

19

MATERIAL SUPPORTING THE AGENDA

Volume XVIIb

January 1969 - May 1969

This volume contains the Material Supporting the Agenda furnished to each member of the Board of Regents prior to the meetings held on January 31-February 1, March 14, and May 2, 1969.

The material is divided according to the Standing Committees and the meetings that were held and is submitted on three different colors, namely:

- (1) white paper - for the documentation of all items that were presented before the deadline date
- (2) blue paper - all items submitted to the Executive Session of the Committee of the Whole and distributed only to the Regents, Chancellor, and Chancellor Emeritus
- (3) yellow paper - emergency items distributed at the meeting

Material distributed at the meeting as additional documentation is not included in the bound volume, because sometimes there is an unusual amount and other times maybe some people get copies and some do not get copies. If the Secretary were furnished a copy, then that material goes in the appropriate subject folder.



THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM

Material Supporting
Agenda

Meeting Date:..... **May 2, 1969**.....

Meeting No.:..... **669**.....

Name: *Official Copy*.....

SUPPLEMENTARY AGENDA

BOARD OF REGENTS

OF

THE UNIVERSITY OF TEXAS SYSTEM

Meeting No. 669

May 2, 1969

NAME _____

DOMESTIC SERVICE	
Check the class of service desired, otherwise this message will be sent as a fast telegram	
TELEGRAM	
DAY LETTER	
NIGHT LETTER	

\$
S
E

WESTERN UNION

TELEGRAM

1206 (4-55)

W. P. MARSHALL, PRESIDENT

INTERNATIONAL SERVICE	
Check the class of service desired, otherwise the message will be sent at the full rate	
FULL RATE	
LETTER TELEGRAM	
SHORE SHIP	

NO. WDS.-CL. OF SVC.	PD OR COLL.	CASH NO.	CHARGE TO THE ACCOUNT OF	TIME FILED

Send the following message, subject to the terms on back hereof, which are hereby agreed to

Homer G. Ellis, Associate Professor of Mathematics
The University of Colorado
Boulder, Colorado

April 30, 1969

John W. Neuberger, Professor of Mathematics
Emory College
Atlanta, Georgia

J. M. Worrell, Jr.
Sandia Corporation, Sandia Base
Albuquerque, New Mexico

Your request to appear before the Board of Regents in Executive Session on May 2 at Arlington is granted. Please coordinate your presentations to consume no more than a total of 15 minutes. You will be heard as soon after 3:00 p. m. as the agenda will permit.

Frank C. Erwin, Jr.
Chairman

Charge to Board of Regents, Box N, University Station

Copy to: Doctor Ransom
Doctor Singletary
Doctor Hackerman

NOTE: These people have requested permission to discuss with the Board Doctor Moore's retirement.

CALENDAR
BOARD OF REGENTS
OF
THE UNIVERSITY OF TEXAS SYSTEM

May 2, 1969

Place: Library Building
U. T. Arlington
Arlington, Texas

*Meeting Room: Room 611 (Sixth Floor)

*Waiting Room: Area on Sixth floor just off elevators.

Friday

May 2, 1969. --The Committees and the Board will meet as set out below:

9:00 a. m.

Meeting of the Board
To Consider Sale
of Series 1969
U. T. El Paso Building
Revenue Bonds
(\$8,500,000)

Executive Committee

Academic and Developmental Affairs
Committee

Buildings and Grounds Committee

Medical Affairs Committee

Land and Investment Committee

Committee of the Whole

Meeting of the Board

3 P.M. Exec. Session: re:
Homer J. Ellis
John W. Neuberger
J. M. Wood Jr. & Moore

Lunch will be served at noon in the area just off the elevators.
(See plan on next page.)

Telephone Numbers:

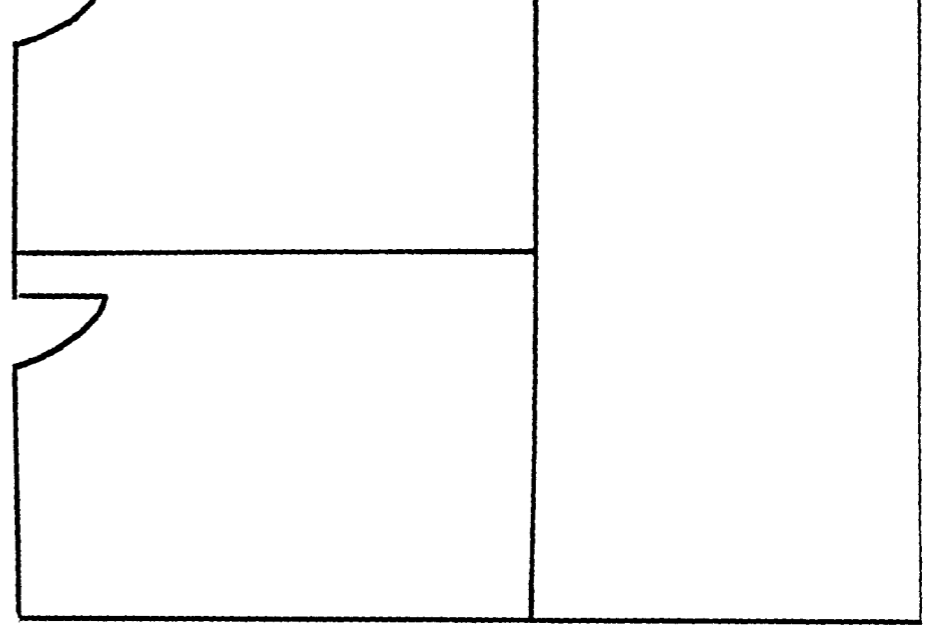
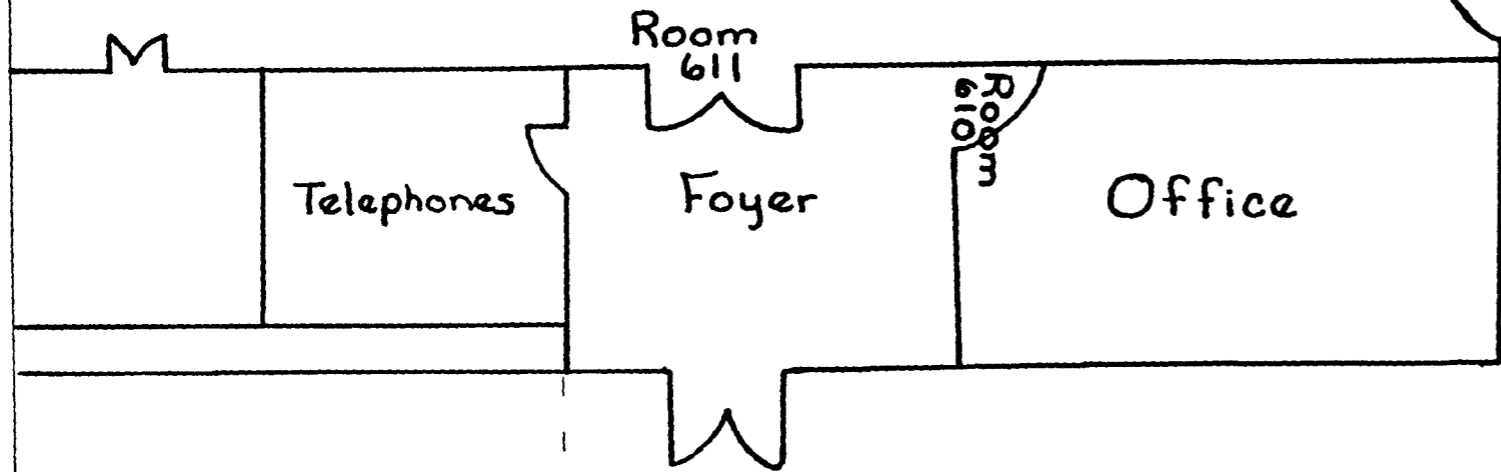
Holiday Inn of America	817-261-3621
Airlines	
American	821-3221
Braniff International	357-9511
Continental	826-6810
Texas International	826-2000
U. T. Arlington	275-3211
President's Office	Extension 210 or 212
Meeting Room	Extension 437 or 444
Brown's Limousine Service	
Love Field, Dallas, Texas	

NOTE: To call either Fort Worth or Dallas, dial 8. If 8 is busy, dial 9 for Fort Worth.

*

Floor plan on following page.

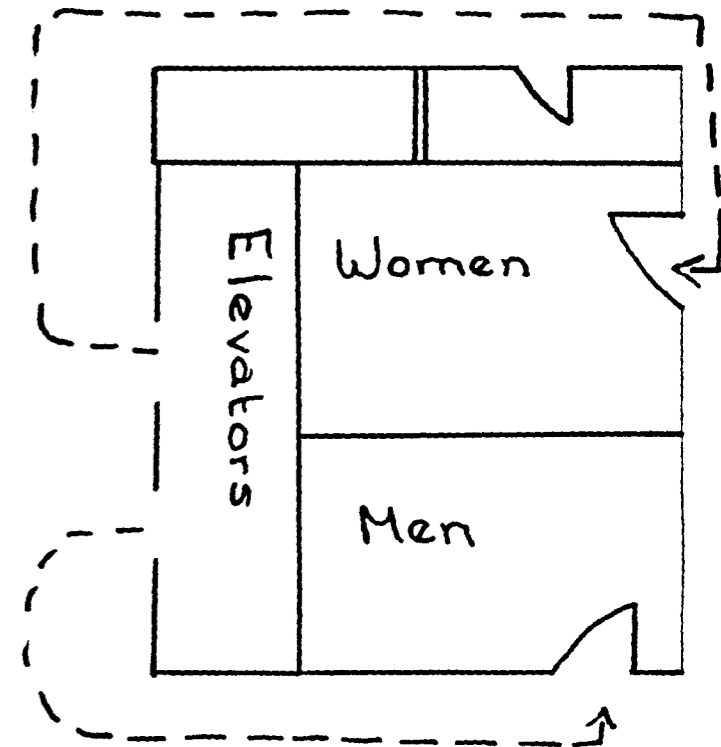
Meeting Room



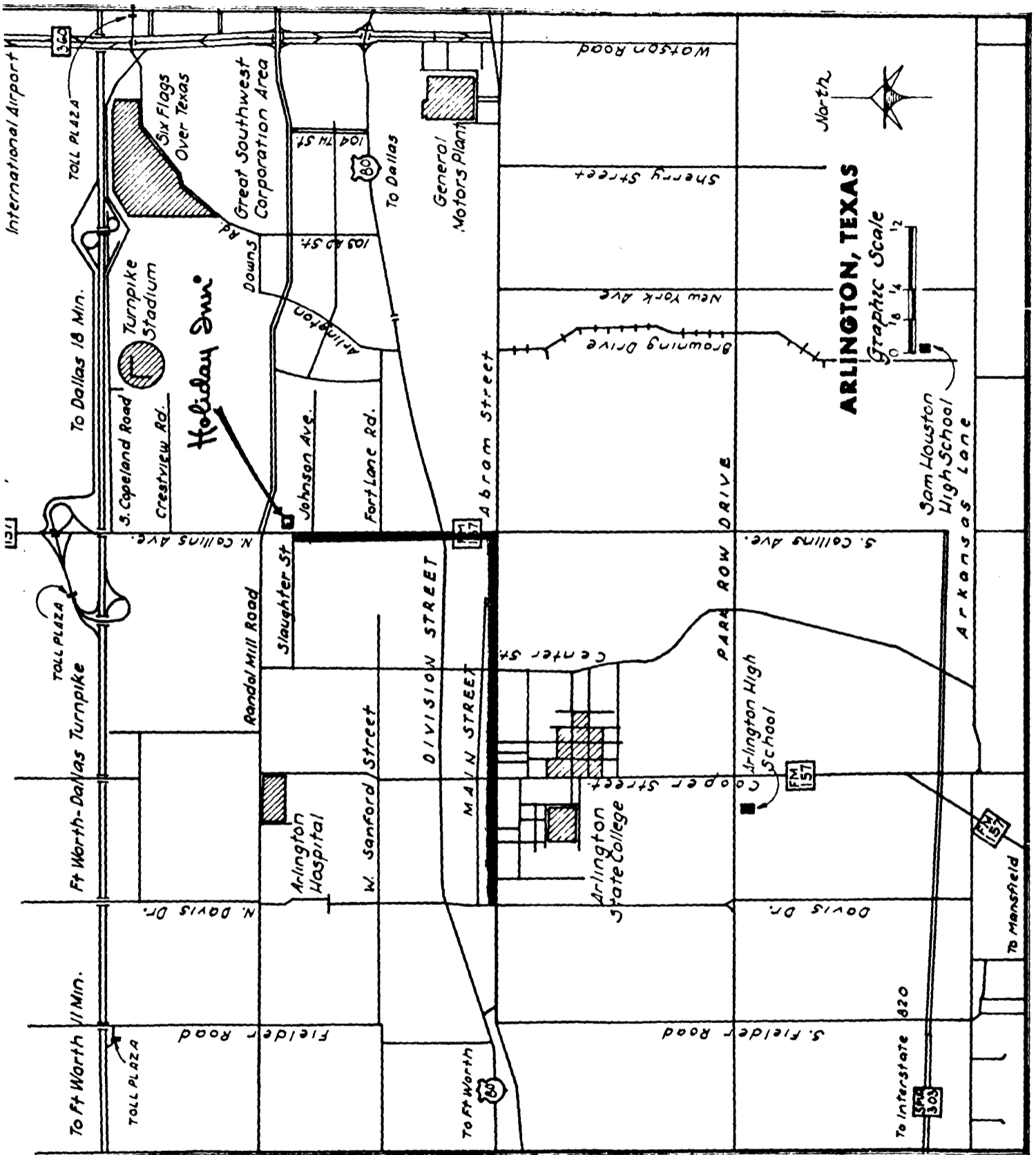
CA1. - 2

Lounge

Waiting Room
Buffet Luncheon Served Here



NOTE: From Holiday Inn go south (Left) to first light; turn right and go to Cooper Street (fourth light); then turn left and go to Library Building.



Map showing route from Holiday Inn to U. T. Arlington.

Executive Committee

EXECUTIVE COMMITTEE

Date: May 2, 1969

Time: Following the nine o'clock Board meeting
at which the sale of U. T. El Paso Building
Revenue Bonds (\$8,500,000) will be considered

Place: Room 611
Library Building
U. T. Arlington
Arlington, Texas

The report of the interim actions taken by mail ballot since March 14, 1969, will be in the Supplementary Agenda Material, together with any other items that may be submitted for the consideration of the Executive Committee.

EXECUTIVE COMMITTEE

Supplementary Agenda

Date: May 2, 1969

Time: Following the meeting of the Board after Sale of Bonds

Place: Room 611
Library Building
U. T. Arlington
Arlington, Texas

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2. U. T. Austin: Minutes of the Meeting of the Athletics Council (29-M-68)	3
3. U. T. Austin: Minutes of the Meetings of the Board of Directors of Texas Student Publications, Inc. (30-M-68 and 32-M-68)	4
4. U. T. Austin: U. T. El Paso, Galveston Medical Branch, Dallas Medical School, San Antonio Medical School, Houston Dental Branch, Anderson Hospital: Amendments to the 1968-69 Budgets (31-M-68)	15
5. Items Submitted to the Executive Committee but Ballots Not Due Until April 25, 1969	18
a. U. T. Austin: Minutes of the Meeting of the Board of Directors of Texas Student Publications, Inc. (35-M-68)	
b. U. T. Austin, Galveston Medical Branch, Dallas Medical School: Amendments to the 1968-69 Budget (7-B-68)	

REPORT OF INTERIM ACTIONS

As reflected below, the following items have been considered by mail ballot by the Executive Committee since its last meeting on March 14, 1969:

1. U. T. Austin: Minutes of the Meetings of the Board of Directors of the Texas Union (28-M-68, 33-M-68 and 34-M-68); Minutes of March 5 Referred to Committee of the Whole. -- The minutes of the meetings of the Board of Directors of the Texas Union of The University of Texas at Austin held on February 12, February 19, March 11, March 15 and March 19, 1969, respectively, were reviewed and upon recommendation of the Administration, were approved without modification but with the understanding that the 1969-70 budget for the Texas Union as reflected in the Union Board minutes of March 19, 1969, is not approved by this action and that the budget will be submitted to the Board of Regents at the time that all other 1969-70 budgets for Auxiliary Enterprises are submitted for consideration.

The minutes of the meeting of the Board of Directors of the Texas Union held on March 5, 1969, (33-M-68) were referred to the Committee of the Whole since one of the items was not unanimously approved as presented. (See Page C of W 28.)

2. U. T. Austin: Minutes of the Meeting of the Athletics Council (29-M-68). -- The minutes of the meeting of the Athletics Council of The University of Texas at Austin held on February 19, 1969, were reviewed and approved as recommended by the Administration. All of the items in the minutes requiring specific approval for incorporation in the minutes had been previously approved by the Board except the following to which approval was given:

- (a) 1969 ticket prices for home football games and the Oklahoma game were approved as follows:

September	27	Texas Tech	All Reserved	\$6.00
October	4	Navy	West and East	
			Sides	6.00
			North End	4.00
October	11	Oklahoma	All Reserved	7.00
October	25	Rice	All Reserved	6.00
November	8	Baylor	All Reserved	6.00
November	15	T. C. U.	West and East	
			Sides	6.00
			North End	4.00
		Knothole Section and Servicemen's Section when space is available		1.00

- (b) An appropriate resolution was authorized to be submitted to the City of Austin urging construction of a sports arena, which among other uses, would serve the basketball requirements of the Intercollegiate Athletics Program of The University of Texas at Austin.

3. U. T. Austin: Minutes of the Meetings of the Board of Directors of Texas Student Publications, Inc. (30-M-68 and 32-M-68). -- Approval was given to the minutes of the meetings of the Board of Directors of Texas Student Publications, Inc. of The University of Texas at Austin held on February 12 and March 3, 1969, respectively, as recommended by the Administration. The following items required Regental consideration and were approved:

February 12, 1969

- (a) Appointment of the accounting firm, Touche, Ross, Bailey and Smart as auditors of the TSP books for the year 1968-69.
- (b) Adoption of amended budgets for 1968-69 showing a total net income of \$5,089. (The complete TSP budget with changes indicated by asterisks follows on Pages 5 - 14 .)

With respect to the minutes of March 3, 1969, it is noted that a revised handbook of Texas Student Publications, Inc. (amended through March 1, 1969) was distributed.

The University of Texas at Austin
Texas Student Publications, Inc.

Budget for 1968-69

(as amended February 12, 1969)

TEXAS STUDENT PUBLICATIONS, INC.

BUDGET SUMMARIES 1968-69

(As amended February 12, 1969)

	<u>1968-69 Budgeted Income</u>	<u>1968-69 Budgeted Expenses</u>	<u>Excess of Income over Expenses</u>
1. The Daily Texan	\$298,000	\$289,767	\$ 8,233
2. The Summer Texan	28,500	27,968	532
3. Texas Ranger Magazine	13,300	16,072	-2,772
4. Cactus Yearbook	118,350	116,943	1,407
5. Student Directory	19,000	18,689	311
6. Riata Literary Magazine	900	2,325	-1,425
7. Texas Engineering and Science Magazine	<u>8,800</u>	<u>9,997</u>	<u>-1,197</u>
8. Gross Total	<u>\$486,850</u>	<u>\$481,761</u>	\$ 5,089
9. *Actual Working Capital, August 31, 1968	\$72,211		
Less transfers to:			
10. Facilities and Contingencies Fund	\$50,000		
11. Fixed Assets	<u>10,000</u>		
12.	<u>60,000</u>		
13. Amount Available for Operations			<u>12,211</u>
14. Estimated Working Capital, August 31, 1969			<u>\$17,300</u>

*Difference in Current Assets and Current Liabilities

GENERAL OVERHEAD
(Administration)

		Approved Budget 1968-69 (including Oct. 15, 1968 Amendments)	Feb. 12, 1969 Proposed Amendments 1968-69
1.	<u>Estimated Income</u>		
2.	Allocations to Publications:		
3.	The Daily Texan 61%	\$ 44,884	\$ 53,211*
4.	The Summer Texan 8%	5,886	6,978*
5.	The Texas Ranger 3%	2,207	2,617*
6.	Cactus 23%	16,924	20,063*
7.	Student Directory 4%	2,943	3,489*
8.	Riata 0%	0	0
9.	Texas Engineering & Science 1%	736	872*
10.	Sub Total	\$ 73,580	\$ 87,230*
11.	Other Income:		
12.	Interest }	\$ 12,350	\$ 20,000*
13.	Dividends }		
14.	Sales and Services	8,040	9,540*
15.	Sub Total	\$ 20,390	\$ 29,540*
16.	Total Estimated Income	\$ 93,970	\$116,770*
17.	<u>Appropriation Items</u>		
18.	Salaries	\$ 43,710	\$ 41,290*
19.	Wages	2,650	5,070*
20.	Sub Total	\$ 46,360	\$ 46,360
21.	Maintenance and Operation	45,610	68,410*
22.	Travel	2,000	2,000
23.	Total Appropriations	\$ 93,970	\$116,770*
24.	<u>SALARY ROSTER</u>		
25.	General Manager		
26.	L. L. Edmonds, Jr.	\$ 14,500	\$ 14,500
27.	Bookkeeper		
28.	Jean Hogue	4,500	4,500
29.	Office Manager		
30.	Thelma Heather	5,040	
	(\$420 per month Sept. through Dec., \$435 per month Jan. through August)		5,160*
31.	Secretary		
32.	LaVan Harris (resigned Oct. 1, 1968)	395	395
33.	Dolores Moore (transferred to this position Oct. 1, 1968) (\$345 per month Oct. through Dec. \$365 per month Jan. through Aug.)	3,795	3,955*
34.	Office Assistant		
35.	Ruth Preuss	3,960	3,960
36.	Magazine Supervisor	2,700	
	(delete salaried position of Magazine Supervisor. Part time magazine helper has been paid from wages account.)		0*
37.	Photographer		
38.	Frank Armstrong	6,600	6,600
39.	Circulation Manager		
40.	Bronson Schultz (a)	2,220	2,220
41.	Total Salaries	\$ 43,710	\$ 41,290*

(a) Total salary of Circulation Manager is \$6,000 with \$3,780 charged to The Daily Texan circulation salary account.

* Asterisk indicates change from originally approved budget.

THE DAILY TEXAN

	Approved Budget 1968-69 (including Oct. 15, 1968 Amendments)	Feb. 12, 1969 Proposed Amendments 1968-69
1. <u>Estimated Income</u>		
2. Student Activity Fees	\$104,550	\$107,000*
3. Reserve for Income Realization	<u>-550</u>	<u> </u>
4. Sub Total	\$104,000	\$107,000*
5. Display Advertising		
6. Local	\$116,000	\$135,000*
7. National	43,000	36,000*
8. Classified Advertising	11,800	12,500*
9. Sales and Subscriptions	<u>7,200</u>	<u>7,500*</u>
10. Total Estimated Income	<u>\$282,000</u>	<u>\$298,000*</u>
11. <u>Appropriation Items</u>		
12. Salaries	\$ 43,845	\$ 43,965*
13. Wages	<u>108,858</u>	<u>112,235*</u>
14. Sub Total	\$152,703	\$156,200*
15. Newsprint and Storage	40,000	42,000*
16. Maintenance and Operation	36,734	36,656*
17. Travel	1,700	1,700
18. General Overhead Allocation	44,884	53,211*
19. Unallocated Account	<u>5,979</u>	<u>8,233*</u>
20. Total Appropriations	<u>\$282,000</u>	<u>\$298,000*</u>

(See Salary Roster, page 4.)

THE DAILY TEXAN

	Approved Budget 1968-69 (including Oct. 15, 1968 Amendments)	Feb. 12, 1969 Proposed Amendments 1968-69
1. <u>SALARY ROSTER</u>		
2. <u>Supervisory</u>		
3. Editorial Manager		
4. Robert Hilburn	\$14,000	\$14,000
5. Wages	<u>1,628</u>	<u>1,750*</u>
6. Total Supervisory	<u>\$15,628</u>	<u>\$15,750*</u>
7. <u>Editorial</u>		
8. Editor		
9. Merry Clark (1968-69)	1,800	1,800
10. Managing Editor		
11. Leslie Donovan (Fall, 1968)	1,620	
12. Anne-Marie Verstegen (Spring 1969)	<u>1,620</u>	<u>1,620</u>
13. Sub Total	\$ 3,420	\$ 3,420
14. Wages	<u>18,000</u>	<u>18,000</u>
15. Total Editorial	<u>\$21,420</u>	<u>\$21,420</u>
16. <u>Photo and Fairchild</u>		
17. Wages	<u>\$ 4,210</u>	<u>\$ 4,310*</u>
18. <u>Circulation</u>		
19. Circulation Manager		
20. Bronson Schultz (a)	\$ 3,780	\$ 3,780
21. Wages	<u>14,375</u>	<u>14,375</u>
22. Total Circulation	<u>\$18,155</u>	<u>\$18,155</u>
23. <u>Printing</u>		
24. Superintendent		
25. Arthur Rinn	\$ 9,700	\$ 9,700
26. Wages	<u>58,250</u>	<u>60,000*</u>
27. Total Printing	<u>\$67,950</u>	<u>\$69,700</u>
28. <u>Advertising</u>		
29. Advertising Manager		
30. James Morgan	\$ 9,300	\$ 9,300
31. Classified Clerk		
32. Dolores Moore (transferred to Gen Overhead budget Oct. 1, 1968)	345	345
33. Cathey Myrick (started work Oct. 1, 1968) (\$300 per month Oct. through Dec. \$315 per month Jan. through Aug.)	3,300	
	<u>3,420*</u>	
34. Sub Total	\$12,945	\$13,065*
35. Wages	<u>12,395</u>	<u>13,800*</u>
36. Total Advertising	<u>\$25,340</u>	<u>\$26,865*</u>

THE SUMMER TEXAN

	Approved Budget 1968-69 (including Oct. 15, 1968 Amendments)	Feb. 12, 1969 Proposed Amendments 1968-69
1. <u>Estimated Income</u>		
2. Display Advertising		
3. Local	\$ 21,300	\$ 21,300
4. National	400	400
5. Classified Advertising	1,500	1,500
6. Subscriptions and Sales	4,000	4,000
7. Directory Income	<u>1,300</u>	<u>1,300</u>
8. Total Estimated Income	<u>\$ 28,500</u>	<u>\$ 28,500</u>
9. <u>Appropriation Items</u>		
10. Salaries	\$ 1,140	\$ 1,140
11. Wages	<u>13,280</u>	<u>13,280</u>
12. Sub Total	\$ 14,420	\$ 14,420
13. Neswprint and Storage	2,000	2,000
14. Directory Expense	1,200	1,200
15. Maintenance and Operation	3,320	3,320
16. Travel	50	50
17. General Overhead Allocation	5,886	6,978*
18. Unallocated Account	<u>1,624</u>	<u>532*</u>
19. Total Appropriations	<u>\$ 28,500</u>	<u>\$ 28,500</u>
20. <u>SALARY ROSTER</u>		
21. <u>Student Editorial</u>		
22. Editor		
23. _____ (Summer 1969)	600	600
24. Managing Editor		
25. _____ (Summer 1969)	<u>540</u>	<u>540</u>
26. Total	<u>\$ 1,140</u>	<u>\$ 1,140</u>

THE TEXAS RANGER

	Approved Budget 1968-69 (including Oct. 15, 1968 Amendments)	Feb. 12, 1969 Proposed Amendments 1968-69
1. <u>Estimated Income</u>		
2. Display Advertising		
3. Local	\$ 6,000	\$ 5,300*
4. National	0	0
5. Campus Sales		
6. Subscriptions	9,000	8,000*
	<hr/>	<hr/>
7. Total Estimated Income	<u>\$15,000</u>	<u>\$13,300*</u>
8. <u>Appropriation Items</u>		
9. Salaries	\$ 525	\$ 525
10. Wages	<u>1,775</u>	<u>1,675*</u>
11. Sub Total	\$ 2,300	\$ 2,200*
12. Printing	10,300	10,300
13. Maintenance and Operation	1,055	955*
14. General Overhead Allocation	2,207	2,617*
15. Unallocated Account	<u>-862</u>	<u>-2,772*</u>
16. Total Appropriations	<u>\$15,000</u>	<u>\$13,300*</u>
17. <u>SALARY ROSTER</u>		
18. Editor		
19. John Stalmach	<u>\$ 525</u>	<u>\$ 525</u>

THE CACTUS

	Approved Budget 1968-69 (including Oct. 15, 1968 Amendments.)	Feb. 12, 1969 Proposed Amendments <u>1968-69</u>
1. <u>Estimated Income</u>		
2. Subscriptions	\$ 89,000	\$ 92,000*
3. Representation	<u>26,850</u>	<u>26,350*</u>
4. Total Estimated Income	<u>\$115,850</u>	<u>\$118,350*</u>
5. <u>Appropriation Items</u>		
6. Salaries	\$ 11,520	\$ 10,920*
7. Wages	<u>2,700</u>	<u>4,100*</u>
8. Sub Total	\$ 14,220	\$ 15,020*
9. Printing	72,000	72,500*
10. Maintenance and Operation	8,770	8,860*
11. Travel	500	500
12. General Overhead Allocation	16,924	20,063*
13. Unallocated Account	<u>3,436</u>	<u>1,407*</u>
14. Total Appropriations	<u>\$115,850</u>	<u>\$118,350*</u>
15. <u>SALARY ROSTER</u>		
16. Cactus Supervisor		
17. Mrs. Marguerite Freeman	6,000	6,000
18. Cactus Assistant		
19. Lorraine Henderson (Sept. 15, 1968 thru Jan. 15, 1969)	4,020	1,275*
20. Donna Humiston (started Feb. 1, 1969) (300 per month Feb. thru May 1969 315 per month June thru Aug. 1969)		2,145*
21. Editor		
22. Karolyn Karr	<u>1,500</u>	<u>1,500</u>
	<u>\$ 11,520</u>	<u>\$ 10,920*</u>

THE STUDENT DIRECTORY

	Approved Budget 1968-69 (including Oct. 15, 1968 Amendments)	Feb. 12, 1969 Proposed Amendments 1968-69
1. <u>Estimated Income</u>		
2. Local Display Advertising	\$ 7,400	\$ 8,000*
3. Campus Sales	<u>11,000</u>	<u>11,000</u>
4. Total Estimated Income	<u>\$18,400</u>	<u>\$19,000*</u>
5. <u>Appropriation Items</u>		
6. Wages	\$ 1,020	\$ 1,000*
7. Printing	12,450	12,750*
8. Maintenance and Operation	1,350	1,450*
9. General Overhead Allocation	2,943	3,489*
10. Unallocated Account	<u>637</u>	<u>311*</u>
11. Total Appropriations	<u>\$18,400</u>	<u>\$19,000*</u>

RIATA LITERARY MAGAZINE

12. <u>Estimated Income</u>		
13. Sales	<u>\$ 1,000</u>	<u>\$ 900*</u>
14. <u>Appropriation Items</u>		
15. Salaries	\$ 150	\$ 150
16. Wages	<u>150</u>	<u>150</u>
17. Sub Total	\$ 300	\$ 300
18. Printing	1,800	1,800
19. Maintenance and Operation	225	225
20. General Overhead Allocation	0	0
21. Unallocated Account	<u>-1,325</u>	<u>-1,425*</u>
22. Total Appropriations	<u>\$ 1,000</u>	<u>\$ 900*</u>
23. <u>SALARY ROSTER</u>		
24. Editor		
25. John Smith	<u>\$ 150</u>	<u>\$ 150</u>

TEXAS ENGINEERING AND SCIENCE MAGAZINE

	Approved Budget 1968-69 (including Oct. 15, 1968 Amendments)	Feb. 12, 1969 Proposed Amendments 1968-69
1. <u>Estimated Income</u>		
2. Advertising	\$ 9,400	\$ 8,800*
3. Subscriptions	<u> 0</u>	<u> 0</u>
4. Total Estimated Income	<u>\$ 9,400</u>	<u>\$ 8,800*</u>
5. <u>Appropriation Items</u>		
6. Salaries	\$ 300	\$ 300
7. Wages	<u> 500</u>	<u> 500</u>
8. Sub Total	\$ 800	\$ 800
9. Printing	5,900	5,900
10. Maintenance and Operation	2,575	2,425*
11. General Overhead Allocation	736	872*
12. Unallocated Account	<u> -611</u>	<u> -1,197*</u>
13. Total Appropriations	<u>\$ 9,400</u>	<u>\$ 8,800*</u>
14. <u>SALARY ROSTER</u>		
15. Editor		
16. Annette Bandy	<u> 300</u>	<u> 300</u>

4. U. T. Austin, U. T. El Paso, Galveston Medical Branch, Dallas Medical School, San Antonio Medical School, Houston Dental Branch, Anderson Hospital: Amendments to the 1968-69 Budgets (31-M-68). --The following amendments to the 1968-69 budgets of The University of Texas at Austin, The University of Texas at El Paso, The University of Texas Medical Branch at Galveston, The University of Texas Southwestern Medical Branch at Dallas, The University of Texas Medical School at San Antonio, The University of Texas Dental Branch at Houston and The University of Texas M. D. Anderson Hospital and Tumor Institute were approved (Pages 16 - 17):

Source of Funds - Departmental Appropriations
(Unless Otherwise Specified)

(All rates set out below are full time rates: salary rate indicates a 12 months' full time rate and academic rate indicates a 9 months' full time rate.)

