programmed development of campus expansion; and
- b. authorize the Executive Director of Real Estate to execute all documents, instruments, and other agreements, subject to approval of all such documents as to legal form by the Office of General Counsel, and to take all further actions deemed necessary or advisable to carry out the purpose and intent of the foregoing recommendation.

BACKGROUND INFORMATION

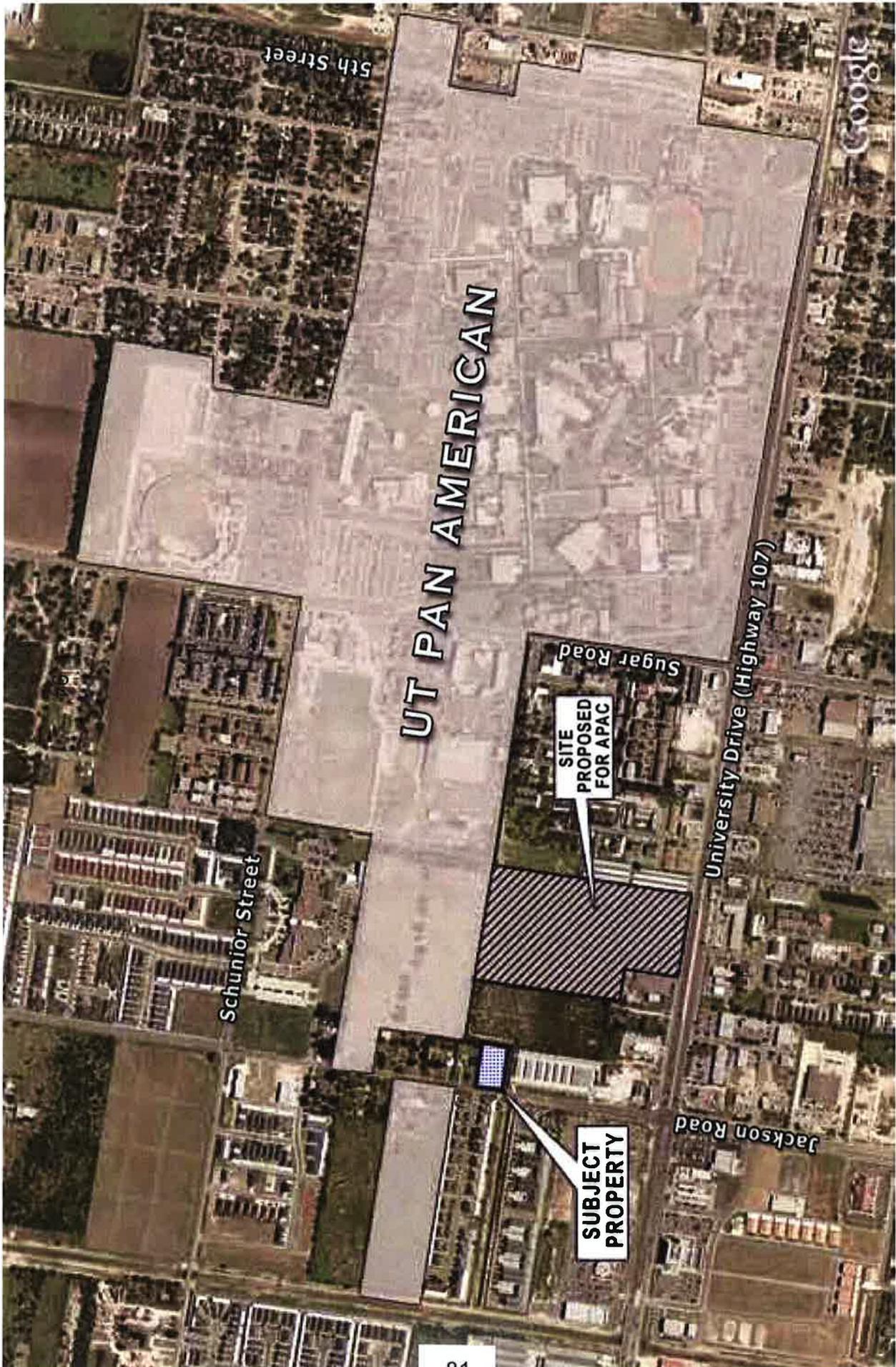
The subject property consists of approximately one acre of unimproved land with 180 feet of frontage on the east side of Jackson Road. This road is the western access for U. T. Pan American's planned Academic and Performing Arts Complex (APAC).

A large drainage canal belonging to the City of Edinburg, on a strip of land on which the city holds an easement, connects the subject property to the APAC site and to the rest of U. T. Pan American's west campus. During the feasibility period, the U. T. System Real Estate Office will investigate and determine whether it can obtain appropriate legal authorization to use the drainage canal to drain storm water from the U. T. Pan American campus to the subject property. The property's downstream location from the APAC site and the west campus makes the property ideal for storm water drainage and detention in support of the development of these tracts. Moreover, use of the subject property for storm water purposes will alleviate the need to provide storm water detention for these new facilities on core campus property.