The University of Texas at Austin

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
67.	Jerry V. Kahlbau Applied Research Laboratories	Research Engineer Associate V	Research Engineer Associate V	
	Salary Rate	\$15,000	\$16,800	3/1/69
	Source of Funds: Government Contract Funds - Payroll Clearing Account			
68.	Auxiliary Enterprises - Division of Housing and Food Service			
	Transfer of Funds:	From: Unappropriated Balance (Auxiliary Enterprises)	To: Brackenridge - Deep Eddy Apartments- Other Expenses \$ 424 Kinsolving Dormitory - Other Expenses 2,523 University Tea House - Wages 450	
	Amount of Transfer	\$3,397		<u>\$3,397</u> ---
69.	Auxiliary Enterprises - Division of Housing and Food Service			
	Transfer of Funds:	From: Reserve for Major Repairs, Re- modeling and Replace- ment, and Operating Reserve (Unappropriated Balance)	To: Jester Center Halls	
	Amount of Transfer	\$215,000	\$215,000	---

The University of Texas at El Paso

7. Unallocated Accounts				
Transfer of Funds	From: Unappropriated Balance via Estimated Income	To: Unallocated Salaries	\$30,000	
		Unallocated Maintenance and Operation	<u>30,000</u>	
Amount of Transfer	\$60,000		<u>\$60,000</u>	---

The University of Texas Medical Branch at Galveston

<u>Item No.</u>	<u>Explanation</u>	<u>Present Status</u>	<u>Proposed Status</u>	<u>Effective Dates</u>
24.	Peter M. Moore Obstetrics and Gynecology	Assistant to the Chairman	Assistant to the Chairman	
	Salary Rate	\$9,000	\$11,000	3/1/69
	Source of Funds: Unallocated Salaries and Medical Service, Research, and Development Plan (current restricted funds)			
25.	Bohdan R. Nechay Pharmacology	Associate Professor	Associate Professor	
	Salary Rate	\$18,000	\$19,500	3/1/69
	Source of Funds: Unallocated Salaries			
26.	Walther J. Hild Anatomy	Professor and Chairman	Professor and Chairman	
	Salary Rate	\$28,000	\$30,000	3/1/69
	Source of Funds: Unallocated Salaries and HEW Grant			
27.	Charles J. Fagan Radiology	Assistant Professor	Assistant Professor	
	Salary Rate	\$18,000	\$20,000	3/1/69
28.	Luis B. Morettin Radiology	Assistant Professor	Assistant Professor	
	Salary Rate	\$18,000	\$20,000	3/1/69

The University of Texas Southwestern Medical Branch at Dallas

29.	Harriett M. Stambaugh Pediatrics	Assistant Professor	Assistant Professor	
	Salary Rate	\$14,000	\$15,000	3/1/69
	Source of Funds: Children's Medical Center			

The University of Texas Medical School at San Antonio

<u>Item No.</u>	<u>Explanation</u>	<u>Present Status</u>	<u>Proposed Status</u>	<u>Effective Dates</u>
1.	Auxiliary Enterprises - Bookstore and Vending Machines			
	Transfer of Funds	From: Bookstore and Vending Machines Unappropriated Balance via Estimated Income	To: Bookstore and Vending Machines - Maintenance and Operation \$ 1,000 Purchase of Materials for Resale <u>11,000</u>	
	Amount of Transfer	\$12,000	<u>\$12,000</u>	---

The University of Texas Dental Branch at Houston

2.	Plant Funds (Equipment) Transfer of Funds	From: Unappropriated Balance	To: Special Equipment	
	Amount of Transfer	\$52,000	\$52,000	---

The University of Texas M. D. Anderson Hospital and Tumor Institute
at Houston

11.	Sidney Wallace Diagnostic Radiology	Associate Radiologist and Associate Professor of Radiology	Associate Radiologist and Associate Professor of Radiology	
	Salary Rate	\$22,000	\$23,500	3/1/69
	Source of Funds: Reserve for Salaries			
12.	Alfonso Zermeno Diagnostic Radiology and Research Physics	Assistant Biophysicist and Assistant Professor of Radiology (Biophysics)	Assistant Biophysicist and Assistant Professor of Radiology (Biophysics)	
	Salary Rate	\$14,000	\$15,500	3/1/69
	Source of Funds: Reserve for Salaries			

5. Items Submitted to the Executive Committee but Ballots Not Due Until April 24, 1969 (35-M-68 and 7-B-68). --The following two items have been submitted to the Executive Committee but the ballots are not due until April 24, 1969.

If the items are approved by mail ballot, then the recommendations set out below will be incorporated in the report of the Executive Committee to be ratified by the Board. If these recommendations are not approved by the Executive Committee then they will be referred to the Committee of the Whole for consideration.

- (a) It is recommended that the minutes of the meeting of the Board of Directors of Texas Student Publications, Inc. of The University of Texas at Austin held on March 12, 1969, be approved (35-M-68). The following item requires Regental consideration:

1. Appointment of Miss Andrea Johnson as 1969-70 Editor of Texas Engineering and Science Magazine.

- (b) It is recommended that the following amendments to the 1968-69 budgets of The University of Texas at Austin, The University of Texas Medical Branch at Galveston and The University of Texas Southwestern Medical School at Dallas be approved (7-B-68) (Pages 18-20):

**Source of Funds - Departmental Appropriations
(Unless Otherwise Specified)**

(All rates set out below are full time rates: salary rate indicates a 12 months' full time rate and academic rate indicates a 9 months' full time rate.)

The University of Texas at Austin

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
70.	Physical Plant - Utilities Transfer of Funds	From: U.T. Austin - Unappropriated Balance	To: Boiler and Machinery Insurance	
	Amount of Transfer	\$29,708	\$29,708	---
71.	Auxiliary Enterprises - Intercollegiate Athletics Transfer of Funds	From: Intercollegiate Athletics - Unappropriated Balance	To: Intercollegiate Athletics - Operating Reserve	
	Amount of Transfer	\$50,000	\$50,000	---
72.	Auxiliary Enterprises - Student Health Center - The Pharmacy Transfer of Funds	From: Unappropriated Balance (The Pharmacy)	To: The Pharmacy - Other Expenses	
	Amount of Transfer	\$20,000	\$20,000	---

The University of Texas Medical Branch at Galveston

<u>Item No.</u>	<u>Explanation</u>	<u>Present Status</u>	<u>Proposed Status</u>	<u>Effective Dates</u>
29.	Elizabeth Ray Office of the Vice President for Academic Affairs and Dean of Medicine	Assistant to the Vice President for Academic Affairs	Assistant to the Vice President for Academic Affairs	
	Salary Rate	\$12,000	\$14,000	4/1/69
30.	Rene R. Kempen Pharmacology	Assistant Professor	Assistant Professor	
	Salary Rate	\$12,000	\$13,500	4/1/69
	Source of Funds: Unallocated Salaries			

The University of Texas Southwestern Medical School at Dallas

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
30.	A. H. Giesecke, Jr. Anesthesiology	Associate Professor	Associate Professor	
	Salary Rate	\$32,000	\$35,000	4/1/69
	Source of Funds: Anesthesiology Various Purposes Fund			
31.	E. W. Ahlgren Anesthesiology	Assistant Professor	Assistant Professor	
	Salary Rate	\$26,000	\$32,000	4/1/69
	Source of Funds: Children's Medical Center Inhalation Therapy Services			
32.	Edward J. Bennett Anesthesiology	Assistant Professor	Assistant Professor	
	Salary Rate	\$26,000	\$30,000	4/1/69
	Source of Funds: Anesthesiology Various Purposes Fund			
33.	Paul C. MacDonald Obstetrics and Gynecology	Professor	Professor	
	Salary Rate	\$25,000	\$27,000	5/1/69
34.	John D. Nelson Pediatrics	Associate Professor	Associate Professor	
	Salary Rate	\$19,000	\$24,000	4/1/69
	Source of Funds: USPHS Career Development Award			
35.	Kem Kelly Pediatrics	Instructor	Instructor	
	Salary Rate	\$17,000	\$18,500	4/1/69
	Source of Funds: Children and Youth Project Funds			

EXECUTIVE COMMITTEE
May 2, 1969

EMERGENCY ITEM

The Secretary wishes to report that the two items submitted to the Executive Committee for mail balloting were approved on April 25, 1969. These items (35-M-68 and 7-B-68) are on Pages EXEC 18 - 20 and unless there is objection will be incorporated at the appropriate place in the report of interim actions of the Executive Committee.

**Academic & Developmental Affairs
Committee**

ACADEMIC AND DEVELOPMENTAL AFFAIRS COMMITTEE

Date: May 2, 1969

Time: Following the meeting of the Executive Committee

Place: Room 611
Library Building
U. T. Arlington
Arlington, Texas

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1. U. T. System: <u>Chancellor's Docket No. 31</u>	1
2. U. T. System: Report of University Development Board Actions	1
3. U. T. Austin: Proposed Incorporation of Department of Architectural Engineering within Department of Civil Engineering, College of Engineering	4
4. U. T. Austin: Proposed Changes in the General Faculty and Faculty Council	4
5. U. T. Austin: Proposed Calendar for the Long Session 1970-71 (for Discussion Only)	7
6. U. T. El Paso: Proposed Bylaws of the Graduate School	8

1. U. T. System: Chancellor's Docket No. 31. --The Chancellor's Docket was mailed to each Regent on April 15, 1969. The ballots are due to be returned to the Secretary by the close of business on April 29. The Secretary will report the results of the mail ballot at the Committee meeting and if any item has been excepted, the docket will be referred to the Committee of the Whole for consideration. *W. O. Williams*

2. U. T. System: Report of University Development Board Actions. -- Below is a Xerox copy of the report submitted by Mr. Blunk, Executive Director of The University Development Board, with respect to activities of the board:
 - a. The University of Texas System Development Board: Gift Reporting:
Gifts and grants are reported to the Board of Regents routinely through established procedures.

 - b. The Chancellor's Council Executive Committee: Third Annual Meeting:
The Executive Committee of The Chancellor's Council met in Houston on March 20. In addition to former members, all five new members of the Council attended. Meeting date for the third annual meeting of The Chancellor's Council was set for Friday, October 3. It will be held in the Academic Center Auditorium at 3:30 p.m. A member of the Board of Regents will be invited to speak to the Council at its meeting. Following the meeting Council members will attend a reception in the Academic Center. For Council members who remain in Austin following the meeting, there will be special campus tours on Saturday, October 4. Council members will be invited to the Chancellor's buffet before the UT-Navy football game Saturday evening.

 - c. The University of Texas System Development Board Executive Committee: Santa Rita Award, McDermott Luncheon:
The Executive Committee of the Development Board met in Dallas on April 10. Announcement was made of the recipients of the Santa Rita Award for 1969--Hines H. Baker and Eugene McDermott. Last year the first such award was given to Miss Ima Hogg. It was suggested that presentation of the two awards for 1969 be made as a part of the UT Austin Commencement Exercises on Saturday, May 31. Following its meeting the Board's Executive Committee members hosted a luncheon honoring Mr. and Mrs. Eugene McDermott. Committee chairman Joe M. Dealey and Chancellor Ransom presented Mr. and Mrs. McDermott with a specially designed Steuben bowl as an appreciation gift from a grateful University System for their

generosity. Luncheon guests included close Dallas friends of the McDermotts and officers of the board of directors of Southwestern Medical Foundation. The bowl was purchased by private funds obtained by Board member, Marvin K. Collie. The funds are sufficient to provide for a Steuben bowl to be given to Mrs. Harry C. Wiess, Houston, soon, and for gifts to other donors of very large gifts at later dates.

d. Special Gifts and National Corporations Committees:

Area Luncheons:

Through efforts of Special Gifts Committee chairman Rex G. Baker, Jr., and Area Committee chairmen, luncheon meetings with community leaders, UT alumni and friends are being held. A luncheon at Tyler on February 26 was co-hosted by Dan C. Woldert, Tyler, and B. W. Crain, Jr., Longview. A similar luncheon will be held at San Angelo on May 6. Hosts will be J. Mark McLaughlin, San Angelo, French M. Robertson, Abilene, and Tom Sealy, Midland. About fifty people attend each luncheon. Other area luncheons will be held later in the year.

The National Corporations Committee held a luncheon in Chicago on March 27 with Ike Sewell acting as host after preliminary arrangements were made by L. L. Colbert, Committee chairman. A similar luncheon is being hosted by Frank N. Ikard in New York on April 22. Next day there will be a small private luncheon with a few major donors. Guests lists include community leaders, corporate executives, UT alumni and friends.

At both the Area Committee and National Corporations Committee luncheon meetings Chancellor Harry Ransom is the principal speaker. Response to his discussions of achievements and problems in U.S. higher education today has been highly commendatory and has reflected favorably on The University of Texas System.

e. Alumni Annual Giving Committee: CLASP:

The Alumni Annual Giving program (CLASP) continues to exceed previous years' records. National chairman for 1969 is Dr. Denton Cooley; Dan M. Krausse is chairman. CLASP campaigns were held in March in Arlington, Fort Worth and El Paso. The Austin program begins on April 21 and the Dallas program on May 5.

f. Foundation Advisory Councils: Meeting Dates:

Meeting dates of Foundation Advisory Councils include:

- April 25-26 - Fine Arts Advisory Council (Austin)
- May 2 - Social Work Advisory Council (Austin)
- May 9 - College of Business Administration
Advisory Council (Austin)
- May 30-31 - Engineering Advisory Council (Austin)

g. The University of Texas Foundation, Inc.: Meeting Date:

The board of directors of The University of Texas Foundation, Inc., will meet in Houston on May 16.

h. The University of Texas System Development Board:

Meeting Date:

The Development Board will meet in Austin on May 8.

3. U. T. Austin: Proposed Incorporation of Department of Architectural Engineering within Department of Civil Engineering, College of Engineering. --Below is a Xerox copy of a recommendation from Executive Vice-Chancellor Singletary: *or 403,*

Executive Vice-Chancellor Singletary concurs in the recommendation of President Hackerman and Dean McKetta that the Board of Regents approve a change in the organizational structure of the College of Engineering. Dean McKetta states that the College of Engineering wishes to implement on September 1, 1969, the plan of placing the Department of Architectural Engineering within the Department of Civil Engineering as a division, with the chairman of the Department of Civil Engineering to serve also as chairman of the architectural engineering division. The overall department will be called the Department of Civil Engineering. The faculties of both departments are agreeable with this change.

If the Board of Regents approves this change in organizational structure, the Administration will report it to the Coordinating Board for information.

4. U. T. Austin: Proposed Changes in the General Faculty and Faculty Council. -- Below is a Xerox copy of a recommendation submitted by Executive Vice-Chancellor Singletary:

Executive Vice-Chancellor Singletary concurs in President Hackerman's recommendation that the actions taken by the General Faculty at its meeting on February 25 be approved by the Board of Regents and also be adopted for inclusion in the Institutional Supplement for U.T. Austin. The specific changes are contained in Dr. Hackerman's letter of March 12 to Dr. Singletary, and Mr. Nelson's letter of March 5 to Dr. Hackerman, which follow:

Dear Dr. Singletary:

March 12, 1969

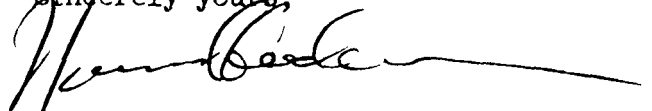
Attached is a letter of March 5, 1969, which I have received from Eugene W. Nelson, Secretary of the General Faculty, regarding actions taken by the General Faculty on February 25.

Items 2, 3, 4, and 5 of Mr. Nelson's letter require action, and I agree with and approve all four of these faculty actions. Item 1 does not require action, since it is rescinding an action which had not been sent forward.

With reference to item 6, I approve it in principle, so far as it relates to the President, but it cannot be binding on the Chancellor.

Item 7 relates only to internal procedure of the General Faculty, but since it would be incorporated in the institutional rules for The University of Texas at Austin you may feel it needs Regents' approval. It has my approval.

Sincerely yours,



Norman Hackerman

NH: gm

Enclosure

cc: Mr. Eugene Nelson

Approved: *4/1/69*
O.A. Singletary

March 5, 1969

Dear Dr. Hackerman

At its meeting on February 25, 1969, the General Faculty approved the following legislation:

1. The action rescinding the Smith-Grubbs proposal, as amended (GFM 9512-9515), adopted by the General Faculty on November 6, 1968. The effect of this action is to retain the President of the University as presiding officer of the Faculty Council, to preserve the voting rights of those ex-officio members of the Council who, under current rules, have voting rights, and to retain the ex-officio membership, without vote, of other current ex-officio members without vote.
2. The action constituting a separate Faculty Senate consisting of the faculty members of the Faculty Council having administrative duties no higher than those of a department chairman, with the Faculty Senate being empowered to elect its own chairman, call its own meetings, and convey its recommendations, if any, to the Faculty Council, subject to the provision that such recommendations may be conveyed only to the Faculty Council.
3. The action adding ten new, elected members to the Faculty Council, four to be elected by the General Faculty (two from the Professor-Associate Professor bracket) and two from the Assistant Professor-Instructor bracket) and six to be elected by the individual schools and colleges. To implement this change, the
* Regents' Rules and Regulations governing the Faculty Council are revised to read as follows:
 - A. Section 2, A, General Faculty Seats. Ten of the twenty seats allocated to the General Faculty shall be filled from the group of professors and associate professors or their equivalents and the other ten from the group of assistant professors and instructors or their equivalents.
 - B. Section 2, B, the second paragraph.
The distribution of seats shall be made in two steps:
 1. The first step shall consist of ascertaining those independent schools and colleges having ten or more faculty members which would not receive one seat if twenty-two seats were distributed by applying the divisor obtained by dividing twenty-two into the total University teaching staff. One seat shall then be allotted to each such independent school or college.
 2. The second step shall consist of apportioning twenty-two seats among those schools and colleges whose teaching staffs are large enough to receive at least one seat by apportionment. The divisor to be applied shall be determined by dividing twenty-two into the sum of the teaching faculty of such independent schools and colleges. The number of seats allotted to each such school or college shall be equal to the number of times its faculty is the multiple of the prescribed divisor, the undistributed balance of the twenty-two seats to be allotted to the schools or colleges having the largest remainders.
4. The action adding three student members, with vote, to the Faculty Council, one member to be the President of the Students' Association, one to be elected by the Students' Assembly, and the third to be elected by the House of Delegates.
5. The action changing the name of the Faculty Council to University Council.

* Not currently in Regents' Rules and Regulations; will be a part of the U.T. Austin Institutional Supplement.

6. The proposal that all actions of the University Council or of the General Faculty which require the approval of the Board of Regents shall be transmitted to the Board by the President and the Chancellor in the form passed by the University Council or General Faculty, together with such recommendations as the President or Chancellor may choose to make, no later than ninety days from the date that official copies of the actions are delivered to the President by the Secretary of the General Faculty or University Council. At each meeting of the University Council, the President shall report on all actions of the Council or General Faculty transmitted to the Board and the action, if any, of the Board, on each. If final action of the Board differs from the General Faculty's or University Council's recommendations, the President shall communicate these differences to the Council.

7. The proposal that no major legislation shall be submitted to the General Faculty by the no-protest procedure during the months from June through August.

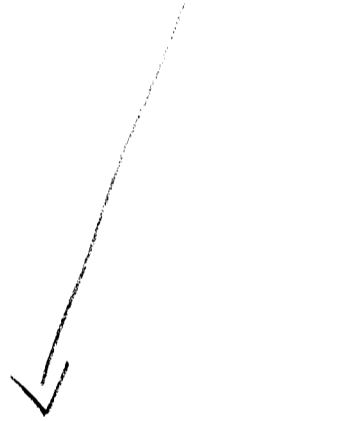
This legislation is now ready for your approval and submission to the Board of Regents.

Sincerely yours



Eugene W. Nelson, Secretary
The General Faculty

Amended



NOTE: Chairman Erwin recommends that the following words be deleted from numbered paragraph 6 at the top of this page: "no later than ninety days from the date that official copies of the actions are delivered to the President by the Secretary of the General Faculty or University Council." It is Chairman Erwin's view that no such arbitrary limitation should be placed on consideration of faculty recommendations by the President, the Vice-Chancellor for Academic Affairs, and the Chancellor.

5. U. T. Austin: Proposed Calendar for the Long Session of 1970-71 (For Discussion Only). --At the Regents' Meeting on March 14, 1969, action was postponed on the proposed 1970-71 calendar for The University of Texas at Austin. In connection therewith, Executive Vice-Chancellor Singletary presents the following:

Executive Vice-Chancellor Singletary concurs in President Hackerman's recommendation that there be further discussion with the Board on the U.T. Austin calendar.



6. U. T. El Paso: Proposed Bylaws of the Graduate School. --Below is a Xerox copy of the recommendation of Acting President Leech, concurred in by Executive Vice-Chancellor Singletary:

Executive Vice-Chancellor Singletary concurs in the recommendation of Acting President Leech that the following **Bylaws of the Graduate School** of The University of Texas at El Paso be approved by the Board of Regents and also be adopted for inclusion in the Institutional Supplement for U.T. El Paso:

Bylaws of the Graduate School

The University of Texas at El Paso
Adopted with Amendments-February 24, 1969

- Section 1. Graduate Program and Graduate Faculty. Graduate programs at The University of Texas at El Paso are offered through the Graduate School in accordance with Chapter V of the Rules and Regulations of The Board of Regents of The University of Texas System. The administrator of the Graduate School is the Dean who is responsible to the President. The qualifications and responsibilities of the members of the graduate faculty are defined in Chapter V, Section 6, 6.1, 6.11, and 6.12 of The Rules and Regulations of the Board of Regents.
- Section 2. Membership and Procedures. The entire membership of the graduate faculty shall constitute the Graduate Assembly of this institution. Ex-officio members will include the President, the Dean of the Graduate School, the administrative heads of colleges and schools, and such associate administrators as shall have been approved by the Advisory Council on Graduate Affairs of The University of Texas System. The Dean of the Graduate School shall have authority to propose legislation. In accordance with the Rules and Regulations of the Board of Regents, (Chapter V, Sections 7 and 8), the Graduate Assembly shall elect a chairman and a secretary from its voting members to serve for a term of one year. The secretary will send notices of all meetings of the Assembly to members and shall keep records of all proceedings of the Assembly. The Assembly will meet at least four times during the academic year. Standing committees of the Graduate Assembly shall include a Committee on Membership in the Graduate Faculty, a Committee on Graduate Students, and a Committee on Graduate Program Policy.
- Section 2.1 Committees on Graduate Studies. There shall be committees on graduate studies in these areas:
- Social Science, comprising all members of the graduate faculty in these departments:
- Economics
 - Political Science
 - Psychology
 - Sociology
- and such other departments as may be designated by the Assembly.
- Humanities, comprising all members of the graduate faculty in the School of Education and these departments:
- Drama and Speech
 - English
 - History
 - Philosophy
- with such other departments as may be designated by the Assembly.

Science and Engineering, comprising all members of the graduate faculty in the School of Engineering and these departments:

Ecology
Chemistry
Geology

with such other departments as may be designated by the Assembly.

These committees shall be organized as soon as possible after adoption of these By-Laws by the Graduate Assembly.

Section 2.11. As soon as the School of Education, School of Engineering or School of Business reaches a minimum number of four members of the graduate faculty, a separate committee on graduate studies comprising all members in that school shall be organized by the Assembly.

Section 2.2. Election of Standing Committees. The Graduate Assembly shall elect by secret ballot three members to each standing committee from among members of the graduate faculty. Members of each committee shall represent different disciplines. The term of each member shall be three years, except that after the first election, members of each committee shall be divided into classes by lot. The first class shall serve for a term of one year ending in September 1970, the second for a term of two years ending in September 1971, and the third for a term of three years ending September 1972. Following the first election an election shall be held in September of each year to choose committee members to replace those whose terms expire in that month.

The chairman of each committee shall be elected annually by the committee members but no person shall serve as chairman more than three consecutive years.

The Dean of the Graduate School and the Chairman of the Graduate Assembly are ex-officio non-voting members of each standing committee.

Section 2.21. Committees on Graduate Studies. The duties of the committees on graduate studies will be those set forth in the Rules and Regulations of the Board of Regents, (Chapter V, Section 8.1). The membership of each committee on graduate studies shall consist of all members of the graduate faculty in the appropriate academic disciplines. Each committee will elect its own chairman and secretary. The secretary shall keep records of all actions of the committee, and these shall be deposited in the Office of the Graduate Dean.

Section 2.22. The Committee on Membership in the Graduate Faculty. The Committee on Membership shall make recommendations concerning nominations for membership in the graduate faculty. It shall recommend appointments as associates of the graduate faculty.

Section 2.23. Committee on Graduate Students. This committee shall make recommendations concerning standards for admission to and retention of students in the Graduate School and such other recommendations concerning graduate students as are deemed desirable.

Section 2.24. The Committee on Graduate Program Policy. This committee shall review existing graduate degree programs periodically to determine their conformity to established policies. The committee shall make recommendations for revisions of policies of graduate education within this institution in order to facilitate the orderly and sound development of the graduate education program. The committee shall also receive applications to establish new graduate degree programs, new graduate courses, and make recommendations thereon.

- Section 2.3. Other Committees. In addition to the committees established by the Rules and Regulations of the Board of Regents, the Graduate Assembly may establish committees as it deems desirable.
- Section 3. Procedures. Parliamentary procedure of the Assembly shall be governed by Robert's Rules of Order Revised. The chairman shall call regular meetings of the Assembly and such special meetings as may be requested by the Graduate Dean or five members of the graduate faculty. A quorum is a majority of the voting membership in residence. Except in emergencies, no matter shall be presented for action to the Graduate Assembly unless notice thereof has been circulated to the members at least a week prior to the meeting at which time the matter is to be presented. The notice shall include any pertinent data for consideration of the members. Emergency matters may be brought before the Assembly if a majority of those voting consent.
- Section 3.1. Transmission of Approved Legislation. The secretary shall transmit approved legislation to the Graduate Dean for his concurrence. Then the legislation shall be transmitted by the secretary to the President, Chancellor, and the Board of Regents. Upon approval of these officials, the legislation will take effect.
- Section 3.2. Effective Date. These Bylaws shall be effective upon approval by the Board of Regents,

ACADEMIC AND DEVELOPMENTAL AFFAIRS COMMITTEE

Date: May 2, 1969

Time: Following the meeting of the Executive Committee

Place: Room 611
Library Building
U. T. Arlington
Arlington, Texas

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7. U. T. Austin: Establishment of a Regional Information Microwave Network	12
8. U. T. Austin: Sale of Films by Visual Instruction Bureau	14
9. U. T. Austin, San Antonio Medical School: Dual Positions Pursuant to Section 33, Article XVI, Constitution of Texas	15

*Clint
Ferry
1974*

7. U. T. Austin: Establishment of a Regional Information Microwave Network. --Below is a Xerox copy of the recommendation of President Hackerman, concurred in by Executive Vice-Chancellor Singletary:

Executive Vice-Chancellor Singletary concurs in the recommendation of President Hackerman that the Board of Regents authorize the Administration of the University to request the approval of the Coordinating Board for the establishment of a regional information network as provided in House Bill 692, 60th Legislature.

The Board of Directors of the Texas Educational Microwave Project has passed the following resolution:

That The University of Texas at Austin be asked to initiate action to establish a Regional Information Network as provided in H.B. 692, 60th Legislature.

The TEMP Board further advised the University that the private institutional members of TEMP expressed their strong interest in participation in the new state-supported Regional Information Network Association.

House Bill 692, 60th Legislature, Regular Session, created the Western Information Network Association with Texas Technological College as the prime mover, and authorized the creation and operation of additional regional information network associations by the Coordinating Board, Texas College and University System, and provided that such network associations would be state agencies comprised of certain institutions of higher education in the State of Texas, and provided for instructional television interchange between the institutions and by contract between the institutions and private educational institutions, school districts, industry, and the general public.

Subsequent to the close of the 60th Legislature, the Coordinating Board has approved the South East Texas Information Network Association, and the University of Houston is the prime mover in this association and includes Texas A&M University. Therefore, two regional information networks have been approved, and there are two more networks to be approved by the Coordinating Board. The proposed geographical region of the network in which The University of Texas at Austin will be the prime mover is a region bounded by the Western Information Network on the west, Hill County on the north, South East Texas Information Network Association on the east, and the Mexican border on the south.

In conversations held with Dr. Jack Cross, Assistant Commissioner of the Coordinating Board, the proposed region is satisfactory to the Coordinating Board staff. This will leave one additional region to be created, which will be the North Texas area; and at this time the details for that region have not been completed.

Legislative requests for funds for the Western Information Network and the South East Texas Information Network Association have been requested of the 61st Legislature. At this time no budget requests have been made to the Coordinating Board for financing the network in which The University of Texas at Austin is to be the prime mover. The Coordinating Board has indicated that it might not be possible to submit legislative requests to this Legislature, but they are anxious that the regional network be established.

The cost to The University of Texas at Austin of participation in the proposed Regional Information Network Association will in no event be greater than the cost of present participation in the Texas Educational Microwave Project in which we are now the prime mover and is a non-profit educational foundation financed by contributions and assessments to the participating schools.

The specific section, Subchapter C, of House Bill 692, 60th Legislature, reads as follows:

Sec. 17. (a) In addition to the Western Information Network Association, the Coordinating Board, Texas College and University System, shall at such times as such board shall determine, divide the state into information network association regions consisting of state-supported institutions of higher education located within geographical boundaries prescribed by the coordinating board.

(b) The coordinating board shall give due consideration to the geographical proximity and number of institutions of higher education to be included within a proposed region.

Sec. 18. (a) The Coordinating Board, Texas College and University System, shall create and name an information network association within an information network region if

(1) a majority of the institutions of higher education within a region apply to create an association; and

(2) the institutions applying show good cause for creating an association.

(b) The Coordinating Board, Texas College and University System, may not create more than one information network association in an information network region.

(c) Each information network association created is an agency of the state.

- 8. U. T. Austin: Sale of Films by Visual Instruction Bureau. --Below is a Xerox copy of the recommendation of Vice-President Colvin, concurred in by President Hackerman, Executive Vice-Chancellor Walker, and Chancellor Ransom:

Attached is a copy of Vice-President Colvin's recommendation regarding the sale of surplus films by the Visual Instruction Bureau to the high bidder, Education Service Center, Region XIII, 816 East 53rd Street, Austin, Texas 78751.

THE UNIVERSITY OF TEXAS AT AUSTIN
AUSTIN 78712

MEMORANDUM
FROM
VICE-PRESIDENT FOR BUSINESS AFFAIRS

TO: Dr. Norman Hackerman
President

DATE: April 18, 1969

Subject: SALE OF FILMS BY VISUAL INSTRUCTION
BUREAU

The Visual Instruction Bureau owns 535 prints of 16 MM film used by elementary and junior high schools, which have become surplus in that films of this type are now available through twenty regional education service centers.

These films were offered for sale on a sealed bid basis (copy attached) and the following bids received:

Education Service Center, Region XIII 816 East 53rd Street Austin, Texas 78751	\$14,025.00
Education Service Center, Region XI 2821 Cullen Street Fort Worth, Texas 76107	\$ 8,029.00
Education Service Center, Region III 2710 Hospital Drive Victoria, Texas 77901	\$ 8,001.00

Dr. E. F. Tieman, Director, Instructional Media Center, recommends, and I concur, that the high bid of \$14,025.00 be accepted. If you agree, I suggest that the Chancellor's Office be requested to include this on the agenda for the May 2 Meeting of the Board of Regents.

James H. Colvin

JHC:ms

*To Mr. Colvin
I agree
ref
4/18*

[Handwritten signature]

9. U. T. Austin, San Antonio Medical School: Dual Positions Pursuant to Section 33, Article XVI, Constitution of Texas. --
Below is a Xerox copy of a recommendation submitted by Chancellor Ransom:

Chancellor Ransom recommends that the following resolution be adopted with respect to the individuals listed below in connection with their service on each of the state or federal boards or commissions opposite his name:

RESOLUTION

WHEREAS, (the name of the individual) has an opportunity to serve as (the capacity in which he is serving on a state or federal board or commission):

NOW, THEREFORE, BE IT RESOLVED by the Board of Regents of The University of Texas System, acting pursuant to delegated legislative authority:

1. That the said (the name of the individual) be and he is hereby authorized by the Board of Regents to serve as (the capacity in which he is serving on a state or federal board or commission) until he no longer has an opportunity to do so or until this direction and requirement is amended or revoked by the Board of Regents;

2. That the said (the name of the individual) be and he is hereby authorized by the Board of Regents to serve as (the capacity in which he is serving on a state or federal board or commission) in addition to all other duties that have been or may hereafter be assigned or required of him by the Board of Regents;

3. That the Board of Regents finds that (the name of the individual)'s service as (the capacity in which he is serving on a state or federal board or commission) is not in conflict with his employment by The University of Texas;

4. That the Board of Regents finds that (the name of the individual)'s service as (the capacity in which he is serving on a state or federal board or commission) is and will continue to be a benefit and advantage to The University of Texas System and the State of Texas.

THE UNIVERSITY OF TEXAS AT AUSTIN

Dewitt C. Greer	Professor of Civil Engineering	Member and Chairman - Texas Highway Commission
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THE UNIVERSITY OF TEXAS MEDICAL SCHOOL
AT SAN ANTONIO

David A. Kronick, Ph.D.	Professor of Medical Bibliography, Director of Medical Communications and Librarian	Member - Advisory Board of the National Library of Medicine
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Buildings & Grounds Committee

BUILDINGS AND GROUNDS COMMITTEE

Date: May 2, 1969

Time: Following the meeting of the Academic and Developmental
Committee

Place: Room 611
Library Building
U. T. Arlington
Arlington, Texas

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B & G

U. T. AUSTIN

1. Approval of Specifications for Furniture and
Furnishings for Music Building No. 2 2

2. Approval of Specifications for Furniture and
Furnishings for the Joe C. Thompson Conference Center 2

3. Approval of Specifications for Non-Fixed Labo-
ratory Equipment for Physics-Mathematics-Astronomy
Building 2

4. Approval of Inscription on Plaque for Physics-
Mathematics-Astronomy Building 2

5. Ratification of Approval of Plans and Specifi-
cations for Water Resources Building on Balcones Tract
and Appointment of Committee to Award Contract 3

6. Renaming of Chemical Engineering Building as
the E. P. Schoch Laboratories 3

GALVESTON MEDICAL BRANCH

7. Approval of Inscription on Plaque for Animal
Building 4

THE UNIVERSITY OF TEXAS SYSTEM
OFFICE OF THE DIRECTOR OF
FACILITIES PLANNING AND CONSTRUCTION
AUSTIN, TEXAS 78712

RECOMMENDATIONS TO THE
REGENTS' BUILDINGS AND GROUNDS COMMITTEE

April 15, 1969

- ✓ 1. U. T. AUSTIN - APPROVAL OF SPECIFICATIONS FOR FURNITURE AND FURNISHINGS FOR MUSIC BUILDING NO. 2.--Specifications for Furniture and Furnishings for Music Building No. 2 at The University of Texas at Austin have been prepared by the Office of Facilities Planning and Construction, and the estimated cost of the Furniture and Furnishings covered by these specifications is within the amount of \$160,000.00 allocated for this purpose out of the appropriated funds. It is recommended by Mr. Lester E. Palmer, Executive Vice-Chancellors Singletary and Walker, and Chancellor Ransom that they be approved by the Board, with authorization to the Director of Facilities Planning and Construction to advertise for bids to be presented to the Board or the Executive Committee for consideration at a later date.
- ✓ 2. U. T. AUSTIN - APPROVAL OF SPECIFICATIONS FOR FURNITURE AND FURNISHINGS FOR THE JOE C. THOMPSON CONFERENCE CENTER.--Specifications for Furniture and Furnishings for the Joe C. Thompson Conference Center at The University of Texas at Austin have been prepared by the Office of Facilities Planning and Construction, and the estimated cost of the Furniture and Furnishings covered by these specifications is within the amount of \$98,000.000 allocated for this purpose out of the appropriated funds. It is recommended by Mr. Lester E. Palmer, Executive Vice-Chancellors Singletary and Walker, and Chancellor Ransom that they be approved by the Board, with authorization to the Director of the Office of Facilities Planning and Construction to advertise for bids to be presented to the Board or the Executive Committee for consideration at a later date.
- ✓ 3. U. T. AUSTIN - APPROVAL OF SPECIFICATIONS FOR NON-FIXED LABORATORY EQUIPMENT FOR PHYSICS-MATHEMATICS-ASTRONOMY BUILDING.--Specifications for certain non-fixed Laboratory Equipment for the Physics-Mathematics-Astronomy Building at The University of Texas at Austin not included in the construction contracts for the building have been prepared by the Office of Facilities Planning and Construction, and the estimated cost of the equipment covered by these specifications is within the amount of \$239,000.00 previously allocated for this purpose out of the appropriated funds. It is recommended by Mr. Lester E. Palmer, Executive Vice-Chancellors Singletary and Walker, and Chancellor Ransom that these specifications be approved by the Board, with authorization to the Director of Facilities Planning and Construction to advertise for bids to be presented to the Board or the Executive Committee for consideration at a later date.
- ✓ 4. U. T. AUSTIN - APPROVAL OF INSCRIPTION ON PLAQUE FOR PHYSICS-MATHEMATICS-ASTRONOMY BUILDING.--It is recommended that the inscription as set out below be approved for the plaque to be placed on the Physics-Mathematics-Astronomy Building at The University of Texas at Austin. This inscription follows the standard pattern approved by the Board at the meeting held October 1, 1966.

PHYSICS-MATHEMATICS-ASTRONOMY BUILDING

1968

BOARD OF REGENTS

Frank C. Erwin, Jr., Chairman
Jack S. Josey, Vice-Chairman
W. H. Bauer
Frank N. Ikard
Mrs. J. Lee Johnson III
Joe M. Kilgore
Rabbi Levi A. Olan
John Peace
E. T. Ximenes, M. D.

Harry H. Ransom, Chancellor
The University of Texas System
Norman Hackerman, President,
The University of Texas at Austin

Drury B. Alexander, Chairman,
Faculty Building Committee of
The University of Texas at Austin

Brooks, Barr, Graeber and White,
Consulting Architects
George L. Dahl, Inc., Associate
Architect
B. L. McGee Construction Company,
Contractor

5. U. T. AUSTIN - RATIFICATION OF APPROVAL OF PLANS AND SPECIFICATIONS FOR WATER RESOURCES BUILDING ON BALCONES TRACT AND APPOINTMENT OF COMMITTEE TO AWARD CONTRACT.--In accordance with authorization given at the Regents' Meeting held March 14, 1969, plans and specifications for a Water Resources Building on the Balcones Tract at The University of Texas at Austin have been prepared by Barnes, Landes, Goodman, and Youngblood, Architects on the project, and have been approved by the Special Committee appointed at that meeting. Further in accordance with authorization given at the March 14th meeting, bids were called for and will be received on the project on May 20, 1969. In order that a contract may be awarded before the June meeting of the Board, it is recommended that the Board ratify the action taken by the Special Committee in approving the plans and specifications and that a Special Committee, consisting of Mr. Lester E. Palmer, Executive Vice-Chancellor Walker, President Hackerman, Regent Peace and Chairman Erwin, be appointed to award a contract within the amount of money available for the project.

6. U. T. Austin: Proposal to Name the Chemical Engineering Building the E. P. Schoch Laboratories. --The following is a Xerox copy of a recommendation submitted by Executive Vice-Chancellors Singletary and Walker:

The General Faculty has approved the recommendation of the Faculty Council to change the name of the Chemical Engineering Building to the E. P. Schoch Laboratories. President Hackerman recommends, and Executive Vice-Chancellor Singletary concurs in his recommendation, that the Board of Regents approve this proposal.

The bases of the request follow:

1. He was the first graduate in Civil Engineering from the University (in 1894).
2. Dr. E. P. Schoch was the first, and for many years the only, Professor of Chemical Engineering at The University of Texas.
3. At the time of his death on August 15, 1961, Dr. Schoch was almost 90 years old and had served on the faculty for more than 60 years.

4. Even when the profession of Chemical Engineering was in its infancy, Dr. Schoch realized its potential impact on industrial development in the Southwest, and he early took the steps needed to establish a degree program leading to the B. S. degree (in Chemical Engineering) at the University. The first degrees (2) were granted in 1919.
5. Dr. Schoch was directly responsible for the development of the department into a full-fledged degree-granting department in the College of Engineering in 1940, for the construction of the present Chemical Engineering Building and the accreditation, in 1944, of the departmental curriculum by the American Institute of Chemical Engineers and by the Engineer's Council for Professional Development.
6. Throughout his entire professional career, Dr. Schoch was able to inspire young men and women to do better things. "Doc. E. P.'s Boys," as they proudly called themselves, are now scattered throughout the world as leaders in their chosen and respective areas.
7. During his professional career at The University of Texas, over forty Master's degrees and over thirty doctorates were granted to students working under Dr. Schoch's direction.
8. Dr. Schoch was the first, and only, Director of the Bureau of Industrial Chemistry. For more than a quarter of a century, the primary objective of the Bureau and its Director was to provide information which would enable the citizens of Texas to make better use of their available raw materials.
9. Dr. Schoch's renown went far beyond The University of Texas. He served often as a consultant and technical witness. He was an early leader in the development of municipal water treating systems in Texas; he directed many of the early studies which led to the stabilization of the oil and gas industry in the State; he was recognized and praised as an outstanding individual and man true to his profession by educators and practicing chemical engineers throughout the country.

In every sense a "Doctor of Philosophy" Dr. Schoch taught and lived for The University of Texas, for the State in which he lived and for the profession which was both his vocation and his avocation. It is fitting indeed that the building which he sponsored, housing the department which he fathered and brought to maturity, be named in his honor.

7. GALVESTON MEDICAL BRANCH - APPROVAL OF INSCRIPTION ON PLAQUE FOR ANIMAL BUILDING.--It is recommended that the inscription as set out below be approved for the plaque to be placed on the Animal Building at The University of Texas Medical Branch at Galveston. This inscription follows the standard pattern approved by the Board at the meeting held October 1, 1966.

ANIMAL BUILDING

1967

BOARD OF REGENTS

Frank C. Erwin, Jr., Chairman
Jack S. Josey, Vice-Chairman
W. H. Bauer
Walter P. Brennan
Frank N. Ikard
Mrs. J. Lee Johnson III
Joe M. Kilgore
Rabbi Levi A. Olan
E. T. Ximenes, M. D.

Harry H. Ransom, Chancellor
The University of Texas System
Truman G. Blocker, Jr., M. D.,
President, The University of
Texas Medical Branch at Galveston

Charles W. Daeschner, Jr., M. D.,
Chairman, Building Committee,
The University of Texas Medical
Branch at Galveston

Brooks, Barr, Graeber and White,
Consulting Architects
Jenkins, Hoff, Oberg, and Saxe,
Associate Architects
Baxter Construction Company, Inc.,
Contractor

SUPPLEMENTARY AGENDA
BUILDINGS AND GROUNDS COMMITTEE

Date: May 2, 1969

Time: Following the meeting of the Academic and Developmental
Affairs Committee

Place: Room 611
Library Building
U. T. Arlington
Arlington, Texas

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U. T. AUSTIN

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10. Approval of Preliminary Plans and Outline Specifi-
cations for Remodeling of Claudia Taylor Johnson Hall and
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11. Approval of Construction of Self-Service Postal
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12. Rental of Space at 2410 San Antonio Street for the
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13. Request by Austin Independent School District for
Acquisition of Section of Brackenridge Tract 8

14. All-Weather Football Field and Tract Recommended
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U. T. EL PASO

15. Assignment and Modification of Central Energy Corpo-
ration Contract 9

16. Approval of Plans and Specifications for Expansion
of Press Box in Sun Bowl Stadium, Appointment of Committee
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17. Approval of Purchase of New Seating in Sun Bowl 14

GALVESTON MEDICAL BRANCH

18. Central Heating and Chilled Water Plant 15

19. Naming of Buildings as Moody Medical Library,
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DALLAS MEDICAL SCHOOL

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SAN ANTONIO MEDICAL SCHOOL

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THE UNIVERSITY OF TEXAS SYSTEM
OFFICE OF THE DIRECTOR OF
FACILITIES PLANNING AND CONSTRUCTION
AUSTIN, TEXAS 78712

SUPPLEMENT TO RECOMMENDATIONS TO
REGENTS' BUILDINGS AND GROUNDS COMMITTEE

April 18, 1969

8. U. T. SYSTEM - APPROVAL OF PRELIMINARY PLANS FOR THE CHANCELLOR'S RESIDENCE (BAUER HOUSE).--In accordance with authorization given by the Board at the meeting held March 14, 1969, preliminary plans for the construction of the Chancellor's Residence (Bauer House) have been prepared by Jessen, Jessen, Millhouse, Greeven, and Crume, Architects for the project. These preliminary plans have been approved by Mr. Lester E. Palmer, Executive Vice-Chancellor Walker, and Chancellor Ransom, and it is recommended that they be approved by the Board, with authorization to the Architects to proceed with the preparation of working drawings and specifications to be presented to the Board for approval at a later meeting.

9. U. T. AUSTIN - APPROVAL OF PLANS AND SPECIFICATIONS FOR SITE IMPROVEMENTS IN CONNECTION WITH EXPANSION OF MEMORIAL STADIUM. --In connection with the Expansion of the Memorial Stadium at The University of Texas at Austin, an appropriation of \$200,000.00 has been allocated for certain site improvements (including re-routing of San Jacinto Street and Waller Creek), which must be made before the expansion can be started. Plans and specifications for these Site Improvements have been completed by the Project Architects and Engineers and have been approved by Mr. J. Neils Thompson, Mr. Lester E. Palmer, Executive Vice-Chancellors Singletary and Walker, and Chancellor Ransom, and it is recommended that they be approved by the Board, with authorization to the Director of the Office of Facilities Planning and Construction to advertise for bids, and that a Special Committee consisting of Chairman Erwin, Regent Peace, Executive Vice-Chancellor Walker and Mr. Palmer be appointed to award a contract for this project.

10. U. T. AUSTIN - APPROVAL OF PRELIMINARY PLANS AND OUTLINE SPECIFICATIONS FOR REMODELING OF CLAUDIA TAYLOR JOHNSON HALL AND O'HENRY HALL AND ADDITIONAL APPROPRIATION THEREFOR.--In accordance with authorization given by the Board at the meeting held May 31, 1968, preliminary plans and outline specifications for the Remodeling of Claudia Taylor Johnson Hall and O'Henry Hall have been prepared by the Project Architects, Brooks, Barr, Graeber and White. The Architect's estimate of the cost of the entire project is \$1,850,000.00. This estimate includes the amount of approximately \$127,000.00 already expended for remodeling of the basement area of Claudia Taylor Johnson Hall and the demolition of the Post Office Annex. It also includes parking facilities for 89 cars which are needed to provide parking for the employees who are to work in these buildings. Appropriation for this project has been made in the amount of \$1,500,000.00.

It is recommended by Mr. Lester E. Palmer, President Hackerman, Executive Vice-Chancellors Singletary and Walker, and Chancellor Ransom that the preliminary plans and outline specifications as prepared by the Project Architects be approved by the Board, with authorization to the Project Architects to proceed with working drawings and specifications based on these preliminary plans, and that an additional appropriation of \$350,000.00 be made to the project from Permanent University Fund Bond proceeds.

11. U. T. AUSTIN - APPROVAL OF CONSTRUCTION OF SELF-SERVICE POSTAL UNITS ON THE CAMPUS.--The United States Post Office Department has requested permission to locate two self-service postal units on the Campus at The University of Texas at Austin, one at the southwest corner of the intersection of Speedway and 21st Street and one at the southeast corner of the intersection of Whitis Avenue and 24th Street. The agreement with the Post Office Department would contain the following provisions:

1. The University to provide the concrete base with electrical and telephone service outlets. Mr. Eckhardt estimates a cost of \$500.00 to \$700.00 for each location.
2. The Post Office Department to provide the structure and the erection thereof.
3. The Post Office Department to pay utility bills.
4. The contract to be for five years, but the University would have the right to relocate the unit, at University expense, if the site should be needed for other University purposes.
5. The Post Office Department to pay the University \$1.00 per year rental for each site.

Garnett
DK
Whitis
utility
See if possible to
relocate it - not
at location

It is recommended by Vice-President Colvin, President Hackerman, Mr. Lester E. Palmer, Executive Vice-Chancellors Singletary and Walker, and Chancellor Ransom that this request of the United States Post Office Department be approved as outlined above, with the understanding that the exact location of these units on the proposed sites involved is to be approved by the Office of Facilities Planning and Construction.

12. U. T. AUSTIN - RENTAL OF SPACE AT 2410 SAN ANTONIO STREET FOR THE REHABILITATION RESEARCH AND TRAINING CENTER IN MENTAL RETARDATION.-- Since June, 1965, the Rehabilitation and Research Center in Mental Retardation, operating under a grant from the Department of Health, Education, and Welfare, has been located in rented quarters at 2410 San Antonio, occupying approximately 900 square feet at a monthly rental of \$200.00.

The project has grown from 2 to 6 employees, and the new contract provides for 2 additional employees. The owner of the property has agreed to do necessary remodeling, including the adding of an additional 50 feet of space, plus furnishing the additional furniture and filing cabinets, for a monthly rental of \$300.00. The new contract with Health, Education, and Welfare provides \$3,600.00 per year for rental of space.

It is recommended by Vice-President Colvin, President Hackerman, Executive Vice-Chancellors Singletary and Walker, and Chancellor Ransom that approval be given to renting this space as outlined above and that Executive Vice-Chancellor Walker be authorized to sign the lease agreement after the appropriate approvals as to content and legal form.

13. U. T. AUSTIN - REQUEST BY AUSTIN INDEPENDENT SCHOOL DISTRICT FOR ACQUISITION OF SECTION OF BRACKENRIDGE TRACT.--Chancellor Ransom has received a letter from Superintendent Irby B. Carruth of the Austin Independent School District, as follows:

"We appreciate your making the map of the Brackenridge Tract available for study by the Board of Trustees.

"We are interested in a section of the tract bounded by Enfield Road, Lake Austin Boulevard, and on the third side by a line drawn so as to provide approximately 40 acres out of the west portion of the tract. This includes, as we understand it, developed property between the converging streets of Enfield and Lake Austin Boulevard.

"I shall wait for your instructions as to any further action which the School Board should take in discussing with the University administration and Board of Regents possible acquisition of the site indicated."

The administration requests advice from the Board as to whether they should proceed with negotiations with the Austin School Board for the sale of this property. Maps showing the area in question will be available at the meeting for examination by the Board.

14. U. T. Austin: All-Weather Football Field and Tract Recommended in Memorial Stadium. --It is recommended by the Athletics Council, U. T. Austin Administration and Central Administration, that the Athletics Council be authorized to expend an amount not to exceed \$400,000 for the installation of an all-weather football field and tract in Memorial Stadium. Since the installation of these all-weather facilities will permit the use of the field by the P. T. department, the Intramural program and the R. O. T. C. units, it is recommended that one-fourth of the total cost be paid for from Permanent University Fund Bond proceeds and that the remaining three-fourths of the costs be paid for out of Athletics Council funds. Because of the need to have this installation completed before the 1969 football season, it is recommended that a Special Committee, consisting of Chairman Erwin, Regent Peace, Executive Vice-Chancellor Walker, Mr. Palmer and Mr. Neils Thompson, be authorized to award the contract.

15. U. T. EL PASO - ASSIGNMENT AND MODIFICATION OF CENTRAL ENERGY CORPORATION CONTRACT.--At the Regents' Meeting held May 31, 1968, approval was given to a contract with Central Energy Corporation for a Central Heating and Chilled Water Plant at The University of Texas at El Paso, which Central Energy Corporation requests be assigned and modified. This will facilitate their long term financing of the plant, which plan has been concurred in by Central Administration. It is recommended by Mr. Lester E. Palmer, Executive Vice-Chancellor Walker, and Chancellor Ransom that approval be given to assignment and modification of this contract as follows:

ASSIGNMENT AND MODIFICATION AGREEMENT

CENTRAL ENERGY CORPORATION, a Texas corporation, does hereby assign and transfer to CENTRAL ENERGY OF EL PASO, INC., a Texas corporation, all of its right, title and interest in and to that certain Customer Agreement dated July 23, 1968, and the Lease Agreement dated the same date, including its interest in the leasehold improvements on the leased premises, between Central Energy Corporation and the Board of Regents of The University of Texas System pertaining to the construction, maintenance and operation of a plant for the production of chilled and high temperature water for The University of Texas at El Paso.

In connection with this Assignment, Central Energy Corporation hereby agrees to the modification of paragraph 17 of the Customer Agreement, to which modification the Board of Regents consents by its execution hereof, to provide that so long as there shall be only one holder of the debt obligations issued by Central Energy Corporation, or its assignee hereunder, for the permanent financing of the facilities constructed in accordance with the Customer Agreement, such holder will act in its own behalf, rather than through a "trustee," under the circumstances calling for action to be taken by a "trustee" under paragraph 17 of the Customer Agreement. In the event such holder subdivides its interest in the debt obligations issued in connection with the Customer Agreement, Central Energy Corporation, or its assignee hereunder, will cause a trustee to be designated as contemplated by paragraph 17 of the Customer Agreement and the provisions of that paragraph, as now in effect, shall control the future operations of the Customer Agreement. This modification shall not be deemed to diminish in any respect the rights or powers of the Board of Regents under the Customer Agreement; the only purpose of the modification is to permit the elimination of a trustee so long as only one holder of permanent financing indebtedness exists.

IN WITNESS WHEREOF, Central Energy Corporation has caused this Assignment and Modification Agreement to be executed on its behalf by its President and has caused its corporate seal to be affixed hereto and to be attested by its Secretary this _____ day of _____, 1969.

CENTRAL ENERGY CORPORATION

By _____
President

Attest:

Secretary

Pursuant to authority granted by resolutions duly adopted by the Board of Regents of The University of Texas System at a meeting thereof held _____, 1969, consent to this Assignment and Modification Agreement is hereby granted.

BOARD OF REGENTS OF THE
UNIVERSITY OF TEXAS SYSTEM

By _____
Chairman

THE STATE OF TEXAS }
 }
COUNTY OF DALLAS }

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared _____ known to me to be the President of Central Energy Corporation, a Texas corporation, who, after being by me first duly sworn upon his oath, acknowledged that he executed the foregoing instrument for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 1969.

Notary Public in and for Dallas
County, Texas.

GUARANTEE OF PERFORMANCE AGREEMENT

WHEREAS, Central Energy Corporation, a Texas corporation, has entered into a Customer Agreement dated July 23, 1968, and a Lease Agreement dated the same date (such agreements collectively referred to herein as the "El Paso Agreement") with the Board of Regents of The University of Texas System (the "Board of Regents") pertaining to the construction, maintenance, and operation of a plant for the production of chilled water and high temperature water to be supplied to The University of Texas at El Paso, and

WHEREAS, Central Energy Corporation has entered into financing arrangements with Massachusetts Mutual Life Insurance Company contemplating the organization of Central Energy of El Paso, Inc. and the assignment of the El Paso Agreements to that corporation; and

WHEREAS, Central Energy Corporation, in order to induce the Board of Regents to consent to the assignment of the El Paso Agreements to Central Energy of El Paso, Inc., has agreed to guarantee the performance by Central Energy of El Paso, Inc. of the El Paso Agreements;

NOW, THEREFORE, Central Energy Corporation does hereby acknowledge the receipt of valuable and sufficient consideration for its execution and delivery of this Agreement and does guarantee to the Board of Regents the full, complete, and punctual performance of the El Paso Agreements by Central Energy of El Paso, Inc. and does unconditionally agree to cause the El Paso Agreements to be performed immediately upon notice that Central Energy of El Paso, Inc. has defaulted in the performance of the El Paso Agreements. Central Energy Corporation hereby waives notice of the acceptance of this guarantee by the Board of Regents. With the concurrence of Central Energy of El Paso, Inc., the Board of Regents may, at any time or from time to time, without the consent of or notice to Central Energy Corporation and without impairing or releasing the obligations of Central Energy Corporation under this Agreement change the manner of performance or the terms of the El Paso Agreements. The failure of the Board of Regents to exercise any rights against Central Energy of El Paso, Inc. or others (including Central Energy Corporation) in connection with the performance of the El Paso Agreements shall not limit its right thereafter to enforce this Agreement against Central Energy Corporation.

This Agreement shall inure to the benefit of the Board of Regents of The University of Texas System, its successors and assigns, and shall be binding upon Central Energy Corporation, its successors and assigns.

IN WITNESS WHEREOF, Central Energy Corporation has caused this Agreement to be executed on its behalf and has caused its seal to be affixed hereto and to be attested by its Secretary this _____ day of _____, 1969.

CENTRAL ENERGY CORPORATION

By _____
President

ATTEST:

Secretary

AGREEMENT

This AGREEMENT dated this _____ day of _____, 1969, executed and delivered by SAM P. WALLACE COMPANY ("Wallace"), a Texas corporation having its principal place of business in Dallas, Texas.

Wallace is the owner of all of the issued and outstanding capital stock of Central Energy Corporation ("CEC"), a Texas corporation holding a Customer Agreement dated July 23, 1968 with the Board of Regents of The University of Texas System (the "Board") calling for the construction and operation of a chilled water and high temperature water plant for The University of Texas at El Paso. In order to facilitate the permanent financing of the construction of the plant, Wallace has requested the Board to consent to the assignment of the Customer Agreement and a related Lease Agreement dated the same date to Central Energy of El Paso, Inc. ("CEC of El Paso"), a Texas corporation which is a subsidiary of CEC. To induce the Board to consent to the assignment of the Customer Agreement and the Lease Agreement, Wallace has agreed to make certain commitments to the Board to assure the ability of CEC of El Paso to perform the Customer Agreement and to assure the continued participation by Wallace in CEC.

NOW, THEREFORE, in consideration of the consent by Board to the assignment of the Customer Agreement and the Lease Agreement, Wallace hereby guarantees the performance by CEC of El Paso of each and every obligation imposed by and under the Customer Agreement dated July 23, 1968, between CEC and Board and further agrees that upon notification by Board to Wallace of the failure by CEC of El Paso to perform such obligations Wallace will take such action as may be necessary to perform such obligations on behalf of CEC of El Paso; provided, that the liability or obligation of Wallace hereunder shall be deemed to be fully performed at the earlier of (i) the date at which Wallace shall have expended \$1,000,000 in the performance of the said Customer Agreement (including amounts contributed to CEC of El Paso to enable it to perform the Customer

Agreement) or (ii) the date at which CEC of El Paso shall have obtained a net worth of \$1,000,000 or more, as determined in accordance with generally accepted accounting principles and evidenced by a certificate of independent certified public accountants delivered to Board. For purposes of paragraph 17 of the Customer Agreement, performance by Wallace hereunder shall be considered the equivalent of performance by CEC of El Paso and the provisions of paragraph 17 of the Customer Agreement shall not be invoked during the period of such performance by Wallace.

IN WITNESS WHEREOF, Sam P. Wallace Company has caused this Agreement to be executed on its behalf by its President or Vice President and has caused its corporate seal to be affixed hereto and to be attested by its Secretary this _____ day of _____, 1969.

ATTEST:

SAM P. WALLACE COMPANY

Secretary

President

Accepted and Approved by the Board of Regents of The University of Texas System this _____ day of _____, 1969.

ATTEST:

BOARD OF REGENTS OF THE
UNIVERSITY OF TEXAS SYSTEM

Secretary

By _____
Chairman

Approved as to Form:

Approved as to Content:

University Attorney

Vice-Chancellor for
Business Affairs

✓ 16. U. T. EL PASO - APPROVAL OF PLANS AND SPECIFICATIONS FOR EXPANSION OF PRESS BOX IN SUN BOWL STADIUM, APPOINTMENT OF COMMITTEE TO AWARD CONTRACT, AND APPROPRIATION THEREFOR.--At the Regents' Meetings held January 31, 1969, and March 14, 1969, authorization was given to expand the Press Box at The Sun Bowl Stadium, The University of Texas at El Paso, to provide enclosed seating for 300.

Plans and specifications for the Expansion of the Press Box have been prepared by the Architects to provide for the 300 enclosed seats, air conditioning, and elevators at an estimated cost of \$100,000.00. These plans and specifications have been approved by Acting President Leech, Mr. Lester E. Palmer, Executive Vice-Chancellors Singletary and Walker, and Chancellor Ransom, and it is recommended that they be approved by the Board, with authorization to the Director of the Office of Facilities Planning and Construction to advertise for bids, and that a Special Committee consisting of Mr. George McCarty, Acting President Leech, Mr. Lester E. Palmer, Executive Vice-Chancellor Walker, Regent Peace, and Chairman Erwin, be appointed to award a contract for the project.

It is further recommended that an appropriation of \$94,600.00 be made to this project (\$5,400.00 having already been appropriated for Architects' Fees) from Building Use Fee Bond Issue of U. T. El Paso, such advance to be repaid over a period of from 4 to 5 years from an allocation of \$0.25 from all non-student tickets, contributions from a local organization in El Paso, and additional funds received from the revenue derived from the 300 seats to be added to the Press Box.

Note: Proposals for future enlargement of the Sun Bowl have indicated that the next expansion will be to the East stands; therefore, the changes being recommended herein to the Press Box would not be disturbed for a number of years.

✓ 17. U. T. EL PASO - APPROVAL OF PURCHASE OF NEW SEATING IN SUN BOWL AND APPROPRIATION THEREFOR. --At the Regents' meeting held January 31, 1969, authorization was given to install 5,000 chair seats in the Sun Bowl Stadium at The University of Texas at El Paso and to replace or cover the remaining seats. Proposals were invited from various manufacturers of stadium seating equipment covering all of the various types of seating and chairs which are currently available on the market. Since no two manufacturers make identical seating, it was necessary to obtain samples and test them in the stadium to determine the one most adaptable. For the past several months, both The University of Texas at El Paso and The University of Texas at Austin have been testing the various types of seats, seat covers, and methods of installation ranging from concrete plank to extruded aluminum and plastic covers.

The original estimate on the replacement of seats, installation of chairs, and the Expansion of the Press Box in the Sun Bowl Stadium was \$150,000.00. This estimate was based on the use of light weight plastic covering and the installation of 5,000 individual chair seats in the West Stands. After the studies previously referred to at U. T. Austin and U. T. El Paso plus visits to a number of other institutions by members of both Athletic Councils, it is the unanimous recommendation of the administration at U. T. El Paso and of Central Administration that the chair seats not be installed at this time and that the plastic covering not be used but rather that all wooden seats be replaced with extruded aluminum plank at an estimated cost based on a proposal from Southern Extrusions, Inc., of \$80,152.00. This action, together with the recommendation at this meeting concerning Expansion of the Press Box, would result in an estimated expenditure of some \$30,000.00 above the original estimate presented to the Board.

It is further recommended that an appropriation of \$80,152.00 be made from Building Use Fee Bond Issue of U. T. El Paso to cover the cost of this installation, such advance to be repaid over a period of from 4 to 5 years from an allocation of \$0.25 from all non-student tickets, contributions from a local organization in El Paso, and additional funds received from the revenue derived from the 300 seats to be added to the Press Box.

18. GALVESTON MEDICAL BRANCH - CENTRAL HEATING AND CHILLED WATER PLANT.--At the Regents' Meeting held September 20, 1968, authorization was given to employ the firm of Ray S. Burns, Consulting Engineer, to prepare a detailed study of the immediate and future requirements of Chilled Water and Steam for The University of Texas Medical Branch at Galveston. This report has now been completed and has been reviewed in detail by the Office of Facilities Planning and Construction and the Administration at the Galveston Medical Branch.

With the present construction now under contract for the Basic Sciences Building, Animal Building, Clinical Science Building, and the new Medical Library, it is estimated that the air conditioning load requirement will be 7,015 tons while the present plant capacity is 4,205 tons. The steam requirement will be 79,600 pound hours, while the present plant capacity is 72,000 pound hours. By 1973 it is contemplated that the John Sealy Hospital will also be tied in to the Central Plant, which will increase the air conditioning demand to about 8,465 tons and the steam requirements to approximately 82,000 pound hours. It is estimated that the expenditure of \$3,000,000.00 will be required to accomplish this expansion of steam and chilled water facilities.