The property will initially be used to facilitate storm water drainage and detention, and may subsequently be used for future programmed development of campus expansion. Unexpended Plant Funds will be used to fund the purchase, the terms and conditions of which are reflected in the summary of the transaction below.

Transaction Summary

Institution:	U. T. Pan American
Type of Transaction:	Purchase
Total Area:	Approximately one acre
Improvements:	None
Location:	Jackson Road north of University Drive, out of Lot 5, Section 273, Texas-Mexican Railway Company Survey, Edinburg, Hidalgo County, Texas (see map on following page)
Seller:	Mr. Jaime A. Rodriguez
Purchase Price:	Not to exceed fair market value as established by an independent appraisal
Appraised Value:	\$127,000 (Joe Patterson, MAI, Aguirre & Patterson, Inc., November 5, 2008, and clarified December 22, 2008)
Source of Funds:	Unexpended Plant Funds
Intended Use:	Storm water drainage and detention; future programmed development of campus expansion



3. **U. T. Pan American: Approval of honorific naming of the University Honors Program as the Rafael A. "Felo" and Carmen Guerra Honors Program**

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs, the Vice Chancellor for External Relations, and former President Cárdenas that the U. T. System Board of Regents approve the honorific naming of the University Honors Program at U. T. Pan American as the Rafael A. "Felo" and Carmen Guerra Honors Program.

BACKGROUND INFORMATION

The late Felo Guerra [Mr. Rafael A. "Felo" Guerra (1915-2005)] and Mrs. Carmen Guerra (1920-2008) were part of one of Texas' pioneer ranching families, which has cattle brands and ranch holdings that date back to the early 1870s. The Guerras are remembered not only for their family's success in ranching and business, but also for their abiding generosity and strong commitment to higher education. The family has demonstrated an abiding commitment to the education of the least advantaged through three centuries.

The Guerra family has gifted more than \$2 million to U. T. Pan American. During the October 2006 U. T. Pan American Foundation Board meeting, a \$1 million pledge to U. T. Pan American by the Guerra family was announced. Mr. A. R. "Felo" Guerra, son of Mr. and Mrs. Rafael A. "Felo" Guerra, told his fellow Board members that he and his family were honored to help the University. Remarking upon the great need in South Texas, he said that the many blessings afforded his family compelled them to follow the example set by their grandfather and father.

The children of Mr. and Mrs. Felo Guerra have embraced their parents' philanthropic legacy. They also inherited their parents' passion for improving accessibility to higher education in South Texas. Managing a scholarship program over the past several years, they have awarded more than \$300,000 in scholarships to students residing in the communities surrounding the Guerra ranch properties. Approximately 60% of those scholarship recipients elected to attend U. T. Pan American.

U. T. Pan American looks forward to renaming the University Honors Program not only to commemorate two outstanding members of the Guerra family, but also to inspire others throughout surrounding communities to support the University.

The proposed naming is consistent with the Regents' *Rules and Regulations*, Rule 80307, Section 5, relating to the honorific naming of programs.

4. **U. T. Austin: Authorization for possible use of the Mike A. Myers Stadium and Soccer Field to hold the Austin Cup soccer tournament and to negotiate and execute an agreement**

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and President Powers that the U. T. System Board of Regents authorize a possible exception to the Regents' Rules and Regulations, Rule 80104 regarding Use of Facilities, to allow an external entity to use the Mike A. Myers Stadium and Soccer Field to hold the Austin Cup soccer tournament and to authorize President Powers to negotiate and execute an agreement for this purpose subject to approval by the Office of General Counsel.

BACKGROUND INFORMATION

The U. T. Austin Departments of Intercollegiate Athletics propose to work with the Austin Aztex-FC soccer organization to hold an Austin Cup soccer tournament in July 2009. As currently planned, the tournament would bring four international professional soccer teams, including a Mexican professional soccer team, to Austin. The event would be held in the Mike A. Myers Stadium and Soccer Field. However, the Austin Aztex-FC soccer organization is not a registered organization that is authorized under Rule 80104 to reserve and use a facility owned by a U. T. System institution. Thus, permission is needed from the Board of Regents to authorize a one-time use of Myers Stadium as proposed for this event.

There are National Collegiate Athletic Association (NCAA) bylaws on amateurism that prescribe certain types of income that member institutions may receive from professional sports organizations and the uses of that income. The proposed arrangements are permissible under applicable NCAA rules.

5. **U. T. System: Status report on Community College Initiatives**

REPORT

Dr. Martha Ellis, Associate Vice Chancellor for Community College Partnerships, will present a status report on the Community College Initiatives. The report will include information on: (1) efforts to identify and address the barriers for students transferring from community colleges to universities by the Community College Working Group comprised of presidents from U. T. System, Texas A&M System, and Texas Association of Community Colleges institutions; (2) regional activities with U. T. System institutions and community colleges; and (3) elements of the public awareness campaign.

6. **U. T. System: Discussions on academic leadership matters - the scholarship of service**

PURPOSE

Executive Vice Chancellor Prior will lead a presidential discussion and engagement with the Regents on the topic relating to the scholarship of service.