Inasmuch as the expansion of the utility plant must be accomplished at an early date to meet the requirements of buildings presently under contract, it is requested that the Board authorize the Office of Facilities Planning and Construction to invite bids or proposals from all qualified, interested parties for the construction and operation of a Central Heating and Chilled Water Plant at the Galveston Medical Branch. It is contemplated that these proposals would include an alternate for the purchasing of the present facilities at a fair market value to be determined by competent appraisers approved by the Board, together with the expansion of the plant and facilities to meet the present need as well as future demands of the Galveston Medical Branch. These facilities are to be constructed on the premises of the Galveston Medical Branch under a lease agreement, and all proposals and contract documents are to be submitted to the Board for approval at a later date.

19. GALVESTON MEDICAL BRANCH - NAMING OF BUILDINGS AS MOODY MEDICAL LIBRARY, LIBBIE MOODY THOMPSON BASIC SCIENCE BUILDING, AND LIBBIE THOMPSON AUDITORIUM.--Chancellor Ransom has received the following letter from Dr. T. G. Blocker, Jr., President of The University of Texas Medical Branch at Galveston:

"The new medical library should be officially named the 'Moody Medical Library.' On the grant application the name was 'Moody Memorial Library,' but since the Moody Foundation has contributed to other libraries they would like to change the name by substituting Medical. Mr. Robert Baker, Executive Administrator of the Moody Foundation, Moody National Bank Building, Galveston, should be notified of the naming.

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"The basic science building is to be named the 'Libbie Moody Thompson Basic Science Building.' The auditorium, a memorial to the daughter of Mr. and Mrs. Thompson, will be known as the 'Libbie Thompson Auditorium.' Mr. and Mrs. Clark W. Thompson, 1616 Driftwood, Galveston, are to be notified."

Mr. Lester E. Palmer, Executive Vice-Chancellors LeMaistre and Walker, and Chancellor Ransom concur in these recommendations of Dr. Blocker, and recommend that they be approved by the Board.

✓ 20. DALLAS MEDICAL SCHOOL - RENTAL OF SPACE FOR DEPARTMENTS OF NEUROLOGY AND OPHTHALMOLOGY.--Dean Sprague has requested authorization to take bids through the State Board of Control for the lease of space in areas convenient to the University of Texas Southwestern Medical School at Dallas as outlined below:

Department of Neurology - Approximately 2900 square feet of usable and suitable space for offices, library, and storage for the 24 months' period from July 1, 1969 through June 30, 1971. Approximate cost, based on preliminary quotations, will be \$823.00 per month, or \$0.28 per square foot per month, to be paid from general budget funds.

Department of Ophthalmology - Approximately 4300 square feet of usable and suitable space for offices, laboratory, and storage for the 36 months' period from September 1, 1969 through August 31, 1972. Approximate cost, based on preliminary quotations, will be \$1,542.00 per month, or \$0.36 per square foot per month, to be paid from general budget funds.

Dr. Sprague states that the unavailability of space on the medical school campus makes this request necessary.

Executive Vice-Chancellor LeMaistre concurs in Dr. Sprague's request, and Executive Vice-Chancellor Walker and Chancellor Ransom recommend that this request be approved. It is further recommended that Executive Vice-Chancellor Walker be authorized to execute the lease agreements resulting from the State Board of Control's request for bids covering the space specified above.

✓ 21. DALLAS MEDICAL SCHOOL - APPOINTMENT OF RAYMOND L. GOODSON AS ENGINEER FOR SITE WORK AND APPROPRIATION THEREFOR. --In connection with the construction of new buildings at The University of Texas Southwestern Medical School at Dallas as approved by the Regents, it will be necessary to re-route certain storm sewers, sanitary sewers, and water lines on the Campus, and a design for this work should be prepared by an Engineer. It is, therefore, recommended by Mr. Lester E. Palmer, Executive Vice-Chancellors LeMaistre and Walker, and Chancellor Ransom that Raymond L. Goodson, Dallas, Texas, be appointed as Engineer to perform this work at a fee of not to exceed \$6,000.00.

It is further recommended that an appropriation of \$6,000.00 be made from Permanent University Fund Bond proceeds previously allocated to the Dallas Medical School to cover this fee.

22. DALLAS MEDICAL SCHOOL - APPOINTMENT OF COMMITTEE TO AWARD CONTRACT ON McDERMOTT BASIC SCIENCES RESEARCH BUILDING AND CENTRAL ANIMAL FACILITIES AND APPROVAL OF RE-ALLOCATION OF PERMANENT UNIVERSITY FUND BOND PROCEEDS TO CENTRAL ANIMAL FACILITIES.--At the Regents' Meeting held November 1, 1968, authorization was given to advertise for bids on the McDermott Basic Sciences Research Building and Central Animal Facilities at The University of Texas Southwestern Medical School at Dallas whenever approval had been received from the Federal agencies involved, these being inter-connecting facilities. Notification has been received that the application for Central Animal Facilities has been approved but has not yet been funded. In order to proceed with the project, the University requested and received a waiver from Health Research Facilities which would permit advertising for bids and awarding of a contract for this facility prior to the funding of the grant. Approval has also been received from National Institutes of Health to advertise for bids on the McDermott Basic Sciences Research Building.

In accordance with these approvals and the authorization of the Board, bids are being called for to be received between the May and June meetings of the Board. In order to proceed with the awarding of a contract for the two projects, it will be necessary to re-allocate to the Animal Facility funds from Permanent University Fund Bond proceeds designated for Dallas for other projects.

The Federal Grant for aid in the construction of the Basic Sciences Building requires that this contract be let on or before June 30, 1969, or the grant will lapse. Since there has been a prior extension on this grant, it is doubtful whether additional extensions would be approved. In view of all of these circumstances, the following recommendations are made by Dean Sprague and the Building Committee of Dallas Medical School, which are concurred in by Mr. Lester E. Palmer, Executive Vice-Chancellors LeMaistre and Walker, and Chancellor Ransom:

1. That the Board approve re-allocating \$1,300,000.00 of Permanent University Fund Bond proceeds previously designated for Teaching Unit and Lecture Rooms and Remodeling of Cary Building at the Dallas Medical School to Central Animal Facilities, it being understood that any subsequent grant or grants received for this project are to be applied to repay this re-allocation.

2. That a Committee, consisting of Dean Sprague, Mr. Lester E. Palmer, Executive Vice-Chancellor LeMaistre, Executive Vice-Chancellor Walker, Regent Peace, and Chairman Erwin, be appointed to award a contract for the projects.

23. SAN ANTONIO MEDICAL SCHOOL- ASSIGNMENT AND MODIFICATION OF CENTRAL ENERGY CORPORATION CONTRACT.--At the Regents' Meeting held September 13, 1967, approval was given to a contract with Central Energy Corporation for a Central Heating and Chilled Water Plant at The University of Texas Medical School at San Antonio, which Central Energy Corporation requests be assigned and modified. This will facilitate their long term financing of the plant, which plan has been concurred in by Central Administration. It is recommended by Mr. Lester E. Palmer, Executive Vice-Chancellor Walker, and Chancellor Ransom that approval be given to assignment and modification of this contract as follows:

ASSIGNMENT AND MODIFICATION AGREEMENT

CENTRAL ENERGY CORPORATION, a Texas corporation, does hereby assign and transfer to CENTRAL ENERGY OF SAN ANTONIO, INC., a Texas corporation, all of its right, title and interest in and to that certain Customer Agreement dated October 6, 1967, and the Lease Agreement dated the same date, including its interest in the leasehold improvements on the leased premises, between Central Energy Corporation and the Board of Regents of The University of Texas System pertaining to the construction, maintenance and operation of a plant for the production of chilled water and steam for The University of Texas Medical School at San Antonio.

In connection with this Assignment, Central Energy Corporation hereby agrees to the modification of paragraph 17 of the Customer Agreement, to which modification the Board of Regents consents by its execution hereof, to provide that so long as there shall be only one holder of the debt obligations issued by Central Energy Corporation, or its assignee hereunder, for the permanent financing of the facilities constructed in accordance with the Customer Agreement, such holder will act in its own behalf, rather than through a "trustee," under the circumstances calling for action to be taken by a "trustee" under paragraph 17 of the Customer Agreement. In the event such holder subdivides its interest in the debt obligations issued in connection with the Customer Agreement, Central Energy Corporation, or its assignee hereunder, will cause a trustee to be designated as contemplated by paragraph 17 of the Customer Agreement and the provisions of that paragraph, as now in effect, shall control the future operations of the Customer Agreement. This modification shall not be deemed to diminish in any respect the rights or powers of the Board of Regents under the Customer Agreement; the only purpose of the modification is to permit the elimination of a trustee so long as only one holder of permanent financing indebtedness exists.

IN WITNESS WHEREOF, Central Energy Corporation has caused this Assignment and Modification Agreement to be executed on its behalf by its President and has caused its corporate seal to be affixed hereto and to be attested by its Secretary this ____ day of _____, 1969.

CENTRAL ENERGY CORPORATION

By _____
President

Attest:

Secretary

Pursuant to authority granted by resolutions duly adopted by the Board of Regents of The University of Texas System at a meeting thereof held _____, 1969, consent to this Assignment and Modification Agreement is hereby granted.

BOARD OF REGENTS OF THE
UNIVERSITY OF TEXAS SYSTEM

By _____
Chairman

THE STATE OF TEXAS }
 }
COUNTY OF DALLAS }

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared _____ known to me to be the President of Central Energy Corporation, a Texas corporation, who, after being by me first duly sworn upon his oath, acknowledged that he executed the foregoing instrument for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 1969.

Notary Public in and for Dallas
County, Texas

GUARANTEE OF PERFORMANCE AGREEMENT

WHEREAS, Central Energy Corporation, a Texas corporation, has entered into a Customer Agreement dated October 6, 1967, and a Lease Agreement dated the same date (such agreements collectively referred to herein as the "San Antonio Agreements") with the Board of Regents of The University of Texas System (the "Board of Regents") pertaining to the construction, maintenance, and operation of a plant for the production of chilled water and steam to be supplied to The University of Texas Medical School at San Antonio; and,

WHEREAS, Central Energy Corporation has entered into financing arrangements with Massachusetts Mutual Life Insurance Company contemplating the organization of Central Energy of San Antonio, Inc. and the assignment of the San Antonio Agreements to that corporation; and,

WHEREAS, Central Energy Corporation, in order to induce the Board of Regents to consent to the assignment of the San Antonio Agreements to Central Energy of San Antonio, Inc., has agreed to guarantee the performance by Central Energy of San Antonio, Inc. of the San Antonio Agreements;

NOW, THEREFORE, Central Energy Corporation does hereby acknowledge the receipt of valuable and sufficient consideration for its execution and delivery of this Agreement and does guarantee to the Board of Regents the full, complete, and punctual performance of the San Antonio Agreements by Central Energy of San Antonio, Inc. and does unconditionally agree to cause the San Antonio Agreements to be performed immediately upon notice that Central Energy of San Antonio, Inc. has defaulted in the performance of the San Antonio Agreements. Central Energy Corporation hereby waives notice of the acceptance of this guarantee by the Board of Regents. With the concurrence of Central Energy of San Antonio, Inc., the Board of Regents may, at any time or from time to time, without the consent of or notice to Central Energy Corporation and without impairing or releasing the obligations of Central Energy Corporation under this Agreement change the manner of performance or the terms of the San Antonio Agreements. The failure of the Board of Regents to exercise any rights against Central Energy of San Antonio, Inc. or others (including Central Energy Corporation) in connection with the performance of the San Antonio Agreements shall not limit its right thereafter to enforce this Agreement against Central Energy Corporation.

This Agreement shall inure to the benefit of the Board of Regents of The University of Texas System, its successors and assigns, and shall be binding upon Central Energy Corporation, its successors and assigns.

IN WITNESS WHEREOF, Central Energy Corporation has caused this Agreement to be executed on its behalf and has caused its seal to be affixed hereto and to be attested by its Secretary this _____ day of _____, 1969.

CENTRAL ENERGY CORPORATION

By _____
President

ATTEST:

Secretary

AGREEMENT

This AGREEMENT dated this _____ day of _____, 1969, executed and delivered by SAM P. WALLACE COMPANY ("Wallace"), a Texas corporation having its principal place of business in Dallas, Texas.

Wallace is the owner of all of the issued and outstanding capital stock of Central Energy Corporation ("CEC"), a Texas corporation holding a Customer Agreement dated October 6, 1967, with the Board of Regents of The University of Texas System (the "Board") calling for the construction and operation of a chilled water and steam plant for The University of Texas Medical School at San Antonio. In order to facilitate the permanent financing of the construction of the plant, Wallace has requested the Board to consent to the assignment of the Customer Agreement and a related Lease Agreement dated the same date to Central Energy of San Antonio, Inc. ("CEC of San Antonio"), a Texas corporation which is a subsidiary of CEC. To induce the Board to consent to the assignment of the Customer Agreement and the Lease Agreement, Wallace has agreed to make certain commitments to the Board to assure the ability of CEC of San Antonio to perform the Customer Agreement and to assure the continued participation by Wallace in CEC.

NOW, THEREFORE, in consideration of the consent by Board to the assignment of the Customer Agreement and the Lease Agreement, Wallace hereby guarantees the performance by CEC of San Antonio of each and every obligation imposed by and under the Customer Agreement dated October 6, 1967, between CEC and Board and further agrees that upon notification by Board to Wallace of the failure by CEC of San Antonio to perform such obligations Wallace will take such action as may be necessary to perform such obligations on behalf of CEC of San Antonio; provided, that the liability or obligation of Wallace hereunder shall be deemed to be fully performed at the earlier of (i) the date at which Wallace shall have expended \$1,000,000 in the performance of the said Customer Agreement (including amounts contributed to CEC of San Antonio to enable it to perform the Customer Agreement) or (ii) the date at which CEC of San Antonio shall have obtained a net worth of \$1,000,000 or more, as determined in accordance with generally accepted accounting principles and evidenced by a certificate of independent certified public accountants delivered to Board. For purposes of paragraph 17

of the Customer Agreement, performance by Wallace hereunder shall be considered the equivalent of performance by CEC of San Antonio and the provisions of paragraph 17 of the Customer Agreement shall not be invoked during the period of such performance by Wallace.

IN WITNESS WHEREOF, Sam P. Wallace Company has caused this Agreement to be executed on its behalf by its President or Vice-President and has caused its corporate seal to be affixed hereto and to be attested by its Secretary this ____ day of _____, 1969.

ATTEST:

SAM P. WALLACE COMPANY

Secretary

President

Accepted and Approved by the Board of Regents of The University of Texas System this ____ day of _____, 1969.

ATTEST:

BOARD OF REGENTS OF THE
UNIVERSITY OF TEXAS SYSTEM

Secretary

By _____
Chairman

Approved as to Form:

Approved as to Content:

University Attorney

Vice-Chancellor for
Business Affairs

✓ 24. G. S. B. S. - APPOINTMENT OF LOCKWOOD, ANDREWS, AND NEWNAM AS ENGINEERS ON INSTALLATION OF INTER INSTITUTIONAL TELEVISION SYSTEM FACILITY.--At the Regents' Meeting held December 13, 1968, specifications were approved for the Inter Institutional Television System Facility to be installed in the Texas Medical Center by the Division of Continuing Education of The University of Texas Graduate School of Biomedical Sciences at Houston. In order to install this facility, additional plans and specifications need to be prepared for the work to be performed in and under the various buildings involved in this project. It is recommended by Mr. Lester E. Palmer, Executive Vice-Chancellors LeMaistre and Walker, and Chancellor Ransom that the Engineering firm of Lockwood, Andrews, and Newnam, Houston, Texas, be engaged to prepare these plans and specifications at a cost of \$4,575.00. The Engineer's Fee is to be paid out of the original Legislative appropriation of \$75,000.00.

EMERGENCY ITEMS
BUILDINGS AND GROUNDS COMMITTEE

Date: May 2, 1969

Time: Following the meeting of the Academic and Developmental
Affairs Committee

Place: Room 611
Library Building
U. T. Arlington
Arlington, Texas

Page
B & G

U. T. AUSTIN

25. Award of Contract to B. L. McGee Construction
Company for Central Water Chilling Station No. 4 and
Appropriation Therefor 24

26. Award of Contract to Canyon Construction Company
for Remodeling of South Wing of University Junior High
School Building and Appropriation Therefor 24

U. T. EL PASO

27. Award of Contract to R. D. Lowman General Contractor,
Inc., for Dormitory Complex and Appropriation Therefor 25

THE UNIVERSITY OF TEXAS SYSTEM
OFFICE OF THE DIRECTOR OF
FACILITIES PLANNING AND CONSTRUCTION
AUSTIN, TEXAS 78712

EMERGENCY ITEMS
RECOMMENDATIONS TO REGENTS' BUILDINGS AND GROUNDS COMMITTEE

April 30, 1969

25. U. T. AUSTIN - AWARD OF CONTRACT TO B. L. MCGEE CONSTRUCTION COMPANY FOR CENTRAL WATER CHILLING STATION NO. 4 AND APPROPRIATION THEREFOR.--In accordance with authorization given by the Board at the meeting held March 14, 1969, bids were called for and were received, opened, and tabulated on April 22, 1969, for Central Water Chilling Station No. 4 at The University of Texas at Austin, as follows:

Bidder	Base Bid	Bidder's Bond
J. C. Evans Construction Company, Inc., Austin, Texas	\$1,546,417.00	5%
Everhard Construction Company, Austin, Texas	1,515,393.00	5%
B. L. McGee Construction Company, Austin, Texas	1,473,000.00	5%
Warrior Constructors, Inc., Houston, Texas	1,517,000.00	5%

It is recommended by President Hackerman, Mr. Lester E. Palmer, Executive Vice-Chancellors Singletary and Walker, and Chancellor Ransom that a contract award in the amount of \$1,473,000.00 be made to the low bidder, B. L. McGee Construction Company, Austin, Texas, and that an appropriation of \$1,600,000.00 be made from U. T. Austin Utility Plant Fee Bond System revenue bonds to cover this recommended contract award, Engineer's Fees thereon, and miscellaneous expenses. This recommended contract award is within the amount estimated by the Engineers for this phase of the Utilities Expansion at U. T. Austin.

26. U. T. AUSTIN - AWARD OF CONTRACT TO CANYON CONSTRUCTION COMPANY FOR REMODELING OF SOUTH WING OF UNIVERSITY JUNIOR HIGH SCHOOL BUILDING AND APPROPRIATION THEREFOR.--In accordance with authorization given by the Board at the meeting held March 14, 1969, bids were called for and were received, opened, and tabulated on April 29, 1969, as shown below:

Bidder	Base Bid	Alternate No. 1 Add	Alternate No. 2 Add	Alternate No. 3 Deduct
Air Conditioning, Inc., Austin, Texas	\$448,123	\$23,900	\$ 8,783	\$ 7,000
W. D. Anderson Company, Inc., Austin, Texas	465,362	19,986	20,143	10,246
Canyon Construction Company, Austin, Texas	406,406	22,641	5,637	3,717
Rex D. Kitchens Con- struction Company, Inc., Austin, Texas	461,311	22,263	8,507	5,749

Each bidder submitted with his bid a bidder's bond in the amount of 5% of the greatest amount bid

It is recommended by President Hackerman, Mr. Lester E. Palmer, Executive Vice-Chancellors Singletary and Walker, and Chancellor Ransom that a contract award be made to the low bidder, Canyon Construction Company, Austin, Texas, as follows:

Base Bid	\$406,406.00
Add Alternate No. 2 (Addition of Garage to House T. V. Van)	<u>5,637.00</u>
Total Recommended Contract Award	<u>\$412,043.00</u>

In order to cover this recommended contract award, Architect's Fees thereon, movable furniture and furnishings, and miscellaneous expenses, it is recommended that an appropriation of \$350,000.00 be made to this project from Permanent University Fund Bond proceeds, \$125,000.00 having been appropriated earlier. This total cost of \$475,000.00 is the amount previously allocated by the Board to this project.

already
27. U. T. EL PASO - AWARD OF CONTRACT TO R. D. LOWMAN GENERAL CONTRACTOR, INC., FOR DORMITORY COMPLEX AND APPROPRIATION THEREFOR.--In accordance with authorization given by the Board at the meeting held March 14, 1969, bids were called for and were received, opened, and tabulated on April 22, 1969, for the Dormitory Complex at The University of Texas at El Paso, as shown below:

	C. H. Leavell and Company	R. D. Lowman Gen. Cont., Inc.	Robert E. McKee Gen. Cont., Inc.
Base Bid - Lot No. 1	\$5,017,000	\$4,789,000	\$4,967,000

Alternate Bids:

Lot No. 2, Deduct	8,000	7,500	13,000
Lot No. 3, Deduct	4,000	4,200	4,600
Lot No. 4, Deduct	8,200	8,000	11,800
Lot No. 5, Deduct	7,100	7,000	6,600
Lot No. 6, Deduct	1,800	1,300	1,700
Lot No. 7, Deduct	26,500	34,100	25,500
Lot No. 8, Deduct	4,700	5,200	4,500
Lot No. 9	- 36,800	+ 6,000	- 19,300
Lot No. 10	- 5,000	- 4,200	+ 6,100
Lot No. 11, Add	74,900	65,000	70,300
Lot No. 12, Add	23,600	28,000	28,000
Lot No. 13, Deduct	4,300	4,500	4,400

Each bidder submitted with his bid a bidder's bond in the amount of 5% of the greatest amount bid. All bidders are located in El Paso, Texas.

It is recommended by Acting President Leech, Mr. Lester E. Palmer, Executive Vice-Chancellors Singletary and Walker, and Chancellor Ransom that a contract award be made to the low bidder, R. D. Lowman General Contractor, Inc., El Paso, Texas, as follows:

Base Bid

\$4,789,000

Deduct Alternates:

Lot No. 3 - Delete vinyl stair treads, stringers, base and vinyl asbestos flooring in the four fire stairs of the Dormitories	\$4,200	
Lot No. 5 - Delete the ceramic tile bands under the copings, etc., on the exterior of the two Dormitory Buildings and paint in lieu thereof	7,000	
Lot No. 8 - Delete all <u>vertical</u> venetian blinds throughout the project	5,200	
Lot No. 13 - Change bi-parting elevator doors in all elevators of both dormitory buildings to single sliding doors	<u>4,500</u>	<u>20,900</u>
Recommended Contract Award		<u>\$4,768,100</u>

In order to cover this recommended contract award, Architect's Fees thereon, Movable Furniture and Furnishings, and miscellaneous expenses, a total of \$5,375,000.00 is needed. It is, therefore, recommended that an appropriation in this amount be made to this project from Building Revenue Bonds, Series 1969, of U. T. El Paso to be sold at this Regents' Meeting. \$40,000.00 previously appropriated from U. T. El Paso Auxiliary Enterprises for part of the Architect's Fees will be repaid to that source from this appropriation.

Medical Affairs Committee

MEDICAL AFFAIRS COMMITTEE

Date: May 2, 1969

Time: Following the meeting of the Buildings and Grounds
Committee

Place: Room 611
Library Building
U. T. Arlington
Arlington, Texas

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1. Dallas Medical School: Establishment of Department of Ophthalmology	2
2. Dallas Medical School: Catalogue Revision Regarding Admission Requirements	3

1. Dallas Medical School: Establishment of Department of Ophthalmology. --Below is a Xerox copy of a recommendation as submitted by Chancellor Ransom and Executive Vice-Chancellor LeMaistre:

Chancellor Ransom and Executive Vice-Chancellor LeMaistre concur in the recommendation of Dean Sprague that the Board of Regents approve changing the Division of Ophthalmology in the Department of Surgery to a separate Department of Ophthalmology, in anticipation of expansion of the program in Ophthalmology and Eye Center development.

It is further recommended that, upon approval by the Board of Regents, the Administration be authorized to seek the approval of the Coordinating Board.

2. Dallas Medical School: Catalogue Revision Regarding Admission Requirements. --Below is a Xerox copy of a recommendation as submitted by Chancellor Ransom and Executive Vice-Chancellor LeMaistre:

Chancellor Ransom and Executive Vice-Chancellor LeMaistre recommend that the Board of Regents approve Dean Sprague's request for deleting from the catalog a statement covering admission of students, as contained in Dean Sprague's letter of March 31, 1969, which follows. Normally, this type of request would be handled through the docket; however, due to the urgency of completing the new edition of the catalog, it is requested that it be handled in this manner.


Dear Dr. Ransom:

At their meeting on January 11, 1968, the Board of Regents approved the following policy covering admission of students to Southwestern Medical School:

"Beginning with the class matriculating in September 1960, four years of college work and the receipt of the baccalaureate degree will be required for admission. However, the Admissions Committee will reserve the right to accept for admission a few students who have demonstrated outstanding academic qualifications and who are unquestionably mature physically, emotionally, and intellectually but who have not fulfilled this requirement."

A statement covering the above-stated policy has appeared in all of our catalogues subsequent to the Board's approval. We now wish, on recommendation of the Faculty Senate, to delete this requirement from future catalogues. Your approval is requested to include this item in our next docket for Board approval, since we are currently at work on preparation of copy for the next edition of our catalogue.

Sincerely,


Charles C. Sprague, M.D.
Dean

CCS/cs

*approved
Charles Maistre
Request chancellors
docket due to late
date submitted*

*Rec'd for late for
Central Docket*

MEDICAL AFFAIRS COMMITTEE

Supplementary Agenda

Date: May 2, 1969

Time: Following the meeting of the Buildings and
Grounds Committee

Place: Room 611
Library Building
U. T. Arlington
Arlington, Texas

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4. Dallas Medical School: Affiliation Agreement with the State Department of Health on behalf of the East Texas Tuberculosis Hospital	5
5. Dallas Medical School: Agreement with the Board of Trustees of the Caruth Memorial Rehabilitation Center	12
6. Dallas Medical School: The Bylaws of the Medical Service, Research and Development Plan	20
7. Houston Dental Branch: Waiver of Regents' <u>Rules</u> <u>and Regulations</u> , Part One, Chapter III, Section 31. (14) for Dr. A. P. Westfall	36
8. U. T. Medical Units: Proposed Payment to the Houston Academy of Medicine Library for Services Rendered	37

3. Galveston Medical Branch: Vernon E. Thompson, Vice-President for Business Affairs, Designated as Authorized Agent for Tax-Free Alcohol Permit. --Below is a Xerox copy of a recommendation submitted by Chancellor Ransom and Executive Vice-Chancellor Walker:

It is recommended by President Blocker, and concurred in by Chancellor Ransom and Executive Vice-Chancellor Walker, that the Board of Regents authorize Mr. Vernon E. Thompson, Vice-President for Business Affairs, to have charge of, and be responsible for and to apply for and sign the application for "Application and Withdrawal Permit to Procure Spirits Free of Taxes," for The University of Texas Medical Branch at Galveston.

This authorization cancels and is in lieu of a previous and similar authorization for Mr. H. H. Hall, who was formerly the Business Manager of The University of Texas Medical Branch at Galveston.

4. Dallas Medical School: Affiliation Agreement with the State Department of Health on behalf of the East Texas Tuberculosis Hospital. --Below is a Xerox copy of a submission from Chancellor Ransom and Executive Vice-Chancellor LeMaistre. The agreement referred to is on Pages 6 - 11 .

Executive Vice-Chancellor LeMaistre recommends, and Chancellor Ransom concurs, that the Board of Regents approve the affiliation agreement with the State Department of Health on behalf of the East Texas Tuberculosis Hospital. The agreement has been approved by Messrs. Gibson, LeMaistre, Walker and Sprague. It is further recommended that the Board of Regents authorize the Chairman to execute the instrument.

AFFILIATION AGREEMENT

THE STATE OF TEXAS)
 (
COUNTY OF DALLAS)

This AGREEMENT is executed on _____, 19____, between the STATE DEPARTMENT OF HEALTH on behalf of the East Texas Tuberculosis Hospital, sometimes referred to as "Hospital" in this agreement, and the BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM on behalf of The University of Texas Southwestern Medical School at Dallas, Texas, sometimes referred to as "Medical School" in this agreement, WITNESSETH:

WHEREAS, the Hospital and the Medical School have the following objectives in common: (1) a common commitment to offer the people of the North and East Texas region and the Southwest a program of excellence in medical education; (2) the desire to coordinate all medical care resources for the benefit of improved patient care; and (3) a desire and intent to develop an agreement that will encourage and use, in future years, the strength of both institutions to the maximum extent consistent with the interests of each:

NOW, THEREFORE, for and in consideration of the foregoing, and in further consideration of the mutual benefits, the parties to this agreement agree as follows:

1. BRIEF DESCRIPTION OF THE UNIVERSITY OF TEXAS SOUTHWESTERN MEDICAL SCHOOL

The Medical School is an accredited four-year school of medicine governed by the policies of the Board of Regents of The University of Texas System. A full-time faculty of 273 and over 800 part-time faculty conduct and supervise the instruction. The Medical Library now contains 70,000 volumes and receives currently over 1,250 domestic and foreign serial publications. The Medical School is advantageously situated

in that it has the generous cooperation of many hospital facilities of the city and the region. In addition to the East Texas Tuberculosis Hospital, the following facilities are utilized in the teaching programs of the school: Parkland Memorial and Woodlawn Hospitals, Baylor University Medical Center, St. Paul Hospital, Methodist Hospital of Dallas, Presbyterian Hospital of Dallas, the Children's Medical Center, Texas Scottish Rite Hospital for Crippled Children, the Dallas Veterans Administration Hospital, Timberlawn Sanitarium, the U. S. Public Health Service Hospital, the John Peter Smith Hospital in Fort Worth, and the Terrell State Hospital in Terrell. The Medical School is dedicated to the promotion of medical education in Dallas and the entire Southwest.

2. BRIEF DESCRIPTION OF EAST TEXAS TUBERCULOSIS HOSPITAL

The Hospital is controlled by the Board of Health of the State Department of Health through the Tuberculosis Control Division. The Governor's Advisory Committee has recommended that the Hospital be designated a Chest Disease Hospital. The Hospital is a modern, accredited hospital with a bed capacity for 450 patients. The Hospital maintains the following fully equipped and staffed departments or services:

Clinical laboratory, x-ray, dental, physical therapy, inhalation therapy, pulmonary function, dietary, pharmacy, social service, chaplain, alcoholism counselor, occupational therapy, medical records, and a pediatric division. The immediate construction program will provide an additional 32,500 square feet of space, which will allow for expansion of many of the above-named services in addition to expansion of library facilities and classrooms. The new construction also will provide research laboratories that will include an Immunology Research Laboratory, jointly sponsored by the State

Department of Health and the Medical School. Full-time staff positions include medical superintendent, clinical director, chief surgeon, director of inhalation therapy and out-patient clinic, director of the pulmonary physiology laboratory, chief of medicine, assistant surgeon, anesthesiologist, and five medical chest staff physicians. Part-time staff physicians include two pathologists, three radiologists, and a consultant in internal medicine. In addition, there are 45 part-time staff consultants representing various subspecialties. The formal goals of the Hospital are patient care, education, research, and community service.

3. EXTENT OF AFFILIATION AT THE DEPARTMENTAL LEVEL

The purpose of this agreement is to establish a broad framework of institutional policy to facilitate cooperation at the departmental level. It is agreed that the initiative for establishing any departmental affiliation and associated working relationships will be vested in the respective Medical School department heads. It is further understood that individual departments of the Medical School may or may not establish affiliations with the Hospital, depending upon their needs and circumstances and subject to appropriate action concerning each department by the respective governing bodies, and as changing circumstances may warrant.

4. PROVISION FOR FACULTY APPOINTMENTS FOR HOSPITAL STAFF MEMBERS

Both parties agree that academic status is a strong inducement for attracting well-qualified individuals for key teaching positions at the Hospital. Appointments to the clinical faculty may be initiated by Medical School departmental chairmen. When the best interests of both institutions would be served, Medical School departmental chairmen may initiate full-time academic appointments (without tenure) for full-time physicians at the Hospital. Through an interagency contract, the Hospital may

guarantee to pay to the Medical School the salary for their full-time physicians given full-time academic appointments, and such salaries and other arrangements will be subject to the personnel policies of the Medical School and The University of Texas System. Such appointments will terminate upon termination of a physician's appointment at the Hospital, unless recommended otherwise by the appropriate Medical School departmental chairmen.

5. COMPENSATION ARRANGEMENTS FOR FULL-TIME FACULTY

Physicians with academic appointments employed full-time by the Medical School and based at the Hospital will be subject to The University of Texas System policy regarding salary plan. Fees earned in excess of the maximum allowed shall be managed in a manner consistent with the management of similar money at the Medical School.

6. JOINT SPONSORSHIP OF RESEARCH ACTIVITIES

The Hospital will provide research facilities for physicians who are geographically full-time on its campus. Research projects at the Hospital may be jointly sponsored by the Medical School. In such cases there will be prior agreement as to the extent of the responsibility of each institution in the administration and disposition of research funds, provision of staff and facilities, and ownership of equipment purchased with research funds.

7. PROVISION FOR REVIEW OF RELATIONSHIP

Both parties agree that a productive and harmonious relationship between the two institutions depends upon maintaining effective channels of communication. The parties anticipate that routine matters will be handled and decided mutually through continuous contacts at the departmental level. At least annually, and more frequently if necessary, a group representing each institution shall review and discuss over-all relationships and policies and other matters of common concern.

If any aspect of this agreement becomes unsatisfactory, or if any policy question arises, a joint committee shall be responsible for discussing and resolving the questions involved. If a change in the agreement is necessary, the committee shall make recommendations to the authorities in each institution. If problems develop that are sufficiently serious and cannot be resolved, dissolution of the agreement may be indicated. The effective date of such dissolution shall be mutually agreed upon, with adequate time to allow each institution to make necessary arrangements in an orderly manner.

8. PERIOD OF AGREEMENT

This agreement is for a period of one year from its effective date, and thereafter from year to year unless terminated at any time upon mutual consent of the parties. It may also be amended in writing to include such provisions as the parties may agree upon.

9. EFFECTIVE DATE

This agreement takes effect on _____, 19__.

EXECUTED by the parties on the day and year first above written.

ATTEST:

Secretary

Secretary

Approved as to Form:

Richard G. Mason
University Attorney

BOARD OF REGENTS OF THE
UNIVERSITY OF TEXAS SYSTEM

By _____
Chairman

STATE DEPARTMENT OF HEALTH

By _____

Approved as to Content:

Charles LeMaistre
Executive Vice-Chancellor for
Health Affairs

Collette She
Executive Vice-Chancellor for
Business Affairs

Dean of Medical School
Dean of Medical School

THE STATE OF TEXAS)
 (
COUNTY OF DALLAS)

BEFORE ME, the undersigned authority, on this day personally appeared _____, representing the State Department of Health, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that the same was the act and deed of the State Department of Health and that he executed the same as the act and deed of such State Department of Health for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 1969.

Notary Public in and for
Dallas County, Texas

THE STATE OF TEXAS)
 (
COUNTY OF TRAVIS)

BEFORE ME, the undersigned authority, on this day personally appeared FRANK C. ERWIN, JR., Chairman of the Board of Regents of The University of Texas System, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that the same was the act and deed of the Board of Regents of The University of Texas System and that he executed the same as the act and deed of such Board for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 1969.

Notary Public in and for
Travis County, Texas

5. Dallas Medical School: Agreement with the Board of Trustees of the Caruth Memorial Rehabilitation Center. --Below is a Xerox copy of a submission from Chancellor Ransom and Executive Vice-Chancellor LeMaistre. The agreement referred to is on Pages 13-19 .

Executive Vice-Chancellor LeMaistre recommends, and Chancellor Ransom concurs, that the Board of Regents approve the agreement with the Board of Trustees of the Caruth Memorial Rehabilitation Center. The agreement has been approved by Messrs. Gibson, Walker, LeMaistre and Sprague. It is further recommended that the Board of Regents authorize the Chairman to execute the instrument.

AFFILIATION AGREEMENT

THE STATE OF TEXAS }
 (
COUNTY OF DALLAS }

This AGREEMENT is executed on _____, 19____, between the BOARD OF TRUSTEES OF THE CARUTH MEMORIAL REHABILITATION CENTER on behalf of the Caruth Memorial Rehabilitation Center, sometimes referred to as "Rehabilitation Center" in this agreement, and the BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM on behalf of The University of Texas Southwestern Medical School at Dallas, Texas, sometimes referred to as "Medical School" in this agreement, WITNESSETH:

WHEREAS, the Rehabilitation Center and the Medical School have the following objectives in common: (1) the development and conduct of a multidiscipline rehabilitation service for handicapped persons as a basis for an expanded teaching program in the Medical School curriculum; (2) the integration of research and training into the service activities to facilitate application of research findings; (3) the development of new rehabilitation techniques; (4) alleviation of the shortage of trained personnel through undergraduate and graduate paramedical training programs; (5) assistance to the state rehabilitation service, and training programs for vocationally handicapped residents of the Dallas area; and (6) consultation on research and training activities conducted by other agencies, as those activities relate to rehabilitation:

NOW, THEREFORE, for and in consideration of the foregoing, and in further consideration of the mutual benefits, the parties to this agreement agree as follows:

Sec. 1. MEDICAL SCHOOL: JURISDICTION AND RESPONSIBILITIES

(a) The Medical School will be operated as a reputable and accredited school of medicine as prescribed by the laws of the

State of Texas and the requirements of the American Medical Association.

(b) The Medical School will provide the direction and personnel necessary to conduct the Medical School programs of research and teaching at the Rehabilitation Center. The Board of Regents of The University of Texas System will retain all jurisdictional powers incident to separate ownership, including the power to determine the general and fiscal policies of the Medical School and to appoint its administrative, faculty, and other personnel.

(c) Except as otherwise provided, the Board of Regents of The University of Texas System shall pay all expenses incurred in the operation of the Medical School.

Sec. 2. REHABILITATION CENTER: JURISDICTION AND RESPONSIBILITIES

(a) The Rehabilitation Center will operate its facilities in a manner and with standards consistent with other rehabilitation facilities of high standing and with Medical School accreditation requirements.

(b) The Rehabilitation Center will provide the facilities, administration, basic equipment, and personnel necessary to conduct a program of comprehensive rehabilitation. The Rehabilitation Center will retain for its facilities all jurisdictional powers incident to separate ownership, including the powers to determine general and fiscal policies and to appoint its administrative officers and other personnel. The teaching, research, and service activities of the Rehabilitation Center will be conducted in cooperation with the programs of the Medical School.

(c) The Rehabilitation Center will retain final jurisdiction over the admission of patients and the assignment of beds and will consult with the Dean of the Medical School when the exercise of that jurisdiction affects teaching and research. All patients of the Rehabilitation Center shall be available for purposes of teaching.

(d) Except as otherwise provided, the Board of Trustees of the Rehabilitation Center will pay all expenses incurred in the operation of the Rehabilitation Center.

Sec. 3. JOINT RESPONSIBILITIES

The Dean of the Medical School and the Executive Director of the Rehabilitation Center jointly shall make decisions regarding the number of undergraduate students in the Rehabilitation Center, the intern and residency training programs and the number of trainees in each, the extent of the Rehabilitation Center based medical research programs, and the responsibility for certain categories of professional services that must be rendered in the usual operation of any rehabilitation facility. If the Dean of the Medical School and the Executive Director of the Rehabilitation Center cannot agree, the issue shall be referred for negotiation between the Board of Trustees of the Rehabilitation Center and the Board of Regents of The University of Texas System.

Sec. 4. ADMINISTRATION AND PERSONNEL

(a) In order to assure a quality service program to the Medical School, the Board of Trustees of the Rehabilitation Center, with the approval of the Dean of the Medical School, shall appoint the Executive Director and Medical Director of the Rehabilitation Center. The Medical Director of the Rehabilitation Center shall be a member of the faculty of the Medical School, with appropriate academic appointment. Other appointments to the faculty will be made when deemed appropriate. The Dean of the Medical School, or his representative, shall be an ex-officio member of the Board of Trustees of the Rehabilitation Center with vote.

(b) The personnel of the Rehabilitation Center and the faculty of the Medical School shall be the only staff of the Rehabilitation Center, except when additional staff members have been approved by the Medical School and the Rehabilitation Center.

(c) The parties to this affiliation agreement acknowledge that the success of the combined program of medical training and patient care can only be achieved through communication and cooperation between the Dean of the Medical School and the Executive Director of the Rehabilitation Center.

Sec. 5. ACADEMIC APPOINTMENTS WITH TENURE

(a) The Board of Trustees of the Medical Center and the Board of Regents of The University of Texas System agree that academic status is a strong inducement for attracting well-qualified individuals for teaching positions at the Rehabilitation Center, and that academic appointments made by the Medical School for individuals in key positions should include tenure, if mutually desirable. The Medical School will grant tenure on an individual basis, after a one-year period of observation, during which a mutually agreeable working arrangement between the appointee, the Rehabilitation Center, and the Medical School can be formulated. The appointment is subject to approval by the faculty of the Medical School and is subject to successful completion of satisfactory arrangements covering the financial obligations accompanying appointments with tenure. The conditions for attaining appointment with tenure are

(1) a guarantee by the Rehabilitation Center of all future salary costs for any tenure appointment by the Medical School, as explained in Subsection (b); or

(2) a guarantee by the Rehabilitation Center of the future salary costs for a limited tenure appointment of seven years following termination or discontinuation of a tenured position, as explained in Subsection (c).

(b) Under a guarantee by the Rehabilitation Center of all future salary costs for any tenure appointment by the Medical School, the Rehabilitation Center guarantees to pay to the Medical School the salary for any personnel granted tenure, in case their positions are terminated by the Rehabilitation

Center. The payments continue as long as the Medical School is required to maintain these personnel.

(c) Under a guarantee by the Rehabilitation Center of the future salary costs for a limited tenure appointment of seven years following termination or discontinuation of a tenured position, the physician receives a guarantee of tenure of not more than seven years from the notification of termination, as long as the physician occupies a full-time faculty position at the Medical School. If the physician's position at the Rehabilitation Center is discontinued, the Rehabilitation Center pays the physician a salary for not more than seven years from the date of notification of termination, but only if the physician is full-time at the Medical School.

(d) The Medical School will grant nontenured academic and clinical appointments when the best interests of the Medical School and the Rehabilitation Center will be served.

(e) Full-time physicians at the Rehabilitation Center with academic appointment will be subject to the policy of The University of Texas System regarding private-practice income. Money earned in excess of the allowable shall be managed in a manner consistent with the management of similar money at the Medical School.

Sec. 6. AMENDMENT AND SUBSEQUENT AGREEMENTS

(a) This agreement may be amended in writing to include any provisions the parties may agree upon.

(b) The parties to this agreement may make subsequent agreements for the joint employment of personnel and for the pro rata apportionment of salaries of personnel employed, or for the pro rata apportionment of other related costs and expenditures.

(c) Any proposed contract between the Board of Trustees of the Rehabilitation Center and any other agency providing

rehabilitation services is subject to review and approval by the Dean of the Medical School when that contract would substantially alter the character or degree of the teaching or research programs.

Sec. 7. CONFLICTS

The provisions of this agreement take precedence if there is a conflict between the bylaws of the Rehabilitation Center and the provisions of this agreement, unless otherwise provided by law.

Sec. 8. PERIOD OF AGREEMENT

This agreement is for a period of one year from its effective date, and thereafter from year to year unless terminated by either party on six months' written notice.

Sec. 9. EFFECTIVE DATE

This agreement takes effect on _____, 19__.

EXECUTED by the parties on the day and year first above written.

ATTEST:

Secretary

BOARD OF REGENTS OF THE
UNIVERSITY OF TEXAS SYSTEM

By _____
Chairman

ATTEST:

Secretary

BOARD OF TRUSTEES OF THE CARUTH
MEMORIAL REHABILITATION CENTER

By _____

Approved as to Form:

Richard H. Hinson
University Attorney

Approved as to Content:

Charles A. LeMaistre
Executive Vice-Chancellor for
Health Affairs

Approved as to Content:

[Signature]
Dean of Medical School

[Signature]
Executive Vice-Chancellor for
Business Affairs

THE STATE OF TEXAS }
 (
COUNTY OF DALLAS }

BEFORE ME, the undersigned authority, on this day personally appeared _____, Chairman of the Board of Trustees of the Caruth Memorial Rehabilitation Center, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that the same was the act and deed of the Board of Trustees of the Caruth Memorial Rehabilitation Center and that he executed the same as the act and deed of such Board for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 1969.

Notary Public in and for
Dallas County, Texas

THE STATE OF TEXAS }
 (
COUNTY OF TRAVIS }

BEFORE ME, the undersigned authority, on this day personally appeared FRANK C. ERWIN, JR., Chairman of the Board of Regents of The University of Texas System, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that the same was the act and deed of the Board of Regents of The University of Texas System and that he executed the same as the act and deed of such Board for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 1969.

Notary Public in and for
Travis County, Texas

6. Dallas Medical School: The Bylaws of the Medical Service, Research and Development Plan. --Below is a Xerox copy of a submission from Chancellor Ransom and Executive Vice-Chancellor LeMaistre. (Pages 20-35)

Chancellor Ransom, Executive Vice-Chancellor LeMaistre and the Health Affairs Council concur in Dean Sprague's recommendation that the Board of Regents approve the following By-Laws of the Medical Service, Research and Development Plan, which has been approved by the faculty. The conformity of this plan to the requirements of the Internal Revenue Service has been approved by Mr. Marvin Collie and Mr. Burnell Waldrep.

THE UNIVERSITY OF TEXAS
SOUTHWESTERN
MEDICAL SCHOOL AT DALLAS

BY-LAWS

MEDICAL SERVICE, RESEARCH, DEVELOPMENT PLAN

(Hereafter called "PLAN")

TITLE I.

ORGANIZATION

1.00 PURPOSE

It is the purpose to create a plan for management of the professional income of members of the full-time faculty of The University of Texas Southwestern Medical School. The plan will create an Institutional Trust Fund and within this Institutional Trust Fund it will establish a Development Fund to be expended in support of the programs of the school as a whole. It will designate the portion of the Institutional Trust Fund to be available to each Clinical Department which may be used in support of clinical faculty compensation and other functions pertaining to departmental teaching, research, and patient care activities. The Plan will provide its administrative expense. It will safeguard the interests of its membership in the proper continued growth in excellence of The University of Texas Southwestern Medical School at Dallas.

I. THE PLAN
Page Two

1.10 THE MEMBERSHIP

1.11 Membership in the Plan is required of each geographic of full-time faculty member (hereafter called the Member) in a clinical department who derives income from professional activities, except as hereinafter specifically excluded. A medical faculty member in a pre-clinical department who derives income from patient care responsibility must be a member of the Plan. Full-time off campus faculty are eligible for membership if the Dean, the chairman, the individual, and the hospital agree. The Membership shall exercise final local authority over all organizational matters relating to the Plan, except where that authority is specifically delegated by these By-Laws. All members shall be entitled to participate in the deliberations of the Plan, vote upon all business brought before the Plan, and be eligible for election to any committee of the Plan. To expedite the business of the Plan, there shall be a Board of Directors, described in Section 1.20.

1.12 MEETINGS

The Membership shall meet in general session annually in April at a place designated by the Chairman of the Board. Notice of the annual meeting and an agenda shall be distributed to each member at least thirty days prior to the meeting.

Special meetings may be called by the Board, the Dean, or upon written petition of 25 members. Special meetings require the same notice.

I. THE PLAN
Page Three

1.13 PRESIDING OFFICER

The Chairman of the Board of Directors or, in his absence, the Vice-Chairman, shall preside. The Secretary of the Board of Directors shall serve as the Secretary of the Plan.

1.14 RULES OF ORDER

The rules of order are incorporated in these By-Laws. Rules of order are appended in Exhibit A.

1.15 QUORUM

Fifty percent (50%) of the Membership shall constitute a quorum.

1.16 VOTING

1.161 - Each member shall have one vote.

1.162 - Except where otherwise specified within these By-Laws, a simple majority vote shall prevail.

1.17 PROCEEDINGS

Minutes of each meeting shall be prepared by the Secretary, published and circulated to each member.

1.18 BOARD OF DIRECTORS

1.19 COMPOSITION

The Board of Directors is composed of:

A. Dean of the medical school.

B. The Chairman of each medical school clinical department. When the Chairman is unavoidably absent, he may appoint another member of his department as his proxy.

I. THE PLAN
Page Four

C. Members-at-large shall be appointed by the department chairman from departments making larger contributions to the Institutional Trust Fund. After the first year of operation, those departments whose contributions to the Fund exceed \$150,000 may appoint members-at-large, not to exceed a total of 3 members per department, as per schedule:

\$150,000 to \$300,000	-	1 member-at-large
\$300,001 to \$450,000	-	2 members-at-large
\$450,001 to \$600,000	-	3 members-at-large

Under this formulation if the total number of members of the Board would exceed 25, the criteria shall be revised.

D. The Associate Dean for Business Affairs, the Associate Dean for Academic Affairs, and the Fiscal Manager of the Plan shall be ex-officio members without vote.

1.20 POWERS

- A. The Board of Directors shall exercise full powers of the Membership, except that the Board may not alter the distribution of funds to the Development Fund and the Clinical Departments as hereafter established.
- B. The Board of Directors shall exercise responsibility for the operational aspects of the Business Office of the Plan as defined in Section 1.30.
- C. The Board of Directors may create committees from the directors or from the membership to act upon specific matters when necessary.
- D. The Board of Directors shall report its activities to the Membership at the Annual Meeting, which activities shall be subject to ratification, modification, or revocation by the Membership.

E. The Board of Directors shall be advisory to the Dean on all matters relating to the Plan.

1.21 MEETINGS

The Board shall meet at least quarterly on call of the Chairman, or the Dean or on the written petition of any five members of the Board.

1.22 OFFICERS

The officers of the Board will be the Chairman, the Vice-Chairman, and the Secretary. The officers shall be elected by the Board immediately after approval of these By-Laws by the Board of Regents of The University of Texas and thereafter annually at the meeting of the Board of Directors in the first quarter.

The chairman and vice-chairman shall not serve in the same office more than two consecutive terms, but are eligible for re-election after an intervening year. No two elected officers shall be from the same department.

The terms of office shall be from September 1st following the Annual Meeting of the Membership to August 31st of the following year.

1.23 QUORUM

Fifty percent (50%) of the Board of Directors shall constitute a quorum.

1.24 VOTING

Except where otherwise specified within these By-Laws, a simple majority vote shall prevail.

1.30 OPERATION OF THE PLAN

1.31 - A Business Office shall be maintained by the Plan for the administration of its affairs.

1.32 - The Fiscal Manager shall be the general administrative officer and business manager. The Fiscal Manager and staff shall be under the direction and supervision of the Dean and the Board of Directors.

1.33 - Administrative personnel and consultants may be employed or retained as recommended by the Board of Directors.

1.34 - Expenses of operation of the Plan shall be derived from the income of the Institutional Trust Fund.

(a) Expense limitation: After initial equipment purchase, the amount of expenses shall not exceed ten percent of the gross income of the Institutional Trust Fund without approval of the Board of Directors. Upon approval of the Board of Directors, departments may be reimbursed for that portion of expenses, not to exceed eight percent of the departments gross income, involved in billing, collecting, and accounting for contributions to the Institutional Trust Fund.

(b) An annual summary and budget proposal must be submitted at the first quarterly meeting. An accounting must be submitted by the Fiscal Manager to the Board of Directors at each quarterly meeting.

I. THE PLAN
Page Seven

- (c) Trust Fund income must be specifically accounted for in the name of the individual members. An itemized statement of funds deposited shall be submitted to each individual member for the preceeding year no later than January 31st.
- (d) Reimbursement for legitimate expenses incurred in generating income is allowable. Such reimbursement will be made from the department funds.

II. INSTITUTIONAL TRUST FUND

TITLE II.

INSTITUTIONAL TRUST FUND

2.00 THE INSTITUTIONAL TRUST FUND WILL PROVIDE MONIES FOR:

- A. The Operation of the Fund
- B. The Development Fund
- C. The Clinical Department Restricted Funds

2.10 SOURCE OF INCOME

Pursuant to the member's contract with the School, each member shall assign his professional fees to the Institutional Trust Fund. Income can be accepted from voluntary and part-time faculty at the discretion of the individual, the department chairman, and the Dean.

2.11 DETERMINATION AND COLLECTION OF PROFESSIONAL FEES

The amount of the professional fees will be determined by the member and collections will be deposited in the Institutional Trust Fund through the Business Office of the Plan as noted in Section 1.34 (c). Methods of billing

II. INSTITUTIONAL TRUST FUND
Page Eight

and collecting shall be the responsibility of the department. This may be delegated to the Business Office of the Plan. The Dean will have the ultimate responsibility for the fiscal integrity of the operation.

2.12 PROFESSIONAL FEES

Professional fees shall include the following:

- 2.121 - Fees generated within The University of Texas Southwestern Medical School at Dallas, including third-party payment plans.
- 2.122 - Fees from all professional consultations and services except as noted in Section 2.126.
- 2.123 - Fees for consultation and services rendered at any other state-supported medical facility or institution in the State of Texas.
- 2.124 - Fees for services rendered at Federal or affiliated hospitals.
- 2.125 - Fees for court appearances.
- 2.126 - All other professional income with the exception of the following:
 - (a) Honoraria, royalties, non-professional retainers.
 - (b) Payment for editing scientific publications.
 - (c) Consultation fees (honoraria) as a regional or National consultant to any branch of the United States Government.

2.13 FUNDS FOR OPERATION OF THE PLAN AS APECIFIED IN SECTION 1.30

2.14 THE DEVELOPMENT FUND

- 2.141 - Purpose: The Development Fund shall be expended to enhance and support programs of the school as a whole.

II. INSTITUTIONAL TRUST FUND
Page Nine

2.142 - Source of Income: The Development Fund shall receive a quarterly allocation from the Institutional Trust Fund. After payment of expense of operating the Plan, 20% of the remaining Institutional Trust Fund shall be allocated to the Development Fund.

2.143 - Expenditure of Income: The expenditure of the Development Fund shall be at the discretion of the Dean with the advice of the Faculty Council.

2.15 CLINICAL DEPARTMENT RESTRICTED FUNDS

2.151 - Purpose: The Clinical Department Restricted Funds shall be expended by each clinical department, not in violation of the Rules of The University of Texas, in support of:

- (a) Faculty compensation.
- (b) Support of those functions pertaining to teaching, research, and patient care activities.

2.152 - Source of Income: The remaining balance of the Institutional Trust Fund, after payment of expenses and allocation to the Development Fund shall be allocated to the Clinical Department Restricted Funds.

2.153 - Distribution of Income: The funds shall be divided quarterly among the clinical departments:

The return to each department shall be in exact proportion to that department's contribution to the gross income of the Institutional Trust Fund as defined in Section 1.34 and Section 2.142.

II. INSTITUTIONAL TRUST FUND
Page Ten

2.154 - Expenditure of Income:

- (a) Permissive faculty Compensation: Pursuant to his contract with the medical school, each member's professional income shall be determined annually, subject to quarterly review, upon recommendation of his Department Chairman, approval by the Dean of the Medical School and Chancellor of The University of Texas, and authorization of the Board of Regents of The University of Texas. The Clinical Department Restricted Funds may be used as necessary to provide the approved level of compensation.
- (b) Support of Department Functions: Department income from the Clinical Department Restricted Funds remaining after permissive faculty compensation support shall be expended at the discretion of the departmental chairman, for teaching, research, and patient care activities.

III. MISCELLANEOUS PROVISIONS

TITLE III.

MISCELLANEOUS PROVISIONS

3.00 ETHICS

The principles of medical ethics of the American Medical Association are accepted as the governing code of ethics for the Plan.

3.10 BY-LAW AMENDMENTS

Amendments to the By-Laws require a two-thirds majority

III. MISCELLANEOUS PROVISIONS
Page Eleven

vote of members at any regular meeting of the Plan, provided the amendment shall have been offered at a previous meeting or by written notice not less than thirty days prior to the regular meeting. Amendments shall take effect upon adoption by the Plan and approval by the Board of Regents of The University of Texas.

3.11 CONTRACT FOR MEMBERS

A suitable contract for members shall be executed between each member and the School. By adoption by the members, this contract shall be incorporated for reference in these By-Laws. (Exhibit B)

3.12 DISSOLUTION

3.121 - A member leaving the full-time faculty terminates his membership in the Plan without recourse.

3.122 - The Plan may be dissolved by the Dean upon recommendation of the Board of Directors and three-fourths vote of the entire Membership. All monies residual in the Trust Fund shall be utilized to discharge obligations of the Plan with the balance to become the property of The University of Texas Southwestern Medical School at Dallas.

By-Laws were adopted by a two-thirds majority of those eligible to vote who were assembled in the Cary Building, Basic Science room 162 on March 31, 1969.

EXHIBIT A
RULES OF ORDER

AGENDA:

All items of business not requiring formal action by the Membership, unless an objection is registered, accepted "for information only".

All items of business requiring action by the Membership must be in the form of a resolution.

DEBATE:

Each member is entitled to speak to a given resolution so long as the discussion is germane. The Chairman will not curtail discussion but reserves the right to limit each discussor to ten minutes when necessary and according to parliamentary principles.

AMENDMENT:

Any resolution may be changed or altered to more accurately reflect the wishes of the Membership by a resolution to amend. It, in turn, will be open to debate and will be subject to motions to limit debate and to close debate.

Finally, the motion to amend will be voted. At this point, should the amendment pass, the original resolution becomes the "resolution-as-amended" and it now is subject to debate. Should the motion to amend fail, the original motion is upon the floor and subject to debate and to all other procedural motions.

PROCEDURAL MOTIONS:

Procedural motions are used primarily to influence the course of a substantive resolution through debate. If a member wishes:

A. To force a vote upon an issue

Previous Question: This motion stops all debate. If passed, the main motion is now voted upon. "I move the previous question." (2/3 vote)

B. To delay action

1. Refer: This motion causes the resolution to be referred to a committee for further study. It usually designates the committee and the time it shall report.

"I move this motion be referred to _____ committee for further study and report at the next meeting."

(majority vote)

2. Table: This motion stops consideration of the item. Once adopted, the measure can be considered again by a motion "to take from the table".

"I move this resolution be tabled." (majority vote)

3. Postpone: This motion postpones all action until a specified time or event, at the same meeting or the next meeting.

"I move consideration of this motion be postponed until...".

(majority vote)

C. To expedite procedure

Limit Debate: This motion usually limits the time of each member for discussion. Practically, however, this is of little use in the Membership.

"I move that each member be limited to _____ minutes of debate." (2/3 vote)

- D. To reconsider the vote on a previous item of business
1. Reconsider: This motion permits debate and another vote on a resolution passed or defeated at the same session. "I voted for.....(the motion) and move reconsideration of the vote." (majority vote)
 2. Rescind: This motion permits repeal of motions passed by the Membership at a previous meeting.
(2/3 vote)

Technically, it might be better to introduce a whole new resolution that, in effect, overcomes the action previously passed.

- E. To test the concensus of opinion to a motion
- Postpone indefinitely: This motion is of little use to the Membership because all matters are upon the agenda. However, should the opponents of a surprise motion wish to test the assembly, this motion opens debate and permits those opposed to speak for the motion to postpone indefinitely. "I move consideration of this motion be postponed indefinitely." (majority vote)
- F. Roberts' Rules of Order will be accepted as final authority for parliamentary procedures other than those described herewith.

EXHIBIT B

AGREEMENT FOR PARTICIPATION IN MEDICAL SERVICE,
RESEARCH AND DEVELOPMENT PLAN, UNIVERSITY OF
TEXAS SOUTHWESTERN MEDICAL SCHOOL
AT DALLAS, TEXAS

It is hereby agreed between The University of Texas Southwestern Medical School at Dallas, Texas ("University"), and _____ ("Doctor"), that the Doctor, subject to the terms of the Medical Service, Research, and Development Plan ("Plan"), shall become a member of the Plan. Member income from the Plan will be determined annually prior to the beginning of the fiscal year.

The Doctor further agrees that he will comply with the By-Laws of the Plan and will fully cooperate with the other members thereof and the University, in carrying out the purposes of the Plan.

In consideration of the Doctor's participation in the Plan, the Doctor hereby assigns to the Institutional Trust Fund all fees charged and received by him for professional services. This assignment shall be an absolute assignment, subject only to the conditions that the University shall not alter (although the Doctor may alter) the fees charged by the Doctor and that the fees collected shall be used for the purposes as stated in the Plan. Hence, the Doctor further agrees that all monies received by him for such fees will be promptly turned over to the Business Office of the University and all checks made payable to the Doctor for such fees will be promptly endorsed and delivered to such Business Office. However, this assignment does not cover the

BY-LAWS
EXHIBIT B
Page Sixteen

salary received from the University, nor reimbursement for expenses actually incurred.

As a condition of the Doctor's participation in such Institutional Trust he shall pay for all ordinary and necessary professional expenses incurred by him to the extent he is not reimbursed by the University for such expenses.

It is understood that a person leaving the faculty automatically terminates this agreement, as between the individual leaving and the Plan, without recourse.

Chairman, Department of

Doctor

APPROVED:

Dean

Chancellor

7. Houston Dental Branch: Waiver of Regents' Rules and Regulations, Part One, Chapter III, Section 31. (14) for Dr. A. P. Westfall. --
Below is a Xerox copy of a recommendation from Chancellor Ransom and Executive Vice-Chancellor LeMaistre:

Chancellor Ransom and Executive Vice-Chancellor LeMaistre concur in the recommendation of Dean Olson that the Board of Regents approve the continuation of Dr. A. P. Westfall as Chairman of the Department of Preventive Dentistry (Orthodontics) for the 1969-70 fiscal year. Dr. Westfall reached the age of sixty-five on April 2, 1967, and permission was granted to continue Dr. Westfall as Chairman for the 1967-68 and 1968-69 fiscal years.

Dean Olson states:

We have a young man in the department now who is progressing nicely in his training for the chairmanship. However, I believe that it is in the best interest of the Department and the School to continue Dr. Westfall in his present capacity.

8. U. T. Medical Units: Proposed Payment to the Houston Academy of Medicine Library for Services Rendered. --Below is a Xerox copy of a recommendation submitted by Executive Vice-Chancellors LeMaistre and Walker concurred in by Chancellor Ransom:

Executive Vice-Chancellors LeMaistre and Walker, with the concurrence of Chancellor Ransom, recommend approval for the payment by The University of Texas units in the Texas Medical Center to the Houston Academy of Medicine Library for services rendered by that library. Payments will be made from the 1969-70 operating budgets of the several institutions.

Dear Dr. LeMaistre:

The University of Texas Units located in the Texas Medical Center for several years have made payments to the Houston Academy of Medicine Library for services rendered by that library. The amounts paid have in the past been approved by the Board of Regents.

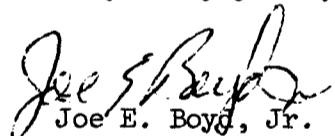
It is recommended that the following payments be authorized for library services for 1969:

M. D. Anderson Hospital and Tumor Institute	\$ 5,000.00
Dental Branch	10,000.00
Division of Graduate Studies	5,000.00
Division of Continuing Education	300.00
School of Public Health	<u>5,000.00</u>
Total	\$25,300.00

These payments will be made from the 1969-70 operating budgets.

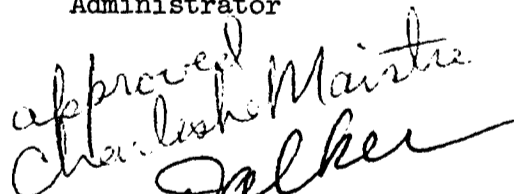
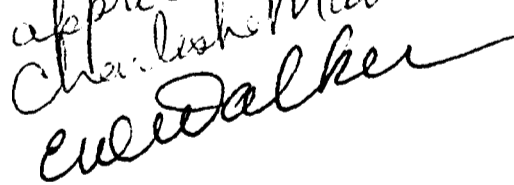
This recommendation has the approval of the heads of the institutions involved.

Very truly yours,


Joe E. Boyd, Jr.
Administrator

JEBjr:sk

cc: Dr. Clark
Dr. Olson
Dr. Arnim
Dr. Taylor
Dr. Stallones

approved



Committee of the Whole

COMMITTEE OF THE WHOLE
Chairman Erwin, Presiding

Date: May 2, 1969

Time: Following the meeting of the Land and Investment Committee

Place: Room 611
Library Building
U. T. Arlington
Arlington, Texas

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A. Chairman Frank C. Erwin, Jr.

B. Vice-Chairman Jack S. Josey

C. Regent W. H. Bauer

D. Regent Jenkins Garrett

E. Regent Frank N. Ikard

F. Regent Joe M. Kilgore

G. Regent John Peace

H. Regent Dan C. Williams

I. Regent E. T. Ximenes

II. REPORTS AND SPECIAL ITEMS BY CHANCELLOR

III. REPORTS AND SPECIAL ITEMS BY VICE-CHANCELLORS

- A. Executive Vice-Chancellor Charles LeMaistre
- B. Executive Vice-Chancellor Otis Singletary
- C. Executive Vice-Chancellor E. D. Walker
- D. Vice-Chancellor Graves W. Landrum
- E. Vice-Chancellor Raymond W. Vowell

IV. SPECIAL ITEMS

A. The University of Texas System

1. Amendment to Roster of Depository Banks. --

It is recommended by Comptroller Anderson, Executive Vice-Chancellor Walker and concurred in by Chancellor Ransom, that the roster of depository banks in Houston be amended by adding the Continental Bank and that time deposits only be authorized, subject to this bank being willing to execute the standard depository agreement previously approved by the Board of Regents. The amount of funds placed on time deposit shall not affect the ratio within the other approved banks.

The current roster of depository banks in Houston is as follows:

U. T. HOUSTON

Formula for
Allocation of
Time Deposits

Dental Branch

40%	Bank of the Southwest
30%	First City National
20%	Texas National Bank of Commerce
10%	Fannin

Anderson Hospital

40%	Bank of the Southwest
30%	First City National
20%	Texas National Bank of Commerce
10%	Fannin

G.S.B.S.

(Rotate	Bank of the Southwest
annually	First City National
among the	Texas National Bank of Commerce
three approved	
banks)	

B. U. T. Austin

2. Athletics Council: Seat Option Plan. --The Athletics Council report of the Football Seat Option Plan and a review of the program by the Board of Regents.

COMMITTEE OF THE WHOLE
Chairman Erwin, Presiding

Supplementary Agenda

Date: May 2, 1969
Time: Following the meeting of the Land and Investment
Committee
Place: Room 611
Library Building
U. T. Arlington
Arlington, Texas

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IV. SPECIAL ITEMS

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IV. SPECIAL ITEMS

A. The University of Texas System

3. Regents' Rules and Regulations, Part One: Amendment to Chapter III, Section 6, Subsection 6.4. -- It is recommended by the Administration that all the necessary rules be waived and that the following amendment to the Regents' Rules and Regulations, Part One, be adopted effective immediately:

Amend Subsection 6.4, Section 6, Chapter III, Part One, Regents' Rules and Regulations, to read as follows:

"6.4 Any employee of any component institution of The University of Texas System, including any member of the faculty or administration, who is placed on probation for or finally convicted of the illegal use, possession, or sale of a drug or narcotic, shall be dismissed as an employee, regardless of whether or not the illegal act that gave rise to the conviction was committed on the campus of one of the component institutions of The University of Texas System."

4. Regents' Rules and Regulations, Part Two, amendment to Chapter X, Section 9, Subsection 9.11. -- It is also recommended by the Administration that the following amendment to the Regents' Rules and Regulations, Part Two, be adopted:

Amend Subsection 9.11, Section 9, Chapter X, Part Two, Regents' Rules and Regulations, to read as follows:

"9.11 Notwithstanding any other provision of this section, every action of the Board of Directors of the Texas Union, and every action of any committee or subcommittee of such board, shall be reviewed [IS SUBJECT TO REVIEW] by the Board of Regents, and the Board of Regents ^{may} ~~shall~~ [MAY SUBSEQUENTLY] approve, reverse, or modify each [ANY] ~~such action.~~"

- 4a. Legislative Proposal for The University of Texas of the Permian Basin. -- Without consultation with any member of the Board of Regents or of the Administration of The University of Texas System, Representatives Ace Pickens and Richard Slack, both of whom represent Ector County, have joined in sponsoring a bill to create a new State institution to be known as The University of Texas of the Permian Basin. The proposed institution would be an upper level college, consisting of junior and senior undergraduate courses and masters degree programs. The Board of Regents would have the authority to select a site for the institution either wholly in Ector County or partly in Ector and partly in one of the adjoining counties.

There has been a controversy raging in the Midland-Odessa area for the past several years over the establishment of a state-supported institution of higher education in that area. Some have insisted on the present Odessa Junior College being converted into a four year school; some have insisted on the institution being located in Midland County, and the Coordinating Board recommended an upper level institution at the Midland-Odessa airport which is approximately halfway between the two towns. The Coordinating Board also recommended that that new institution be placed under its own separate governing board.

Earlier in this current session of the Legislature, bills were introduced which would implement each of these positions, and the hearings on those bills were among the most heated that have been held this session. Indeed, it appears that whole area has been separated into hostile camps on this issue.

In an effort to compromise the various antagonistic positions, Representatives Pickens and Slack proposed for the first time while the several bills were in the State Affairs Committee that the Committee report out a bill to establish The University of Texas of the Permian Basin upon the conditions described above.

Surprisingly enough, this compromise seems to have attracted the support of all of the various factions and appears to have a good chance of passage at this Session of the Legislature. The Chairman of the Coordinating Board has stated, somewhat surprisingly, to the Lt. Governor that under all the circumstances he favors this solution and believes that the Coordinating Board will lend its approval to the proposal. It is thought that the bill will pass out of the House within the next week or two. It will be sponsored in the Senate by Senator Snelson of Midland. Senator Snelson has

advised Chairman Erwin that he would be grateful if the Board of Regents will pass a resolution endorsing the proposal and agreeing to establish and operate the institution with enthusiasm if it is authorized by the Legislature. Senator Snelson intends to offer an amendment in the Senate which would authorize the institution to offer doctoral as well as masters degrees, and Senator Snelson requests that the Board of Regents include that recommendation in its resolution.

A prepared resolution carrying out Senator Snelson's request will be presented to the Board for consideration and action at the May 2nd meeting.

B. The University of Texas at Austin

5. Shuttle Bus Service. --Below is a Xerox copy for information submitted by Executive Vice-Chancellor Singletary with respect to Shuttle Bus service on the campus of U. T. Austin. You will recall that at the March 14th meeting of the Regents' Vice-President Colvin was authorized to explore the feasibility of the implementation of the recommendation received from Ben Brooks, head of the Student Parking Committee. This recommendation was that the Regents enter into a contract with the Austin Transit Company for Shuttle Bus service within the campus of U. T. Austin and the adjacent residential area bordered by San Jacinto, Lamar, 19th and 36th Streets:

Executive Vice-Chancellor Singletary is advised by the U.T. Austin Administration that bids are being secured. Bids will be received after the closing date for getting material in the Material Supporting the Agenda but will be reported to the Board at the meeting, and specific recommendations will be made at that time.

6. Proposed 1969-70 Traffic and Parking Regulations. -- The following recommendation has been submitted by Chancellor Ransom with respect to the 1969-70 Traffic and Parking Regulations: (Pages 9-27)

Chancellor Ransom recommends approval of the following proposed Traffic and Parking Regulations, which have been approved by the appropriate administrative officials.

They are being presented in toto due to the fact that they have been put into a new format which, hopefully, will be more easily understood.

There are only two major changes:

1. Creation of Class S permits to be issued to residents of University dormitories.
2. Discarding the existing "pattern" plan of reinstatement charges and substituting therefor a series of administrative service charges, which are presented in detail in Section VI, Enforcements.

1969-1970
TRAFFIC AND PARKING
REGULATIONS
and
INFORMATION

The University of Texas at Austin

EMERGENCY NUMBER
ON ANY CAMPUS TELEPHONE
DIAL 1234

OTHER EMERGENCY NUMBERS:

Ambulance	472-8233
Student Health Center	471-1824
Fire Department	476-4333
Campus Fire Marshal	471-3511
Campus Police	471-3131 PAX 2108
City Police	476-8311
Highway Patrol	465-5471

FOR INFORMATION

Traffic and Security	471-3131
Parking and Traffic Office	471-1911

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- I. Introduction
- II. General Provisions
- III. Parking Regulations
- IV. Parking Permits
- V. Driving and Parking Offenses
- VI. Enforcement
- VII. Visitors to the Campus

COMMITTEE ON PARKING AND TRAFFIC
Dr. James C. Thompson, Chairman
Miss Florence Escott
Mr. Albert W. Fell
Dr. R. W. Hamilton
Dr. H. K. Snell
Mr. Richard P. Swallow
Mr. Kirk Hamilton
Mr. Ben Brooks
Mr. C. J. Eckhardt (Adm. Advsr.)

I. INTRODUCTION

This booklet contains an analysis of and guide to the rules, regulations, and procedures applicable to those who would drive or park a motor vehicle on the campus of The University of Texas at Austin. These rules are designed to provide for the safety of all who use the campus, especially pedestrians, and to provide for the optimum use of the meager parking facilities. These regulations are supplementary to the rules and regulations of the City of Austin and State of Texas which govern the use of motor vehicles. They apply throughout the day and night.

THE SPEED LIMIT ON ALL PARTS OF THE CAMPUS IS 15 MILES PER HOUR.
PEDESTRIANS SHALL AT ALL TIMES HAVE THE RIGHT OF WAY.

Only cars bearing the proper University parking permits may be parked on the University campus, Monday through Friday, 7:30 a.m. to 5:00 p.m., and on Saturday, 7:30 a.m. to 11:15 a.m. Cars without permits may be parked on the campus Monday through Friday, 5:00 p.m. to 7:30 a.m., from Saturday at 11:15 a.m. until Monday at 7:30 a.m., and on the following holidays: Labor Day, Thanksgiving, Christmas, New Year's Day, and July Fourth, except where posted signs prohibit such parking. Parking meters may be used by anyone at any time, except where their use is restricted by posted signs (e.g., for Visitors Only). See p. for more details.

The Parking and Traffic Office (see inside front cover) or an officer may be consulted should questions arise. These rules, regulations, and procedures are subject to revision by the Committee on Parking and Traffic.

II. GENERAL PROVISIONS

The University of Texas at Austin assumes no responsibility for the care and/or protection of any vehicle or its contents at any time it is operated or parked on its campus. The University also reserves the right to impound any vehicle which is parked with serious impropriety or so as to obstruct vehicular or pedestrian traffic.

Under the provisions of S.B. No. 162, Chapter 80, Acts 60th Legislature Regular Session, 1967, the Board of Regents of The University of Texas System has promulgated Parking and Traffic Regulations to regulate

and control traffic and parking and the use of parking facilities, provide for the issuance of vehicle identification insignia, and provide for jurisdiction over offenses. In particular, campus officers may issue **TRAFFIC TICKETS ENFORCEABLE IN COURT** in the same way as those issued by the Texas Highway Patrol. (see p.)

A **PERMIT TO PARK** on campus will not be honored unless the decals are properly affixed to the lower left-hand corner of both the windshield and the rear window in accordance with directions which appear on the back of each permit. Permits are not transferable.

Parking areas and parking restrictions are indicated on the enclosed campus map.

Passenger cars may not use the **LOADING ZONE AREAS** at any time without a loading zone permit and may be parked only long enough to conduct the actual loading and unloading operations (whether on University business or otherwise and only with permission as stated above). The loading zone permit may be obtained from the control station officer or from the Traffic and Security Office, Service Building basement, open at all times. If a loading zone permit is needed at a time when the control station officer is not on duty and if it is not practical to drive to the Traffic and Security Office because of unusual circumstances, permission may be obtained by a telephone call, 471-3131 or P.A.X. 2108. Any passenger car parked in a loading zone or service drive, when loading and unloading operations are not plainly visible and in progress, is subject to impounding. Passenger cars shall not be stopped in loading zones or service drives for the purpose of awaiting the arrival of passengers. Commercial vehicles may be parked in loading zones and service drives only for whatever length of time actual loading and unloading operations are in progress.

On special occasions and in emergencies, parking limitations may be imposed by the Chief Traffic and Security Officer as required by the conditions which prevail. When conditions warrant such an action at the time of special events, the Chief Traffic and Security Officer may waive

parking limitations which are ordinarily imposed.

The speed limit on all parts of the campus is 15 miles per hour. Pedestrians at all times have the right of way. Every car is required to stop completely at each STOP sign and to proceed with caution. A flashing yellow light requires slowing the vehicle and proceeding with caution. A flashing red light requires stopping the vehicle completely and proceeding with caution.

III. PARKING REGULATIONS

Motor vehicles may be parked in University lots and on campus streets only if they bear the appropriate decals. The color-coded map indicates the specific areas open to the various permit holders, and eligibility requirements are described on p. . In general, the restrictions apply only from 7:30 a.m. to 5:00 p.m. weekdays. The Inner Campus Drive and Reserved Parking Area 14 are restricted to F and A permit holders in the evenings from 5:00 to 9:00 p.m. Monday through Friday and on Saturdays from 7:30 a.m. to 11:15 a.m. Special restrictions for each class of permit holder may be found on pages to . The rules also apply to weekdays on which no classes are held but on which University offices are open.

Except as described above, the campus is open to parking without permits at night, from 5:00 p.m. to 7:30 a.m., on Saturdays from 11:15 a.m. until Monday at 7:30 a.m., and on the following holidays: Labor Day, Thanksgiving, Christmas, New Year's Day, and July Fourth. However, many spaces are designated as restricted by posted signs. Metered spaces are open to all, at all times, except where their use is restricted by posted signs. On-the-street parking is, of course, open to the public on streets adjacent to, but not within, the campus boundaries as indicated on the map. Streets within the campus are colored on the map; city streets are uncolored.

IV. PARKING PERMITS

Parking permits will be issued, in the case of the faculty and staff, only for vehicles of which the faculty or staff member or his spouse is the principal user. In the case of students, parking permits will be issued only for an automobile owned by the student, his spouse, or his parents.

A. Classes of permits and fees

O-----	\$36.00	Administrative officers
F-----	\$24.00	Reserved for faculty and staff
D-----	\$24.00	Disabled (faculty, staff, and students)
A-----	\$12.00	Faculty and staff
B-----	\$ 6.00	Staff
C-----	\$ 5.00	Commuting Student parking permits
	\$ 3.00	if purchased during the spring semester
	\$ 1.00	if purchased during the summer session
S-----	\$ 5.00	Student resident
M-----	\$ 3.00	Students and staff for motorcycles, motor bicycles, and motor scooters
	\$ 2.00	if purchased during the spring semester
	\$ 1.00	if purchased during the summer session

B. Payment of fees

When an application is made for a permit, the fee charged will be for a complete year or for the entire unexpired portion of the University's fiscal year. Payment of the fee must be made before the permit will be issued.

C. Refunds

Refunds will be made to members of the faculty and staff upon request in the event that their service is terminated by a resignation or leave of absence without pay. The refund will be based on the number of full months remaining in the University's fiscal year.

A refund will be made upon request to a student holding a C, D, or S permit who withdraws from the University at the end of the fall semester, but no refund will be made to a student who withdraws at the end of the spring semester.

D. Class O

Class O parking permits will be issued for certain administrative officers as designated by the President and/or Chancellor. O permit holders may park in any O space.

E. Class D

Class D parking permits will be issued to members of the faculty, staff, and student body whose physical infirmities make mandatory their parking near their work or classroom. Automobiles bearing Class D parking permits may be parked only in spaces specifically designated for the disabled.

F. Class F

Members of the faculty and staff who are eligible for a Class A permit may apply for a Class F permit. Assignments will be made by lot and rank. Reserved Parking Areas will be reserved for automobiles bearing permits issued for each specific area from 7:30 a.m. to 5:00 p.m., Monday through Friday. If no spaces are available in the designated lot or if there is urgent need, special permits will be provided at traffic control stations for F permit holders to park on particular occasions for a limited period of time in Class A and B Restricted Areas. Certain spaces in each reserved area will be reserved at all times for those holding permits for that area. On weekdays from 5:00 p.m. to 9:00 p.m. and on Saturday mornings from 7:30 a.m. to 11:15 a.m., the Reserved Area 14 and 15 and the Inner Campus Drive are reserved for F and A permit holders. On Saturday mornings F permit holders may park in any F, A, B, or C parking area. A second permit will be issued for an alternate car at no additional cost on the understanding that if both cars are parked on the campus at the same time, one must be at a meter, or the permits will be revoked.

G. Class A

Class A parking permits will be issued to the following:

- (1) Any full-time or part-time member of the faculty holding the rank of Instructor or above.
- (2) Any full-time staff member who is paid \$514.00 per month or more or any part-time staff member who is paid at the rate of \$650.00 per month or more.

Class A permit holders may park in any Class A, B, or C parking area on weekdays from 7:30 a.m. to 5:00 p.m. and in any F, A, B, or C parking area on Saturday mornings. On weekdays from 5:00 p.m. to 9:00 p.m. and on Saturday mornings from 7:30 a.m. to 11:15 a.m., Reserve Area 14 and 15 and the Inner Campus Drive are reserved for F and A permit holders. An attempt will be made to have no more than two permit holders for each Class A parking space available. A second permit will be issued for an alternate car at no additional cost on the understanding that if both cars are parked on the campus at the same time, one must be at a meter, or the permits will be revoked.

Temporary Class A permits may be issued to:

- (3) Other classified personnel upon certification by a physician, and students upon certification by the Director of the Student Health Center

H. Class B

Class B parking permits will be issued to the following:

- (1) Any full-time employee who is paid less than \$514.00 per month.
- (2) Any part-time employee who is paid at a rate less than \$650.00 per month and is not registered in the University as a student.
- (3) Individuals registered at the University for courses of instruction, who work at least half-time for the University and who are employed at a full-time rate of \$350.00 or more per month.

Class B permit holders may park in any B, C or S parking area on weekdays and in any Class A parking area except the Inner Campus Drive on Saturday mornings. Class B permit holders may park anywhere on weekday evenings except the Inner Campus Drive and Reserved Area 14 and 15. An attempt will be made to have no more than three permit holders for each parking space available. A car bearing a Class B permit may pass through the campus at any time for the purpose of picking up or discharging passengers.

I. Class C

Class C (commuting student) parking permits will be issued to students living off campus and who meet one of the following qualifications:

- (1) Students having at least 24 semester hours of credit.

- (2) Students with less than 24 hours but who are 21 years of age or over.
- (3) Students with less than 24 hours who are married and living with spouse.
- (4) Students who have between 14 and 24 hours of credit and a B grade average or better.

Class C permit holders may park in any Class C or S parking area at any time but are not permitted to pass through the traffic control stations between 7:30 a.m. and 5:00 p.m. on weekdays. Class C permit holders may park anywhere on weekday evenings from 5:00 to 9:00 p.m. except the Inner Campus Drive and Reserved Area 14 and 15. They may park anywhere on the campus from 9:00 p.m. until 7:30 a.m. on weekdays and from 11:15 a.m. on Saturday until 7:30 a.m. on Monday. They may park anywhere on the campus on the following holidays: Labor Day, Thanksgiving, Christmas, New Year's Day, and July Fourth.

J. Class S

Class S parking permits will be issued to students living in University owned dormitories. Automobiles bearing Class S permits may be parked only in spaces specifically designated for S permits.

K. Class M

Class M parking permits will be issued to members of the faculty and staff and students for motorcycles, motor bicycles, and motor scooters. These vehicles may be parked ONLY in parking areas set aside for motorcycles, motor bicycles, and motor scooters.

L. Student Registration

EVERY STUDENT MUST FILE A MOTOR VEHICLE INFORMATION CARD--REGARDLESS OF WHETHER OR NOT HE POSSESSES AND/OR MAINTAINS A MOTOR VEHICLE. Such cards must be filed at the time of registration. Students who do not possess and/or maintain a motor vehicle in Travis County must supply the information called for in Parts (A) and (C) of the MVI Card.

Students who are eligible and do possess and/or maintain an automobile, motorcycle, motor bicycle, or motor scooter must supply all information called for on the MVI Card and must register the motor vehicle by presenting all of the following documents:

- a. Current license receipt
- b. An official document showing the number of semester hours of credit recognized by The University of Texas
- c. Auditor's receipt for semester involved
- d. Valid driver's license

Failure to register a car which is driven or parked on University property shall be grounds for disciplinary action. A motor vehicle possessed and/or maintained by a student may not be driven or parked within the University campus boundaries until it has been registered and the appropriate permit has been affixed. A registered vehicle may be parked anywhere on weekday evenings from 5:00 to 9:00 p.m. except the Inner Campus Drive and Reserved Area 14 and 15. They may park anywhere on the campus from 9:00 p.m. until 7:30 a.m. on weekdays and from 11:15 a.m. on Saturday until 7:30 a.m. on Monday. They may park anywhere on the campus on the following holidays: Labor Day, Thanksgiving, Christmas, New Year's Day, and July Fourth.

V. DRIVING AND PARKING OFFENSES

FLAGRANT offenses are:

- (1) Exceeding speed limit.
- (2) Driving in imprudent manner.
- (3) Removing any temporary barricade.
- (4) Driving vehicle into barricaded area or parking in violation of any barricade (impounding violation).
- (5) Refusing to show driver's license upon request of a University Traffic and/or Security Officer.
- (6) Failing to stop or heed other instructions given by a University Traffic and/or Security Officer.
- (7) Driving or parking on the campus of the University while barred (impounding violation).

MAJOR offenses are:

- (1) Failing to yield right of way to a pedestrian.
- (2) Failing to stop at a STOP sign.
- (3) Failing to report any accident to Traffic Office immediately.
- (4) Making a U-turn.
- (5) Driving on campus without driver's license.
- (6) Backing into an intersection.
- (7) Failing to observe traffic lights.
- (8) Failing to display proper permit for space occupied.
- (9) Parking in any of the following places or manners:
 - a. On any lawn (impounding violation).
 - b. On any curb or sidewalk (impounding violation).
 - c. In any Loading Zone (impounding violation).
 - d. Obstructing any crosswalk (impounding violation).
 - e. In or upon any Service Drive (impounding violation).
 - f. In any manner which obstructs traffic (impounding violation).
 - g. In NO PARKING spaces (impounding violation).
 - h. In violation of any posted sign (impounding violation).

MINOR offenses are:

- (1) Parking improperly. A car is parked improperly if---
 - (a) not placed wholly within the lines or boundaries of the parking space (other improperly parked vehicles do not constitute an excuse for improper parking);
 - (b) where parallel parking is required, the curbside wheels of the vehicle are more than 12" from the curb or the vehicle is not parked with front end facing the direction of traffic flow; (c) where angle parking is required, the wheel nearest the curb is more than 12" from the curb; (d) in angle parking spaces, the rear end is next to the curb; (e) parked for periods longer than those specifically designated; (f) double or multiple parked.
- (2) Failing to display permit properly.

The term "impounding" includes removal or immobilization of the vehicle. The owners of impounded vehicles will be required to pay all costs involved in impounding and storing.

VI. ENFORCEMENT

- A. In general. Campus police are authorized to issue two types of tickets for violation of campus parking and traffic regulations:
1. University tickets are handled by the University of Texas Parking and Traffic Division subject to a right of appeal to a Parking Committee panel composed of faculty, students, and staff members. Regulations dealing with University tickets are set forth below.
 2. Court appearance (CA) tickets are issued by the University of Texas Traffic and Security Division and constitute a summons to appear in a justice court in the same manner as traffic tickets issued by the Texas Highway Patrol. Criminal penalties, as provided by law, may be imposed by the justice court for violations of university parking and traffic regulations.
- B. Policy with Respect to CA Tickets. The University reserves the right to issue a CA ticket for any violation. It is the general policy of the University, however, to issue CA tickets only (1) for flagrant violation, (2) for violations by visitors and persons holding no university permit or driving automobiles which have not been registered with the University, and (3) for excessive university tickets, as set forth in Paragraph C below.
- C. Policy with Respect to University Tickets. University tickets are issued for three classes of offenses: minor offenses, major offenses, and flagrant offenses. These offenses are described on pages and hereof. The Administrative Service Charges are as follows: The service charge for a minor offense is \$2.00. The service charge for a major offense is \$5.00. The service charge for a flagrant offense is \$10.00. If any service charge is not paid within five days after issuance of the ticket, the service charges thereafter shall be \$4.00 for a minor offense,

\$10.00 for a major offense, and \$20.00 for a flagrant offense.

Every person receiving a university ticket shall remit the amount of the service charge to the Parking and Traffic Division within five days after receipt of the ticket. If a person desires to appeal, he shall file his written appeal as provided in Paragraph D below with the payment of the service charge.

Unpaid service charges for parking offenses are recorded in the name of the person in whose name the vehicle is registered. Unpaid service charges for other offenses are recorded in the name of the person driving the vehicle and in the name of the person who has registered or maintains the vehicle. If unpaid service charges recorded in the name of any person equal or exceed the sum of \$25.00, the Parking and Traffic Division will notify such person by letter sent to the address of such person as shown in the records of the Parking and Traffic Division. Such letter shall state that CA tickets will be issued in lieu of the University tickets unless payment of all accumulated service charges is made within five days after the date of such letter. If such payment is not received, CA tickets will then be issued for such offenses and served on such person by a peace officer. Failure to discharge such CA tickets will result in the issuance of a warrant for the arrest of such person.

Upon the issuance of the CA tickets, the university tickets will be cancelled.

Persons with unpaid service charges recorded in their names shall be ineligible to receive a parking permit while such service charges remain outstanding and unpaid.

- D. Appeals from University Tickets. Any person who has received a university ticket may appeal by filing a written statement with the Parking and Traffic Division setting forth the grounds on which

the person believes the issuance of such ticket was improper or inequitable. If the appeal is denied and the person desires to contest the validity of the ticket further, a CA ticket will be issued and the service charge paid in connection with the ticket will be refunded. No particular form of appeal is required, except that the statement must be signed by the person receiving the ticket. The filing of a statement constitutes certification by the person signing the same that the facts stated therein are true to the best of his knowledge and belief. A person may file such supporting statements of material as he deems appropriate.

If the person filing an appeal desires to appear in person before a panel of the Parking Committee, he shall request such personal appearance in the written statement. Failure to request a personal appearance will result in the panel of the Parking Committee determining the appeal on the basis of the written statement of the person, the supporting materials submitted by the person, and information supplied by the traffic officer issuing the ticket.

If a personal appearance is requested, the person appealing shall be permitted to participate in the hearing and present such testimony and information as he deems appropriate. Such person shall also have the right to examine witnesses.

No appeal will be considered unless the written statement is accompanied by payment of the service charge. No appeal will be considered unless it is filed with the Parking and Traffic Division within five days after the receipt of the ticket. Each appeal is heard by a panel of the Parking Committee. That panel may order the remission of the service charge in whole or in part, or the cancellation of the ticket, as the panel deems appropriate.

E. Suspension of Privilege to Drive and Park on the Campus.

Any person who within a period of twelve months commencing on September 1 of any year receives two CA tickets or university tickets for (a) two flagrant offenses, or (b) four major offenses, or (c) one flagrant and two major offenses, whether or not the service charges applicable thereto have actually been paid, automatically loses his privilege of driving or parking his motor vehicle on the university campus for one year. The loss of the privilege of driving or parking a motor vehicle on campus shall commence three days after the Parking and Traffic Division mails a letter to the person, at the address of such person as shown in the records of the Division, stating that such person's privilege of driving or parking a motor vehicle on campus has been suspended by reason of excessive violations. Such letter shall state the date on which the suspension commences and the date on which it ends.

While a person's privilege of driving or parking a vehicle on campus is suspended, it is unlawful (1) for that person to drive or park any motor vehicle on the campus and (2) for any person to drive or park a vehicle registered in the name of such person on the campus. Violation of this paragraph is a major offense.

If a person whose privilege of driving or parking a vehicle on campus has been suspended is charged with any violation while on campus, a CA ticket will be issued for such violation. If a university ticket is issued to such person, a CA ticket for such offense will be served upon such person by a peace officer. Failure to discharge such CA tickets will result in the issuance of a warrant for the arrest of such person. Upon the issuance of the CA ticket, the University Ticket will be cancelled.

If a person whose privilege of driving or parking on the campus has been suspended receives a university or CA ticket by reason of having a vehicle on the campus during the period of his suspension, the period of suspension shall be extended so that it expires 12 months from the date the person receives such additional CA or university ticket.

No parking permit of any type shall be issued to any person while his privilege of driving or parking a vehicle on campus has been suspended.

A person receiving notice that his privilege of driving or parking a vehicle on campus has been suspended may appeal the suspension within five days on the grounds that the imposition of such suspension will create serious and substantial hardship. Such appeal shall be governed by the provision of Part D above. No appeal shall be considered if there are any unpaid tickets outstanding at the time such appeal is filed.

F. Destruction of Permit when Suspended. Every person receiving notice that his privilege of driving or parking on the campus has been suspended shall remove the parking permit from every vehicle registered in his name and return remnants thereof to the Parking and Traffic Division within five days after receipt of such notice. Failure to do so may be reported to the Discipline Committee, if the person is a student, or to the appropriate Dean, Director, or Administrative official, if the person is a faculty or staff member.

G. Eligibility to Obtain New Permit during Period of Suspension. A person whose privilege of driving or parking on the campus is suspended and not reinstated shall be ineligible to receive a parking permit of any type during the period of suspension.

VII. VISITORS TO THE CAMPUS

Official Visitors

The parking spaces set aside on the campus for the use of official visitors shall be confined to the use of members of the Board of Regents, the University Development Board, Deans and higher administrative officers, and individuals not eligible for University parking permits who come to the campus to conduct important business with the institution's administrative officers or to render an important service. Arrangements for the use of these spaces are to be made in advance with the Chief Traffic and Security Officer and/or the Chancellor, the Vice-Chancellors, the President, the Vice-Presidents, the Comptroller, the Endowment Officer, the Deans, and the Directors. Where groups are involved, the arrangements must be made by the appropriate Chairman, Dean, Director, or equivalent administrator with the Chief Traffic and Security Officer, who will issue temporary permits.

The establishment of space for official visitor's parking must meet with the approval of the Committee on Parking and Traffic and is subject to the review of the President.

In all cases in which an automobile is parked in an official visitor's space, it must bear the appropriate temporary permit which shows the current date, specifies the parking time required, and bears the signature of the official authorized to issue the permit.

Others on Business

Arrangements for parking for other persons coming to the University campus on business matters may be made by administrative officials, chairmen of departments, administrative staff members, or faculty members with the office of the Chief Traffic and Security Officer by identifying the person and the gate through which he will enter the campus. A temporary A parking permit will be issued to such a visitor.

Class A parking permits will be issued to a limited number of persons who render a continuing service to University offices (e.g., computer engineers, typewriter servicemen, etc.). Requests for such permits

should be directed to the Committee on Parking and Traffic.

Temporary Class A permits will be issued to a limited number of persons coming to the campus to render a special service which is a specific part of the University's work. Requests for individual parking may be made to the Chief Traffic and Security Officer.

**NOTE: A MAP SHOWING PARKING LOTS WILL
BE AVAILABLE AT THE MEETING, AND A
MAP WILL BE INCORPORATED IN THE MIN-
UTES IF THESE REGULATIONS ARE APPROVED.**

7. Minutes of the Meeting of the Board of Directors of the Texas Union (33-M-68). --The minutes of the meeting of the Board of Directors of the Texas Union held on March 5, 1969, were approved with qualification. In the absence of further information (Item II on Page 29) the use of Union facilities by the Texas Educational Desegregation Technical Assistance Center's Operational Teacher Training Institute was disapproved. The reason was advanced that the Union facilities - already overcrowded - should be reserved for the use of U. T. Austin students. If this Teacher Training Institute is in fact sponsored by the College of Education and Extension Service and Field Service Bureau, other university facilities ought to be available for it.

The complete item as submitted by Chancellor Ransom follows:

MEMORANDUM TO THE EXECUTIVE COMMITTEE

Mr. Bauer, Chairman
Mr. Garrett
Mr. Ikard
Mr. Josey
Mr. Kilgore
Mr. Peace
Mr. Williams
Dr. Ximenes


cc: Mr. Frank C. Erwin, Jr.
Chairman
Board of Regents

Enclosed are copies of the minutes of the March 5 and March 11, 1969 meetings of the Board of Directors of the Texas Union at U.T. Austin.

No action is required on the March 11 minutes. Specific action by the Board of Regents is requested on the following items contained in the March 5 minutes, these items having been recommended by President Hackerman and approved by Executive Vice-Chancellor Singletary:

- II. Request for use of space in the Union from June 9 to July 18, 1969 for the Texas Educational Desegregation Technical Assistance Center's Operational Teacher Training Institute, under the sponsorship of the College of Education and Extension Teaching and Field Service Bureau. Approval is recommended.
- III. Arrangements with Student Health Center for the Texas Union to pay medical expenses of those injured in the collapse of bleachers during the Curtain Theatre's production in the Junior Ballroom on February 28, 1969. Approval is recommended because of the special circumstances.

I recommend approval.


for Harry Ransom
Chancellor

The Texas Union Board of Directors met on Wednesday, March 5, 1969 at 3:30 P.M. in the Texas Union Board of Director's Room.

MEMBERS PRESENT

Miss Barbara Higley
Mr. Jerry Hunnicutt
Mr. Rostam Kavoussi
Mr. Joseph Krier
Dr. James Roach
Mr. Jack Steele

I. UNION FEE INCREASE

The Chairman, Miss Higley, informed the Board of a hearing by the Committee on Higher Education of the House of Representatives regarding the increase of the Texas Union fee to \$10.00 to finance the operation of the new east side Union. She said the hearing had been scheduled at 2:30 P.M., March 5, 1969. She felt reluctant to testify before the Committee until she had the opportunity to determine the Board's opinion on the matter. The Board had several questions regarding the financing such as:

1. What is the total financing proposed?
2. What portion will come from the Building Use Fee?
3. When will the fee be levied?
4. Will other sources of funds be utilized?

Mr. Steele reported the House Committee had referred the bill to a subcommittee and the possibility of a student referendum clause had been suggested at the hearing.

The Board requested Mr. Steele to obtain the answers to the questions raised so the Board would be in a better position to state its position.

II. REQUEST FOR SPACE

Mr. Andre Gouaux made a request to the Board to use space in the Union from June 9, 1969 to July 18, 1969 for the Texas Educational Desegregation Technical Assistance Center's Operational Teacher Training Institute. Under the sponsorship of the College of Education and the Extension Teaching and Field Service Bureau, the Institute is designed to prepare rural, predominantly Negro Texas School Districts for total integration.

The Board endorsed the principle of the Institute and Mr. Krier moved:

The Texas Educational Desegregation Technical Assistance Center be allowed to use space in the Texas Union during the period requested with the understanding the regular charge would be made and the usage would be limited to morning hours.

Mr. Hunnicutt seconded and the motion passed unanimously.

III. CURTAIN THEATRE

Miss Higley informed the Board of the collapse of the bleachers during the Curtain Theatre's production in the Junior Ballroom on February 28, 1969. She indicated the injuries were of a limited nature. Mr. Steele said arrangements had been made with the Student Health Center for the Union to pay all medical expenses for those involved.

Miss Higley also mentioned a note of apology from some Curtain Theatre members for the Daily Texan's editorial inferring the accident was the Board's fault.

In addition, the Director reported that the information requested at the last Board meeting regarding modifications to Room 401 was not yet available. A letter from the Superintendent of Buildings and Grounds was distributed in which it was indicated the information would be forwarded as soon as work level of the department permitted. The Board requested the Director to send a copy of the letter to the Curtain Theatre.

IV. USE OF VENDING MACHINE ROOM

The Director indicated there had been recent problems in following the policies for the use of the vending machine room. Some organizations used the space without authorization, had utilized unauthorized tables, employed sound system, etc. Most of the misuse had centered around the Afro-Americans for Black Liberation.

The Board agreed that sound systems would not be used in the room and the Director should take steps to have the groups comply with the policies established.

V. FUTURE MEETING

The Board determined the next meeting of the Board would be held at 4:00 P.M., Tuesday March 11, 1969. The 1969-70 budget proposal would be the subject of the meeting.

There being no further business, the Board adjourned at 4:45 P.M.

The Texas Union Board of Directors met on Tuesday, March 11, 1969 in the Texas Union Board of Director's Room.

MEMBERS PRESENT

Miss Barbara Higley
Mr. Jerry Hunnicutt
Dr. Bryce Jordan
Mr. Joseph Krier
Dr James Roach
Mr. Jack Steele

I. BUDGET CONSIDERATION

The Texas Union Board of Directors met to discuss the budget recommendations for the 1969-70 fiscal year. The Director explained his proposed budget and went into detail regarding significant changes. In addition, separate items for the program budget were discussed.

The Board decided additional time would be needed to study the budget and delayed any action until the next meeting of the Board at 5:00 P.M., Wednesday, March 19.

There being no further business, the Board adjourned at 5:15 P.M.

8. Anderson Hospital: Acquisition of the Mayfair Apartment Hotel (Financing, Uses and Name). -- Pursuant to the Regents' action at their December meeting with respect to the purchase of the Mayfair Apartment Hotel as reflected in "Items for the Record" on Page 34, Vice-Chancellor Walker presents for approval and/or ratification, whichever is appropriate, the following financial arrangement and the significantly planned uses of the facility, together with the recommendation that the building be named "Anderson--Mayfair":

At the meeting of the Board of Regents on December 13, 1968, authorization was granted to proceed with negotiations for the purchase of the Mayfair Apartment Hotel. The property has been acquired at a total cost of \$3,500,000 with an initial payment of \$1,493,076.35 from Permanent University Fund Bond Proceeds (\$500,000) and the University Cancer Foundation (\$993,076.35) and subject to a \$2,006,923.65 note payable to the Massachusetts Mutual Life Insurance Company of Springfield, Massachusetts, with title to the Board of Regents of The University of Texas System.

An additional \$500,000 from Permanent University Bond Proceeds allocated for remodeling of the area of approximately 50,000 square feet is to be used for a central service facility for The University of Texas institutions in Houston. Any part of this \$500,000 allocation not required for remodeling will be applied to the purchase price.

In summary the source of funds for remodeling and purchase are as follows:

Purchase:	
University Cancer Foundation	\$ 993,076.35
PUF	500,000.00
Note payable to Mass. Mutual	<u>\$ 2,006,923.65</u>
Total Purchase	<u><u>\$ 3,500,000.00</u></u>
Remodeling and/or Purchase:	
PUF	<u><u>\$ 500,000.00</u></u>

The note to Massachusetts Mutual Life Insurance Company bears interest at the rate of five and three-fourths per cent (5 3/4%) payable, principal and interest, quarterly on the first day of November, February, May and August in the amount of Forty-four Thousand Six Hundred Twenty-one and 25/100 Dollars (\$44,621.25) through February 1, 1977. On May 1, 1977, the balance of the principal of the note will be due in the amount of One Million Four Hundred Seventeen Thousand Nine Hundred Seven and 43/100 Dollars (\$1,417,907.43) with accrued interest to May 1, 1977, in the amount of Twenty Thousand Three Hundred Eighty-Two and 42/100 Dollars (\$20,382.42).

This facility will be used exclusively for the benefit of the M. D. Anderson Hospital and Tumor Institute except for approximately 50,000 square feet, which is to be used for central services and administrative space. Some of the more significant planned uses of the facility are:

1. Certain areas in the building will be revised to provide opportunity for (a) designated clinical activities to reduce the existing pressure on the clinic and (b) transfer of patients from critical hospital beds to a less intensive type of care prior to discharge. The transfer of patients from the hospital to annex facilities has been a procedure for many years.

2. This facility will provide suitable areas for limited medical care, diagnostic work-ups, rehabilitation counseling, clinic registrations, etc. It will further provide areas for new and expanded projects in research, particularly clinical investigations, and in education -- both of which are specific missions of this institution -- in the fields of neoplastic, malignant and allied diseases.
3. A place will be provided for housing visiting professors and guest lecturers who assist with the programs of the institution, and for housing of permanent staff members pertinent to the conduct of the operation.
4. The remaining space will be utilized to house patients and their families while the patients are being seen in the clinic, are undergoing outpatient therapy, or are in the process of rehabilitation. It will also afford an opportunity to train families to handle some of the patients' problems which result from the treatment required.

It is proposed that the building be identified as the "Anderson-Mayfair."

MAYFAIR APARTMENT HOTEL

Fact Sheet

Year built: 1957

Square footage: Approximately 237,122 , as follows

Basement	16,882
Floor 1	11,765
Floors 2-14	15,348
Floor 15	7,150
Mechanical room	1,801

Floor plan: The original layout contained a total of 136 apartment units with 4 units on the first floor, 10 units on floors 2-14, and 2 units on floor 15. There have been some alterations resulting in combinations of units during the past few years. In several instances, 2 apartments have been joined by the addition of a doorway. The basic floor plan remains the same, however, and currently there are 142 units available.

Garage: The parking garage is situated to the south of the apartment building and contains a total building area of approximately 57,456 square feet, and provides parking facilities for approximately 375 cars, with 230 of that number under cover.

Land area: 65,393 square feet

Appraised value: \$3,850,000.00

Note: A complete Appraisal Report on the property was prepared by Allison-Bullitt & Associates of Houston in September, 1968 and is on file in the President's office at M.D. Anderson Hospital and Tumor Institute should further details be required.

D. ITEMS FOR THE RECORD. --The following items have been approved as indicated by the Committee of the Whole and are included herewith for ratification:

9. U. T. Austin: 1969-70 Football Schedule Amended by Changing Date of Arkansas Game. --At the Regents' meeting on March 14, 1969, approval was given to amend the 1969-70 football schedule of The University of Texas at Austin by changing the date of the game between Texas University and the University of Arkansas to December 7, 1969, if by so doing the game could be nationally televised. Since the March 14th meeting, it has been determined that the game can be nationally televised.

10. Galveston Medical Branch: Acceptance of Property from The Sealy and Smith Foundation on the North Side of Campus. --It is reported for the record that the Board of Regents accepted with deep appreciation the gift from The Sealy and Smith Foundation of the property on the North side of the campus more specifically described in a deed dated January 19, 1969, from The Sealy and Smith Foundation for the John Sealy Hospital to the Board of Regents of The University of Texas for the use and benefit of The University of Texas Medical Branch at Galveston that is recorded in Book 2017, Page 151, Deed Records of Galveston, Texas, on March 21, 1969. The previous reference to this is in the Permanent Minutes, Volume XVI, Page 1089.

11. Anderson Hospital: Purchase of Mayfair Apartment Hotel (1600 Holcombe Boulevard, Houston, Texas) Authorized and Option Payment Appropriated. --At a meeting of the Committee of the Whole immediately following the meeting of the Board on December 13, 1968, President Clark was authorized to negotiate for the purchase of the property at 1600 Holcombe Boulevard (Mayfair Apartment Hotel), Houston, Texas, for The University of Texas Cancer Foundation of the M. D. Anderson Hospital and Tumor Institute at a cost not to exceed \$3,500,000.

Upon the recommendation of President Clark, \$15,000 was appropriated out of the Physicians' Referral Service of The University Cancer Foundation of The University of Texas M. D. Anderson Hospital and Tumor Institute at Houston as an option payment (1% of a down payment of \$1,500,000) to hold the property at 1600 Holcombe Boulevard (Mayfair Apartment Hotel), Houston, Texas.

12. Medical Units: Maximum Salary Limitations for 1969-70 Budgets. --At the Regents' meeting on January 31, 1969, the Regents approved the following as guidelines in the preparation of the 1969-70 budgets for the Medical Units of The University of Texas System:

	<u>Maximum Salary from Institutional Funds</u>
Professor and Chairman	\$35, 000
Professor	32, 000
Associate Professor	28, 000
Assistant Professor	25, 000
Instructor	20, 000

13. U. T. Houston: Report of Deed from Texas Medical Center and Ratification of Agreement. --Pursuant to action of the Board of Regents at its meeting on December 7, 1967, there is presented for approval of (1) acceptance of a deed of conveyance from the Texas Medical Center, Inc., to the Board of Regents of The University of Texas System in fee simple that certain tract of land containing 8.144 acres of land bounded on the North by the present University of Texas tract in the Medical Center, by Bertner Avenue on the West, by Holcombe Boulevard on the South, and by John Freeman Avenue on the East. The tract of land is more particularly described in the Deed of Conveyance recorded in Volume _____, Page _____, Deed Records of Houston, Texas, and (2) an agreement between the Board of Regents of The University of Texas System and Texas Medical Center which is consistent with similar documents conveying tracts in the Medical Center held by The University of Texas, and which reads as follows:

AGREEMENT

THE STATE OF TEXAS |
COUNTY OF HARRIS |

WHEREAS, Texas Medical Center Inc., a Texas non-profit corporation, has agreed to convey, in part as a donation, and in the case of such part without charge or cost,

to the Board of Regents of The University of Texas System and their successors-in-office, to be used for educational purposes, a tract of land containing 8.144 acres of land, more or less, in the Texas Medical Center Tract (such Texas Medical Center Tract being that certain tract containing 134.359 acres described in Deed dated February 22, 1946, executed by M. D. Anderson Foundation to Texas Medical Center, Inc., and recorded in Volume 1381, Page 22, Deed Records of Harris County, Texas), in the City of Houston, Harris County, Texas, and has executed or is in the process of delivering a Deed of Conveyance effecting such conveyance, and

WHEREAS, the entire Texas Medical Center Tract (including the 8.144-acre tract described in the Deed of Conveyance referred to above) has been restricted as appears by instrument recorded in Volume 1931, Page 664, Deed Records of Harris County, Texas, to be used solely for the promotion of health, education and research, and for hospital, medical and educational purposes, and matters and activities properly and reasonably incidental or related thereto, and

WHEREAS, the Board of Regents of The University of Texas System has represented to and agreed with Texas Medical Center, Inc., that the entire 8.144-acre tract of land described in such Deed of Conveyance will be used for educational purposes in accordance with the terms and provisions of the restrictions instrument referred to above.

NOW, THEREFORE, by these presents, the Board of Regents of The University of Texas System, as part of the consideration for the conveyance of such 8.144-acre tract of land, covenants and agrees that insofar as they are applicable to such tract of land containing 8.144 acres, more or less, the terms of the restrictions set out in the instrument hereinabove mentioned and recorded in Volume 1931, Page 664, Deed Records of Harris County, Texas, will be observed and faithfully performed by the Board of Regents of The University of Texas System, their successors-in-office and assigns.

June 20 - Q & M Bd wants to meet with us.

V. SCHEDULED EVENTS. --Below are listed scheduled events that have been reported to the Office of the Secretary. Please note that the dedication of the Gimbel Building, Research Institute and Warren S. Bellows Memorial Laboratory at Anderson Hospital has been changed to June 21, 1969.

1969 MAY 1969						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

1969 JUNE 1969						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

1969 JULY 1969						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

1969 AUGUST 1969						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

1969 SEPTEMBER 1969						
S	M	T	W	T	F	S
1	2	3	4	5	6	
7	8	9	10	11	12	13
14	15	16	17	18	19	20
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1969

May 2

Board of Regents' Meeting

May 8

Development Board Meeting
in Austin

May 15

Oil and Gas Lease Sale
in Austin

May 30

U. T. Austin-Commencement

May 31

Commencement
U. T. Austin
U. T. Arlington
U. T. El Paso
System Nursing School

June 2

Commencement
Dallas Medical School
Ground Breaking Ceremonies,
McDermott Building, Dallas

June 11

Commencement
Galveston Medical Branch

June 20

Board of Regents' Meeting
Galveston

June 21

Anderson Hospital: Dedication
of Gimbel Building, Research
Institute and Warren S. Bel-
lows Memorial Laboratory
Budget Meeting
Chancellor's Council - Austin
Annual Meeting

August 1
October 3

FOOTBALL SCHEDULE

September 20

California at Berkeley

September 27

Texas Tech at Austin

October 4

Navy at Austin

October 11

Oklahoma at Dallas

October 25

Rice at Austin

November 1

S. M. U. at Dallas

November 8

Baylor at Austin

November 15

T. C. U. at Austin

November 27

Texas A&M at College Station

December 6

Arkansas at Fayetteville

VI. ADJOURNMENT

COMMITTEE OF THE WHOLE
May 2, 1969

EMERGENCY ITEMS

IV. SPECIAL ITEMS

A. U. T. System

- 4a. Legislative Proposal for The University of Texas of the Permian Basin. --This item is listed on the Agenda and documented on Page C of W - 7a (blue sheet). Attached is the prepared resolution with respect to this legislative proposal.

B. U. T. Austin

5. Shuttle Bus Service. --This item is listed on Page C of W - 5 (blue sheet) and attached hereto are the specific recommendations referred to on Page C of W - 8.

Appropriation for Legal Services in Connection with Civil Action No. A-69-CA-41, William Meacham, et al. (Students for a Democratic Society) vs. University of Texas Board of Regents, United States District Court for the Western District of Texas, Austin Division

RESOLUTION

WHEREAS, the Texas House of Representatives has passed House Bill No. 157, under the terms of which the Board of Regents of The University of Texas System is authorized to establish and operate an institution of higher education to be known as The University of Texas of the Permian Basin; and

WHEREAS, the bill establishing that institution has been sent to the Texas Senate for consideration and action; and

WHEREAS, Senator W. E. Snelson, in whose district the proposed institution is to be located, has requested the Board of Regents to express its views on the proposed legislation; and

WHEREAS, The University of Texas System has derived more than \$500 million from the production of natural resources from the Permian Basin area; and

WHEREAS, The University of Texas System acknowledges its indebtedness and obligation to the Permian Basin area; and

WHEREAS, The University of Texas System has for a number of years maintained in the City of Midland the headquarters office for the management of 2.3 million acres of land, which the University owns and administers throughout 19 counties in and around the Permian Basin area:

NOW, THEREFORE, BE IT RESOLVED ^(.) ~~that~~ the Board of Regents of The University of Texas System, ~~does hereby support and endorse the establishment and maintenance of an institution of higher education in the Permian Basin region under the governance and administration of The University of Texas System;~~ and

BE IT FURTHER RESOLVED that in the area of graduate education, ~~said~~ institution should be authorized to award both master's and doctoral degrees, or their equivalents, subject to prior approval of individual degree programs by the Coordinating Board, Texas College and University System; and

revised ~~BE IT FURTHER RESOLVED~~ that if the Legislature should ~~authorize~~ ^{initiate} the establishment of The University of Texas of the Permian Basin under The University of Texas System, the Board of Regents pledges its full cooperation and effort in making such institution an institution of the first class.

Presented below are the salient points of the proposals to furnish bus transportation for students, faculty, and employees of The University of Texas at Austin:

AUSTIN TRANSIT CORPORATION

TRANSPORTATION ENTERPRISES, INC.

Equipment

45-passenger GMC regular city buses, with both front and rear loading and unloading doors; painted orange and white; not air-conditioned.

Equipment

44 adult passenger school bus type, with both front and rear loading and unloading doors; painted white trimmed in orange; not air-conditioned. All buses would be less than four years old.

Cost Per Hour

\$7.00 per hour with a minimum of two hours operation on each bus.

Cost Per Hour

\$6.00 per hour with a minimum of four hours operation on each bus.

Number of Routes

9 routes with a total of 127 hours each day; with 12 buses from 7:30 AM to 1:00 PM, 9 buses from 1:00 PM to 6:00 PM, and 1 bus from 6:00 PM to 11:00 PM.

Number of Routes

9 routes with a total of 125 hours each day; with 11 buses from 7:30 AM to 1:30 PM and 5 buses from 1:30 PM to 10:30 PM.

Contract Period

September 1969 to May 1970

Contract Period

One semester, but believe at least two semesters are more desirable.

Insurance

\$100,000 - Personal injury to any one person
300,000 - For each occurrence
50,000 - Property damage

Insurance

\$100,000 - Personal injury to any one person
300,000 - For each occurrence
50,000 - Property damage

Each company would add to or reduce the service (number of buses) based on need or lack of need after a trial period.

From the above it is readily seen that there is only one major difference - the cost per hour.

Another factor to be considered is the possibility of court action on the part of Austin Transit Corporation if the contract is awarded to Transportation Enterprises, Inc.

Mr. Ben Brooks, Chairman of the Student Association Parking Committee, and I have conferred at length on the two proposals and we agree that the schedules and routing proposed by Austin Transit Corporation is the most desirable. We also agree that bus service should not be furnished on Saturdays or during final examination periods at the end of each semester.

On the above basis, there would be 127 hours of bus service per day for 148 days during the fall and spring semesters.

Thus, if no changes were made in the proposed service, the contract with Austin Transit Corporation would cost \$131,572 and the contract with Transportation Enterprises, Inc., would cost \$112,776.

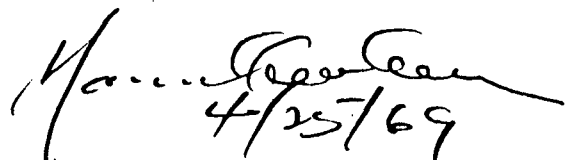
Assuming an enrollment of 34,000 in the fall and 32,000 in the spring, an increase of \$2 in the Student Service Fee would produce \$132,000.

I RECOMMEND:

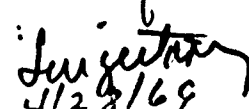
1. That a contract for nine months be awarded to Transportation Enterprises, Inc. If it is determined that legal complications would prevent a contract with Transportation Enterprises, Inc., then award the contract to Austin Transit Corporation.
2. To be funded by increasing the Student Service Fee from \$16 per semester to \$18 per semester during the long term, effective September 1, 1969.
3. That a committee composed of three students, appointed by the President of the Student Association, and two faculty members, appointed by the President of U.T. Austin, be appointed to work with the Vice-President for Business Affairs or his delegate, in working out schedules, amount of service, etc., within the funds available.
4. That this entire program be reviewed by the Administration and recommendations be presented to the Regents before continuing another year.



I agree. Any additional costs that may accrue over and above that returned by fees during this first year's operation should be charged to Parking and Traffic Income. It is not anticipated that this will be needed, but it is available.



4/25/69

Approved: 
O.A. Latham
4/28/69

U. T. Austin: Appropriation for Legal Services in Connection with Civil Action No. A-69-CA-41, William Meacham, et al. (Students for a Democratic Society) vs. University of Texas Board of Regents, United States District Court for the Western District of Texas, Austin Division. --In the hearing on a temporary restraining order in Civil Action No. A-69-CA-41, William Meacham, et al. (Students for a Democratic Society) vs. The University of Texas Board of Regents, United States District court for the Western District of Texas, Austin Division, the firm of Small, Herring, Craig, Werkenthin and Shannon was employed through the office of Attorney General as a Special Assistant Attorney General. It is requested that the legal fee of Small, Herring, Craig, Werkenthin and Shannon for services rendered in this Civil Action in an amount of \$2,725.39 be authorized and that the fee be paid from trust funds.

Land & Investment Committee

LAND AND INVESTMENT COMMITTEE

Date: May 2, 1969
Time: Following the meeting of the Medical Affairs Committee
Place: The University of Texas at Arlington

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L & I

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PERMANENT UNIVERSITY FUND -- INVESTMENT MATTERS.--

REPORT OF SECURITIES TRANSACTIONS.--The following securities transactions have been made for the Permanent University Fund from February 1 through March 31, 1969. The Executive Director of Investments, Trusts and Lands recommends approval by the Board of Regents of these transactions:

PURCHASES OF SECURITIES

U. S. GOVERNMENT SECURITIES:

<u>FHA MORTGAGES</u>	<u>No. of Loans Purchased</u>	<u>Purchase Principal Balance</u>	<u>Net Principal Cost</u>	<u>Net Purchase Yield#</u>
Various Purchased for February Payment	16	\$327,567.23	\$ 312,826.71	6.86%
Various Purchased for March Payment	19	319,291.75	296,941.36	7.21
T O T A L S	35	\$646,858.98	\$ 609,768.07	7.03%

#After servicing costs and based on average life of 12 years.

CORPORATE SECURITIES:

<u>COMMERCIAL PAPER</u>	<u>Par Value Purchased or Renewed</u>	<u>No. Days to Run</u>	<u>Interest Rate</u>	<u>Effective Yield</u>	<u>Interest Earned in Period</u>
GMAC Note, due 2/14/69, Renewed to 3/31/69	\$2,000,000	45	6-3/8%	6.426%	\$16,065.52
Renewed to 4/30/69	-	30	6-1/2	6.5354	10,892.34
GMAC Note, due 3/17/69, Renewed to 4/15/69	2,000,000	29	6-3/4	6.7869	10,934.46
SEARS ROEBUCK AC Note, dated 2/28/69, due 3/5/69	1,200,000	5	6-1/2	6.554	1,084.31
Renewed to 3/12/69	-	7	6-1/2	6.50823	1,518.59
Renewed to 3/27/69	-	15	6-5/8	6.64334	3,321.67
Renewed to 4/3/69	-	7	6-1/2	6.50823	1,518.59
Renewed to 5/2/69	-	29	6-3/4	6.7869	6,560.68
SEARS ROEBUCK AC Note, dated 3/21/69, due 4/18/69	600,000	28	6-3/4	6.78562	3,166.63
TOTAL COMMERCIAL PAPER HELD 3/31/69	\$5,800,000				

(Total interest collected from 9/1/68 through 3/31/69 from Treasury Bills and commercial paper - \$128,569.07)

PURCHASES OF SECURITIES
(Continued)

CORPORATE SECURITIES: (Continued)

<u>COMMON STOCKS</u>	<u>No. of Shares Purchased</u>	<u>Average Principal Cost</u>	<u>Total Principal Cost</u>	<u>Indicated Current Yield on Cost*</u>
Oklahoma Gas & Electric Company	6,226	20 + 20 rights	\$ 124,520.00 + 124520 rights	5.40%
Polaroid Corporation	300	95 + 30 rights	28,500.00 + 9000 rights	0.34
T O T A L S	<u>6,526</u>		<u>\$ 153,020.00</u>	<u>4.46%</u>

*Yield at present indicated dividend rates.

SUMMARY SCHEDULE#

B O N D E X C H A N G E S

- February and March, 1969 -

<u>Par Value</u>	<u>Description</u>	<u>Issue Exchanged</u>	<u>Issue Received</u>	<u>Annual Income Improvement*</u>
\$17,584,000	Treasury for Corporate	\$17,710,122.02	\$16,669,365.12	\$224,744.69
7,238,000	Corporate for Corporate	7,280,874.59	6,891,680.09	44,119.30
9,000,000	Treasury for Treasury	9,072,935.85	8,624,654.60	52,782.46
<u>1,000,000</u>	Corporate for Treasury	<u>990,401.44</u>	<u>964,151.44</u>	<u>1,726.36</u>
<u>\$34,822,000</u>	T O T A L S	<u>\$35,054,333.90</u>	<u>\$33,149,851.25</u>	<u>\$323,372.81</u>

TREASURY POSITIONS

<u>Date</u>	<u>Par Value</u>
8/31/68	\$248,721,000
1/31/69	215,071,000
3/31/69	198,487,000

#Detailed schedule follows on pages L & I - 5 through L & I - 14.

*Includes income from reinvestment of net takeout in amount of \$1,904,482.65 received on February and March exchanges. (See schedule of corporate bond purchases, page L & I - 15.)

BOND EXCHANGES

<u>PAR VALUE</u>	<u>ISSUE EXCHANGED</u>	<u>DESCRIPTION</u>	<u>BOOK VALUE</u>		<u>BOOK</u>	<u>NEW</u>
			<u>ISSUE EXCHANGED</u>	<u>ISSUE RECEIVED</u>	<u>YIELD IN- CREASE</u>	<u>BOOK YIELD</u>
<u>U. S. Treasury Bonds for Corporate Bonds</u>						
\$ 500,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	Idaho Power Company 1st. Mtge., 4%, due 4/1/88	\$ 518,883.39	\$ 499,820.89	1.25%	4.00% (\$ 7,697.37)*
1,000,000	U. S. Treasury Bonds 3-1/2%, due 2/15/90	New York Telephone Company Ref. Mtge., 4-5/8%, due 10/1/97	986,703.37	999,800.87	1.02	4.63 (\$ 9,680.67)*
810,000	U. S. Treasury Bonds 3-1/2%, due 2/15/90	Michigan Bell Telephone Company Debs., 4-5/8%, due 8/1/96	800,309.67	810,885.87	1.02	4.59 (\$ 7,856.86)*
500,000	U. S. Treasury Bonds 3-1/2%, due 2/15/90	U. S. Steel Corp. Sub Debs., 4-5/8%, due 1/1/96	497,100.65	502,569.40	1.06	4.59 (\$ 5,785.53)*
450,000	U. S. Treasury Bonds 3-1/2%, due 2/15/90	American Tel. & Tel. Co. Debs., 4-3/8%, due 10/1/96	447,921.59	441,593.46	.97	4.50 (\$ 4,796.66)*
250,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	Hartford Electric Light Co. 1st Mtge., 4-3/8%, due 10/1/88	250,328.38	248,139.63	1.19	4.43 (\$ 3,097.66)*
200,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	New England Power Co. 1st Mtge., 4-5/8%, due 11/1/91	200,262.71	201,137.71	1.35	4.59 (\$ 2,676.61)*
150,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	Commonwealth Edison Co. 1st Mtge., 4-1/4%, due 3/1/87	150,197.03	149,503.28	1.03	4.27 (\$ 1,597.53)*
500,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	Mountain States Tel. & Tel. Co. Debs., 3-1/2%, due 6/1/90	500,000.00	454,433.75	.90	4.15 (\$ 6,700.59)*
2,600,000	U. S. Treasury Bonds 3-1/2%, due 2/15/90	Pacific Tel. & Tel. Co. Debs., 3-5/8%, due 8/15/91	2,603,650.29	2,428,488.29	.58	4.07 (\$23,658.22)*
200,000	U. S. Treasury Bonds 3-1/2%, due 2/15/90	Commonwealth Edison Co. 1st Mtge., 3-3/4%, due 3/1/88	198,840.26	190,700.26	.56	4.10 (\$ 1,507.77)*

*Total Income Improvement, including income from investment of takeout on exchange.

BOND EXCHANGES

<u>PAR VALUE</u>	<u>ISSUE EXCHANGED</u>	<u>DESCRIPTION</u>	<u>BOOK VALUE</u>		<u>BOOK</u>	<u>NEW</u>
			<u>ISSUE EXCHANGED</u>	<u>ISSUE RECEIVED</u>	<u>YIELD IN- CREASE</u>	<u>BOOK YIELD</u>
<u>U. S. Treasury Bonds for Corporate Bonds</u>						
\$ 200,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	Southern California Edison Co. 1st & Ref., 4-3/8%, due 5/15/88	\$ 199,818.52	\$ 199,443.52	1.13%	4.40% (\$ 2,239.00)*
100,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	Florida Power & Light Co. 1st Mtge., 4-3/8%, due 12/1/86	99,909.26	100,221.76	1.09	4.36 (\$ 1,083.92)*
150,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	Virginia Electric & Power Co. 1st & Ref., 4-1/2%, due 12/1/93	149,863.89	148,457.64	1.30	4.57 (\$ 2,098.54)*
185,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	Philadelphia Electric Co. 1st & Ref., 3-3/4%, due 5/1/88	184,832.13	172,922.75	.98	4.25 (\$ 2,390.24)*
100,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	Indiana & Michigan Electric Co. 1st Mtge., 3-7/8%, due 2/1/88	99,909.26	94,721.76	1.01	4.28 (\$ 1,270.12)*
200,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	Commonwealth Edison Co. 1st Mtge., 4-1/4%, due 3/1/87	200,262.71	199,012.71	1.05	4.29 (\$ 2,171.01)*
176,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	Union Electric Co. 1st Mtge., 4-3/8%, due 3/1/88	175,520.62	175,465.62	1.13	4.40 (\$ 1,979.08)*
100,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	Tampa Electric Co. 1st Mtge., 4-1/8%, due 8/1/86	99,727.62	97,852.62	1.03	4.30 (\$ 1,113.92)*
184,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	Columbus & Southern Ohio Electric Co. 1st Mtge., 4-1/2%, due 3/1/87	183,498.83	185,511.33	1.16	4.43 (\$ 1,980.23)*
125,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	Southern California Edison Co. 1st & Ref., 4-1/4%, due 11/1/87	124,491.07	122,429.82	1.12	4.41 (\$ 1,495.33)*
100,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	Columbus & Southern Ohio Electric Co. 1st Mtge., 4-1/8%, due 1/1/88	99,592.86	96,460.86	1.11	4.40 (\$ 1,258.68)*
100,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	Philadelphia Electric Co. 1st & Ref., 4-3/8%, due 12/1/86	99,592.86	99,908.86	1.09	4.38 (\$ 1,076.45)*

BOND EXCHANGES

<u>PAR</u> <u>VALUE</u>	<u>ISSUE</u> <u>EXCHANGED</u>	<u>DESCRIPTION</u>	<u>BOOK VALUE</u>		<u>BOOK</u>	<u>NEW</u>
			<u>ISSUE</u> <u>EXCHANGED</u>	<u>ISSUE</u> <u>RECEIVED</u>	<u>YIELD</u> <u>IN-</u> <u>CREASE</u>	<u>BOOK</u> <u>YIELD</u>
<u>U. S. Treasury Bonds for Corporate Bonds</u>						
\$ 100,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	Consumers Power Co. SF Debs., 4-5/8%, due 9/1/94	\$ 99,592.86	\$ 99,225.86	1.39%	4.68% (\$ 1,403.26)*
100,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	Northern States Power Co. 1st Mtge., 4-1/4%, due 9/1/86	99,592.86	98,860.86	1.05	4.34 (\$ 1,089.74)*
110,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	Public Service Electric & Gas Co. 1st & Ref., 4-3/8%, due 11/1/86	109,552.15	109,972.35	1.09	4.38 (\$ 1,176.39)*
1,554,000	U. S. Treasury Bonds 3-1/2%, due 2/15/90	Southern Bell Tel. & Tel. Co. Debs., 4-3/8%, due 4/1/2001	1,553,207.65	1,534,511.09	.95	4.45 (\$15,505.56)*
500,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	New Jersey Bell Telephone Co. Debs., 3%, due 5/1/89	519,997.39	446,716.14	.86	3.76 (\$ 8,730.43)*
517,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	Commonwealth Edison Company SF Debs., 4-3/4%, due 12/1/2011	517,339.18	509,891.16	1.58	4.83 (\$ 8,482.26)*
100,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	New Jersey Bell Telephone Co. Debs., 3%, due 5/1/89	100,065.61	84,869.98	.86	4.11 (\$ 1,566.40)*
100,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	Cleveland Electric Illuminating Co. 1st Mtge., 3-3/8%, due 6/1/86	100,065.61	91,049.98	.86	4.11 (\$ 1,293.87)*
100,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	Southern Bell Tel. & Tel. Co. Debs., 3-1/8%, due 9/1/89	100,065.61	85,999.98	.90	4.15 (\$ 1,567.65)*
100,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	Public Service of Oklahoma 1st Mtge., 3%, due 2/1/84	104,055.18	93,755.18	.73	3.55 (\$ 1,334.78)*
100,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	Wisconsin Power & Light Co. 1st Mtge., 3-1/4%, due 10/1/84	104,055.18	95,180.18	.84	3.66 (\$ 1,362.82)*

L - I 3 T

BOND EXCHANGES

<u>PAR VALUE</u>	<u>ISSUE EXCHANGED</u>	<u>DESCRIPTION</u>	<u>BOOK VALUE</u>		<u>BOOK</u>	<u>NEW</u>
			<u>ISSUE EXCHANGED</u>	<u>ISSUE RECEIVED</u>	<u>YIELD IN- CREASE</u>	<u>BOOK YIELD</u>
<u>U. S. Treasury Bonds for Corporate Bonds</u>						
\$ 100,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	Illinois Bell Telephone Co. 1st Mtge., 3-1/8%, due 4/1/84	\$ 104,055.18	\$ 94,680.18	.77%	3.59% (\$ 1,320.06)*
100,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	El Paso Electric Co. 1st Mtge., 3-1/8%, due 3/1/84	104,055.18	94,805.18	.75	2.82 (\$ 1,303.02)*
100,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	Duquesne Light Co. 1st Mtge., 3-1/8%, due 7/1/84	104,055.18	94,305.18	.79	3.61 (\$ 1,371.26)*
100,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	Kansas City Power & Light 1st Mtge., 3-1/4%, due 2/15/85	104,055.18	94,680.18	.88	3.70 (\$ 1,434.36)*
100,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	Ohio Edison Company 1st Mtge., 3-1/4%, due 1/1/84	104,055.18	96,135.18	.95	3.77 (\$ 1,254.76)*
100,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	Ohio Edison Company 1st Mtge., 3-1/4%, due 5/1/85	104,055.18	94,430.18	.89	3.71 (\$ 1,457.42)*
100,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	Pacific Tel. & Tel. Co. Debs., 3-1/8%, due 9/15/83	104,055.18	95,430.18	.71	3.53 (\$ 1,237.35)*
100,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	Public Service Co. of Indiana, Inc. 1st Mtge., 3-3/8%, due 1/1/84	104,055.18	97,305.18	.79	3.61 (\$ 1,217.50)*
250,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	Pacific Tel. & Tel. Co. Debs., 2-3/4%, due 12/1/85	260,137.95	222,187.95	.83	3.65 (\$ 4,185.55)*
150,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	Southern California Edison Co. 1st & Ref., 4-1/2%, due 2/15/90	156,082.76	157,207.76	1.38	4.20 (\$ 2,091.07)*
150,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	Potomac Electric Power Co. 1st Mtge., 3%, due 1/1/83	156,082.76	143,047.76	.60	3.42 (\$ 1,700.39)*

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BOND EXCHANGES

<u>PAR VALUE</u>	<u>ISSUE EXCHANGED</u>	<u>DESCRIPTION</u>	<u>BOOK VALUE</u>		<u>BOOK</u>	<u>NEW</u>
			<u>ISSUE EXCHANGED</u>	<u>ISSUE RECEIVED</u>	<u>YIELD IN- CREASE</u>	<u>BOOK YIELD</u>
		<u>U. S. Treasury Bonds for Corporate Bonds</u>				
\$ 200,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	Southwestern Bell Telephone Co. Debs., 2-3/4%, due 10/1/85	\$ 208,110.35	\$ 178,210.35	.80% (\$ 3,329.82)*	3.64%
200,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	Southern Bell Tel. & Tel. Co. Debs., 2-3/4%, due 8/1/85	208,110.35	178,610.35	.80 (\$ 3,274.06)*	3.62
291,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	New York Telephone Co. Ref., 3-3/8%, Ser. I, due 4/1/96	301,560.83	257,910.83	1.15 (\$ 5,821.46)*	4.08
110,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	Bell Tel. Co. of Pennsylvania Debs., 3-1/4%, due 3/1/96	109,983.34	91,481.34	1.07 (\$ 2,016.85)*	4.32
243,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	Public Service Co. of Oklahoma 1st Mtge., 4-1/4%, due 2/1/87	242,963.21	241,292.58	1.05 (\$ 2,642.59)*	4.30
200,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	Consumers Power Company S. F. Debs., 4-5/8%, due 9/1/94	200,131.35	200,256.35	1.37 (\$ 2,744.79)*	4.61
140,000	U. S. Treasury Bonds 3-1/2%, due 2/15/90	New York Telephone Co. Ref. Bonds, 3-3/8%, due 4/1/96	139,928.62	122,428.62	.65 (\$ 1,720.54)*	4.15
100,000	U. S. Treasury Bonds 3-1/2%, due 2/15/90	Bell Tel. Co. of Pennsylvania Debs., 4-3/4%, due 5/1/2001	99,949.01	101,324.01	1.17 (\$ 1,188.60)*	4.67
100,000	U. S. Treasury Bonds 3-1/2%, due 2/15/90	Southern Bell Tel. & Tel. Co. Debs., 4-3/8%, due 8/1/2003	99,949.01	97,346.01	1.03 (\$ 1,139.33)*	4.53
550,000	U. S. Treasury Bonds 3-1/4%, due 6/15/83-78	Indianapolis Power & Light Co. 1st Mtge., 4-1/8%, due 3/1/88	569,580.17	554,482.67	1.12 (\$ 7,732.26)*	4.06

BOND EXCHANGES

<u>PAR VALUE</u>	<u>ISSUE EXCHANGED</u>	<u>DESCRIPTION</u>	<u>ISSUE RECEIVED</u>	<u>BOOK VALUE</u>		<u>BOOK</u>	<u>NEW</u>
				<u>ISSUE EXCHANGED</u>	<u>ISSUE RECEIVED</u>	<u>YIELD IN- CREASE</u>	<u>BOOK YIELD</u>
		<u>U. S. Treasury Bonds for Corporate Bonds</u>					
\$ 125,000	U. S. Treasury Bonds 4%, due 2/15/80	Commonwealth Edison Co. 1st Mtge., 4-1/4%, due 3/1/87		\$ 125,546.40	\$ 110,893.59	1.24%	5.19% (\$ 2,200.85)*
709,000	U. S. Treasury Bonds 4%, due 2/15/80	Pacific Tel. & Tel. Co. Debs., 2-3/4%, due 12/1/85		712,099.17	536,676.62	.94	4.90 (\$14,186.32)*
280,000	U. S. Treasury Bonds 4%, due 2/15/80	Pacific Tel. & Tel. Co. Debs., 2-7/8%, due 10/1/86		280,978.95	212,141.54	.99	4.95 (\$ 5,687.47)*
250,000	U. S. Treasury Bonds 4%, due 2/15/80	Illinois Bell Tel. Co. 1st Mtge., 3-1/8%, due 4/1/84		251,019.39	202,816.16	1.11	5.08 (\$ 4,348.50)*
175,000	U. S. Treasury Bonds 4%, due 2/15/80	Ohio Bell Tel. Co. Debs., 5%, due 2/1/2006		175,611.84	160,118.65	1.58	5.54 (\$ 3,323.31)*
200,000	U. S. Treasury Bonds 4% due 2/15/80	Southern Bell Tel. & Tel. Co. Debs., 4-3/4%, due 9/1/2000		200,699.25	178,776.75	1.50	5.46 (\$ 4,419.04)*
100,000	U. S. Treasury Bonds 4%, due 2/15/80	Dallas Power & Light Co. Debs., 4-1/2%, due 2/1/89		100,349.62	90,868.37	1.29	5.25 (\$ 1,671.01)*
<u>\$17,584,000</u>	<u>Total Exchange of U. S. Treasury Bonds for Corporate Bonds</u>			<u>\$17,710,122.02</u>	<u>\$16,669,365.12</u>	<u>\$224,744.69</u>	<u>(Total Income Improvement)</u>

BOND EXCHANGES

<u>PAR VALUE</u>	<u>DESCRIPTION</u>		<u>BOOK VALUE</u>		<u>BOOK YIELD</u>	<u>NEW BOOK YIELD</u>
	<u>ISSUE EXCHANGED</u>	<u>ISSUE RECEIVED</u>	<u>ISSUE EXCHANGED</u>	<u>ISSUE RECEIVED</u>	<u>IN- CREASE</u>	
	<u>Corporate Bonds for Corporate Bonds</u>					
\$ 500,000	Household Finance Corp. Debs., 4-3/8%, due 7/1/87	Household Finance Corp. Debs., 4-1/2%, due 7/1/91	\$ 498,578.09	\$ 492,328.09	.21%	4.61%
					(\$ 1,334.10)*	
100,000	San Diego Gas & Electric Co. SF Debs., 4-5/8%, due 1/15/84	Pacific Tel. & Tel. Co. Debs., 4-5/8%, due 11/1/90	100,000.00	94,529.00	.42	5.04
					(\$ 642.59)*	
136,000	San Diego Gas & Electric Co. SF Debs., 4-5/8%, due 1/15/84	Texas Electric Service Co. 1st Mtge., 4-3/8%, due 4/1/93	136,000.00	123,039.20	.45	5.07
					(\$ 1,122.12)*	
250,000	Texas Power & Light Co. SF Debs., 4-5/8%, due 1/1/87	Michigan Bell Telephone Co. Debs., 4-5/8%, due 8/1/96	252,010.24	237,402.74	.50	5.05
					(\$ 1,624.00)*	
250,000	Associates Investment Co. Debs., 4-3/8%, due 5/1/84	C.I.T. Financial Corp. Debs., 4-5/8%, due 5/1/89	253,188.57	249,938.57	.39	4.63
					(\$ 3,213.99)*	
250,000	Associates Investment Co. Debs., 4-3/8%, due 5/1/84	Household Finance Corp. Debs., 4-1/2%, due 7/1/91	253,188.57	243,201.07	.46	4.70
					(\$ 3,685.83)*	
250,000	Minn.-Honeywell Regulator Co. SF Debs., 4-1/2%, due 4/15/86	U. S. Steel Corp. Sub Debs., 4-5/8%, due 1/1/96	250,876.05	234,313.55	.58	5.05
					(\$ 2,136.02)*	
250,000	Pacific Tel. & Tel. Co. Debs., 5-1/8%, due 2/1/93	Ohio Bell Telephone Co. Debs., 5-3/8%, due 3/1/2007	252,184.24	253,874.24	.23	5.28
					(\$ 563.35)*	
250,000	Pacific Tel. & Tel. Co. Debs., 5-1/8%, due 2/1/93	Chesapk. & Pot.Tel.Co. of Va. Debs., 5-1/4%, due 5/1/2005	252,184.24	250,171.74	.20	5.25
					(\$ 553.11)*	
250,000	C.I.T. Financial Corp. Debs., 4-1/2%, due 9/1/84	General Tel. Co. of Florida 1st Mtge., 4-1/2%, due 5/1/93	248,720.16	237,055.16	.32	4.87
					(\$ 1,288.25)*	
250,000	Puget Sound Power & Light Co. 1st Mtge., 4-5/8%, due 2/1/91	General Tel. Co. of Florida 1st Mtge., 4-1/2%, due 5/1/93	249,246.72	245,694.22	-.01	4.62
					(\$ 87.28)*	

*Total Income Improvement, including income from investment of takeout on exchange.

BOND EXCHANGES

<u>PAR VALUE</u>	<u>DESCRIPTION</u>		<u>BOOK VALUE</u>		<u>BOOK YIELD</u>	<u>NEW BOOK YIELD</u>
	<u>ISSUE EXCHANGED</u>	<u>ISSUE RECEIVED</u>	<u>ISSUE EXCHANGED</u>	<u>ISSUE RECEIVED</u>	<u>IN- CREASE</u>	
<u>Corporate Bonds for Corporate Bonds</u>						
\$ 300,000	Deere & Company Debs., 4-1/2%, due 10/31/86	U. S. Steel Corp. Sub. Debs., 4-5/8%, due 1/1/96	\$ 298,379.35	\$ 277,619.35	.59%	5.14% (\$ 2,608.58)*
200,000	Consolidated Edison Co. of NY 1st & Ref., 4-5/8%, due 11/1/91	General Telephone Co. of Ind. 1st Mtge., 4-1/2%, due 12/1/92	203,146.81	196,620.81	.10	4.62 (\$ 536.97)*
200,000	Consolidated Edison Co. of NY 1st & Ref., 5%, due 10/1/87	General Telephone Co. of Ind. 1st Mtge., 4-1/2%, due 12/1/92	200,987.24	182,061.24	.20	5.16 (\$ 1,162.07)*
200,000	Associates Investment Co. Debs., 4-3/8%, due 5/1/84	C.I.T. Financial Corp. Debs., 4-5/8%, due 5/1/89	202,550.85	199,638.85	.40	4.64 (\$ 891.34)*
702,000	Sears, Roebuck & Co. SF Debs., 4-3/4%, due 8/1/83	Caterpillar Tractor Co. SF Debs., 5.30%, due 4/1/92	706,928.84	702,997.64	.61	5.29 (\$ 4,526.41)*
100,000	Container Corp. of America SF Debs., 4.40%, due 6/1/87	Duke Power Company 1st & Ref., 5-3/8%, due 4/1/97	100,000.00	100,888.00	.92	5.32 (\$ 879.92)*
100,000	Container Corp. of America SF Debs., 4.40%, due 6/1/87	Va. Electric & Power Co. 1st & Ref., 5-1/8%, due 2/1/97	100,000.00	97,905.00	.87	5.27 (\$ 950.64)*
500,000	Shell Oil Company SF Debs., 4-5/8%, due 8/1/86	Duke Power Company 1st & Ref., 5-3/8%, due 4/1/97	499,124.30	496,064.30	.79	5.43 (\$ 4,053.36)*
250,000	Philip Morris, Inc. SF Debs., 4-7/8%, due 6/1/79	Duke Power Company 1st & Ref., 5-3/8%, due 4/1/97	248,680.93	226,528.43	1.13	6.08 (\$ 3,542.93)*
500,000	C.I.T. Financial Corp. Debs., 4-5/8%, due 1/1/79	Gen.Tel.Co. of the Northwest, Inc. Assumed West Coast Tel. Co. 1st Mtge., 3-3/4%, due 11/1/85	497,488.40	418,763.40	.57	5.27 (\$ 5,860.02)*
500,000	Commercial Credit Co. Note, 4-1/2%, due 8/1/85	Gen.Tel.Co. of the Northwest, Inc. Assumed West Coast Tel. Co. 1st Mtge., 3-3/4%, due 11/1/85	517,636.85	482,461.85	-.09	4.04 (\$ 901.03)*

BOND EXCHANGES

<u>PAR VALUE</u>	<u>ISSUE EXCHANGED</u>	<u>DESCRIPTION</u>	<u>ISSUE RECEIVED</u>	<u>BOOK VALUE</u>		<u>BOOK YIELD</u>	<u>NEW BOOK YIELD</u>
				<u>ISSUE EXCHANGED</u>	<u>ISSUE RECEIVED</u>	<u>IN- CREASE</u>	
		<u>Corporate Bonds for Corporate Bonds</u>					
\$ 700,000	Consolidated Edison Co. of NY 1st & Ref., 4-5/8%, due 11/1/91	American Tel. & Tel. Co. Debs., 2-7/8%, due 6/1/87	\$ 711,013.83	\$ 605,460.83		-.59%	3.91%
						(\$ 981.83)*	
250,000	C.I.T. Financial Corp. Debs., 4-1/2%, due 9/1/84	C.I.T. Financial Corp. Debs., 4-5/8%, due 5/1/89	248,760.31	243,122.81		.29	4.84
						(\$ 973.56)*	
<u>\$ 7,238,000</u>	<u>Total Exchange of Corporate Bonds for Corporate Bonds</u>		<u>\$ 7,280,874.59</u>	<u>\$ 6,891,680.09</u>		<u>\$44,119.30</u>	<u>(Total Income Improvement)</u>

BOND EXCHANGES

<u>PAR VALUE</u>	<u>DESCRIPTION</u>		<u>BOOK VALUE</u>		<u>BOOK</u>	<u>NEW</u>
	<u>ISSUE EXCHANGED</u>	<u>ISSUE RECEIVED</u>	<u>ISSUE EXCHANGED</u>	<u>ISSUE RECEIVED</u>	<u>YIELD IN- CREASE</u>	<u>BOOK YIELD</u>
<u>U. S. Treasury Bonds for U. S. Treasury Bonds</u>						
\$ 2,000,000	U. S. Treasury Bonds 3-1/2%, due 11/15/80	U. S. Treasury Bonds 4-1/4%, due 8/15/92-87	\$ 2,040,480.56	\$ 1,989,230.56	1.00%	4.29% (\$22,512.10)*
1,000,000	U. S. Treasury Bonds 3-1/2%, due 2/15/90	U. S. Treasury Bonds 4-1/4%, due 8/15/92-87	961,285.24	998,003.99	.49	4.26 (\$ 3,097.61)*
3,000,000	U. S. Treasury Bonds 3-1/2%, due 11/15/80	U. S. Treasury Bonds 3-1/2%, due 2/15/90	3,060,720.84	2,839,470.84	.59	3.88 (\$24,080.25)*
1,000,000	U. S. Treasury Bonds 4-1/4%, due 8/15/92-87	U. S. Treasury Bonds 3-1/2%, due 2/15/90	1,003,483.07	933,483.07	-.25	3.97 (\$ 930.73)*
1,000,000	U. S. Treasury Bonds 4-1/4%, due 8/15/92-87	U. S. Treasury Bonds 3-1/2%, due 2/15/90	1,003,483.07	933,483.07	-.25	3.97 (\$ 930.73)
1,000,000	U. S. Treasury Bonds 4-1/4%, due 8/15/92-87	U. S. Treasury Bonds 3-1/2%, due 2/15/90	1,003,483.07	930,983.07	-.23	3.99 (\$ 1,231.04)
<u>\$ 9,000,000</u>	<u>Total Exchange of U.S. Treasury Bonds for U.S. Treasury Bonds</u>		<u>\$ 9,072,935.85</u>	<u>\$ 8,624,654.60</u>		<u>\$52,782.46</u>
<u>Corporate Bonds for U. S. Treasury Bonds</u>						
<u>\$ 1,000,000</u>	Borden Company SF Debs., 4-3/8%, due 12/1/91	U. S. Treasury Bonds 4-1/4%, due 8/15/92-87	<u>\$ 990,401.44</u>	<u>\$ 964,151.44</u>	.05%	4.50% (\$ 1,726.36)*

*Total Income Improvement, including income from investment of takeout on exchange.

BOND PURCHASES

<u>ISSUE</u>	<u>SETTLEMENT DATE</u>	<u>PAR VALUE</u>	<u>COST</u>		<u>YIELD</u>
			<u>UNIT</u>	<u>TOTAL</u>	
General Telephone Co. of Florida 1st Mtge., 4-1/2%, Series I, due 5/1/93	2/27/69	\$ 50,000	\$ 69.709	\$ 34,854.50	7.15%
General Telephone Co. of Indiana 1st Mtge., 4-1/2%, due 12/1/92	3/7/69	65,000	69.487	45,166.55	7.20
Southern California Edison Co. 1st & Ref., 4-1/4%, due 5/1/87	3/18/69	100,000	70.375	70,375.00	7.20
Indiana & Michigan Electric Co. 1st Mtge., 4-3/4%, due 11/1/88	3/19/69	100,000	74.038	74,038.00	7.25
Southern California Edison Co. 1st & Ref., 4-5/8%, due 9/1/83	3/20/69	100,000	75.621	75,621.00	7.40
Public Service Co. of Indiana, Inc. 1st Mtge., 3-3/8%, due 1/1/84	3/20/69	100,000	64.182	64,182.00	7.40
Northern Illinois Gas Company 1st Mtge., 5%, due 6/1/84	3/21/69	182,000	78.625	143,097.50	7.35
Consumers Power Company 1st Mtge., 3%, due 6/1/84	3/28/69	100,000	61.625	61,625.00	7.20
Pacific Tel. & Tel. Co. Debs., 3-1/8%, due 10/1/87	3/31/69	350,000	59.05	206,675.00	7.15
Total Bond Purchases		<u>\$ 1,147,000</u>		<u>\$ 775,634.55</u>	<u>7.25%</u>

PERMANENT UNIVERSITY FUND - LAND MATTERS.--

LEASES AND EASEMENTS.--It is recommended by the Executive Director of Investments, Trusts and Lands that the following applications for various leases, easements, and material source permits on University Lands be approved. All are at the standard rates, unless otherwise stated, are on the University's standard forms with grazing leases carrying provisions for renewal for an additional five years at negotiated terms. Payments for easements and material source permits have been received in advance unless otherwise stated. All have been approved as to form by a University Attorney and as to content by the appropriate official and will be executed by the Executive Director of Investments, Trusts and Lands.

EASEMENTS AND SURFACE LEASES

No.	Company	Type of Permit	County	Location	Distance or Area	Period	Consideration
2860	El Paso Natural Gas Company	Pipe Line	Reagan	Block 2	163.03 rods 4½" 268.18 rods 8-5/8"	3/1/69- 2/28/79	\$ 402.97
2861	Shell Pipe Line Corporation (renewal of 1366)	Pipe Line	Andrews	Block 9	382 rods 4½"	5/1/69- 4/30/79	221.56
2862	Chambers and Kennedy	Pipe Line	Crane	Block 30	307.94 rods 2"	1/1/69- 12/31/78	178.61
2863	American Petrofina Company of Texas	Surface Lease (pipe yard site)	Ector	Block 35	250' x 871'	2/1/69- 1/31/79	500.00
2864	El Paso Natural Gas Company (renewal of 1388)	Pipe Line	Crockett	Block 29	141.636 rods 8-5/8" 1,261.97 rods 6-5/8"	7/1/69- 6/30/79	1,614.15
2865	Pan American Petroleum Corporation (renewal of 1385)	Power Line	Andrews	Block 5	112.4 rods	5/1/69- 4/30/79	65.19
2866	Texas-New Mexico Pipe Line Company (renewal of 1337)	Pipe Line	Andrews	Block 13	943.38 rods 4½"	4/1/69- 3/31/79	547.16

Easements and Surface Leases, Continued

No.	Company	Type of Permit	County	Location	Distance or Area	Period	Consideration
2867	Phillips Petroleum Company	Pipe Line	Crane	Blocks 30 & 31	173.1 rods 4½" 1,124 rods 6-5/8"	1/1/69- 12/31/78	\$ 1,393.00
2868	Welch Transport Company	Surface Lease (business site)	Ward	Block 16	400' x 250'	5/1/69- 4/30/70	400.00*
2869	Phillips Petroleum Company (renewal of 1386)	Pipe Line	Andrews	Blocks 10 & 11	363.4 rods 6-5/8" 339.7 rods 16"	7/1/69- 6/30/79	1,005.59
2870	Phillips Petroleum Company (renewal of 1392)	Pipe Line	Ector	Block 35	327 rods 3½" 2.9 rods 4½"	8/1/69- 7/31/79	191.34
2871	Phillips Petroleum Company	Pipe Line	Andrews	Blocks 10 & 11	128.3 rods 4½"	3/1/69- 2/28/79	74.41
2872	El Paso Natural Gas Company (renewal of 1389)	Pipe Line	Terrell	Blocks 34 & 37	3,106.236 rods 20"	8/1/69- 7/31/79	5,373.79
2873	Phillips Pipe Line Company	Pipe Line	Andrews	Blocks 10 & 11	247.5 rods 4½" 118.1 rods 2-3/8"	1/1/69- 12/31/78	212.05
2874	Southwest Texas Electric Cooperative, Inc.	Power Line	Upton Crockett	Block 4 Block 50	996.84 rods	1/1/69- 12/31/78	578.17
2875	Signal Oil & Gas Company	Pipe Line	Upton	Block 30	261.8 rods 2½"	2/1/69- 1/31/79	152.00
2876	B. F. Cox, Jr.	Surface Lease (residential site)	Andrews	Block 13	100' x 400'	4/1/69- 3/31/70	50.00*

Easements and Surface Leases, Continued

No.	Company	Type of Permit	County	Location	Distance or Area	Period	Consideration
2877	Shell Pipe Line Corporation	Surface Lease (cathodic protection unit)	Hudspeth	Block K	Less than one acre	4/1/69- 3/31/79	\$ 50.00
2878	Andrews Industrial Water, Inc.	Pipe Line	Andrews	Block 9	315.5 rods 6.91"	3/1/69- 2/28/79	362.82
2879	Shell Pipe Line Corporation	Pipe Line	Andrews	Block 9	2,677.5 rods 16"	5/1/69- 4/30/79	4,632.08
2880	TRA-VEL Ltd.	Surface Lease (road sign site)	El Paso	Block L	40' x 300'	4/1/69- 3/31/70	75.00*
2881	Texas-New Mexico Pipe Line Co. (renewal of 1082)	Pipe Line	Crane	Block 30	477.6 rds 6-5/8" 2,030.9 rds 4-1/2"	10/1/68- 9/30/78	1,727.16
2882	D. D. Poyner (renewal of 1345)	Surface Lease (business site)	Reagan	Block 11	200' x 200'	4/1/69- 3/31/70	200.00*
2883	Bert F. Duesing, Inc. (renewal of 1383)	Surface Lease (business site)	Reagan	Block 11	140' x 200'	6/1/69- 5/31/70	150.00*
2884	Texas Electric Service Company (renewal of 1384)	Power Line	Andrews & Ector	Blks 4,7,10 13,14 & 35	2,137.94 rds	5/1/69- 4/30/79	1,240.01

Easements and Surface Leases - Continued

No.	Company	Type of Permit	County	Location	Distance or Area	Period	Consideration
2885	Humble Pipe Line Company (renewal of 1132)	Pipe Line	Crockett	Block 7	15.15 rds 4"	1/1/69- 12/31/78	\$ 50.00 (Min.)
2886	Humble Pipe Line Company (renewal of 1133)	Pipe Line	Crockett & Reagan	Blocks 7, 11 & 12	3,273.5 rds 8"	1/1/69- 12/31/78	3,764.53
2887	Humble Pipe Line Company (renewal of 1134)	Pipe Line	Crockett & Reagan	Blocks 7, 11 & 12	3,273.5 rds 8"	1/1/69- 12/31/78	3,764.53
2888	Humble Pipe Line Company (renewal of 1135)	Pipe Line	Crane	Blocks 30 & 31	3,163.63 rds 10"	1/1/69- 12/31/78	3,638.17
2889	Humble Pipe Line Company (renewal of 1136)	Pipe Line	Crane	Blocks 30 & 31	3,163.63 rds 8"	1/1/69- 12/31/78	3,638.17
2890	Humble Pipe Line Company (renewal of 1137)	Pipe Line	Crane	Blocks 30 & 31	3,163.63 rds 10"	1/1/69- 12/31/78	3,638.17
2891	Humble Pipe Line Company (renewal of 1140)	Pipe Line	Reagan	Block 11	1,667.70 rds 10"	1/1/69- 12/31/78	1,917.85
2892	Humble Pipe Line Company (renewal of 1143)	Pipe Line	Upton	Block 15	1,038.97 rds 8"	1/1/69- 12/31/78	1,194.81
2893	Humble Pipe Line Company (renewal of 1147)	Pipe Line	Upton & Reagan	Blocks 1, 4,8 & 11	6,146.48 rds 10"	1/1/69- 12/31/78	7,068.45
2894	Humble Pipe Line Company (renewal of 1148)	Pipe Line	Upton & Reagan	Blocks 1, 4,8 & 11	6,146.48 rds 10"	1/1/69- 12/31/78	7,068.45

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Easements and Surface Leases - Continued

No.	Company	Type of Permit	County	Location	Distance or Area	Period	Consideration
2895	Humble Pipe Line Company (renewal of 1150)	Pipe Line	Reagan	Block 11	1,388.78 rds 8"	1/1/69- 12/31/78	\$1,597.09
2896	El Paso Natural Gas Company (renewal of 1390)	Pipe Line	Andrews	Blocks 1 & 9	22.114 rds 4-1/2"	8/1/69- 7/31/79	50.00 (Min.)
2897	Humble Pipe Line Company (renewal of 1512)	Pipe Line	Andrews	Block 9	513.85 rds 4-1/2"	2/1/69- 1/31/79	298.03
2898	Humble Pipe Line Company (renewal of 1517)	Pipe Line	Andrews	Block 9	265.4 rds 4-1/2"	2/1/69- 1/31/79	153.93
2899	Humble Pipe Line Company (renewal of 1519)	Pipe Line	Andrews	Block 9	206.09 rds 4-1/2"	5/1/69- 4/30/79	119.53
2900	Humble Pipe Line Company (renewal of 1520)	Pipe Line	Andrews	Blocks 1 & 9	247.9 rds 4-1/2"	3/1/69- 2/28/79	143.78
2901	Humble Pipe Line Company (renewal of 1524)	Pipe Line	Andrews	Block 10	53.0 rds 4-1/2"	2/1/69- 1/31/79	50.00 (Min.)
2902	El Paso Natural Gas Company	Pipe Line	Reagan	Block 2	134.73 rds 4-1/2"	4/1/69- 3/31/79	78.14
2903	Sun Oil Company - DX Division	Pipe Line	Reagan	Block 1	322.69 - 2" 177.21 - 2-1/2"	3/1/69- 2/28/79	290.00
2904	A. J. Vogel, Inc.	Pipe Line	Winkler	Block 20	60 rds 2"	4/1/69- 3/31/79	50.00 (Min.)

Easements and Surface Leases - Continued

No.	Company	Type of Permit	County	Location	Distance or Area	Period	Consideration
2905	Shell Pipe Line Corporation	Pipe Line	Crane	Block 30	2,586.09 rds 16"	5/1/69- 4/30/79	\$4,473.94
2906	Community Public Service Company	Power Line	Pecos	Block 165 James Campbell Survey	21.7 rds	4/1/69- 3/31/79	50.00 (Min.)
2907	El Paso Natural Gas Company (renewal of 1175)	Pipe Line	Hudspeth	Blocks G, H, J, K & L	10,048.96 rds 30"	5/1/69- 4/30/79	25,122.40
2908	Humble Pipe Line Company (renewal of 1141)	Pipe Line	Crockett & Reagan	Blocks 41, 42,44,45, 47,48 & 49	1,575.94 rds 10" 5,957.39 rds 12"	1/1/69- 12/31/78	12,118.61
2909	Natural Gas Pipe Line Company of America	Pipe Line	Ward	Blocks 16 & 17	808.3 rds 10-3/4"	6/1/69- 5/31/79	929.55
2910	Tesco Signs of Texas, Inc.	Surface Lease (Sign Site)	Ward	Block 16	40' x 300'	5/1/69- 4/30/70	75.00*
2911	Texas Salt Water Disposal Corporation	Surface Lease (Oil Treatment Plant)	Crane	Block 35	1 Acre	5/1/69- 4/30/70	50.00*

*Renewable from year to year, not to exceed a total of ten years. Consideration is for first year only.

AMENDMENTS TO SURFACE LEASES

<u>Lease No.</u>	<u>Lessee</u>	<u>Period</u>	<u>Terms of Amendment</u>
2108	Texas Youth Council	9/1/65 - 8/31/75	Addition of tract of approximately 16.8 acres, Block 16, Ward County, adjoining current lease for future buildings, at no additional consideration.
2586)) 2587)	Savage Oil Company	2/1/69-1/31/89	To allow construction of restaurant and/or motel on each site, in addition to a service station on each site, both in Block L, El Paso County, at no additional consideration.

AMENDMENT TO GRAZING LEASE

<u>Lease No.</u>	<u>Lessee</u>	<u>Period</u>	<u>Terms of Amendment</u>
1038	Avary & Allgood, a Partnership	1/1/69-12/31/73	Delete 16.8 acres, Block 16, Ward County, from grazing lease since it is being added to Surface Lease No. 2108, above. Beginning 7/1/69 for remainder of term, rental of 30¢ per acre per year will be reduced from \$648.98 to \$643.94 per year.

MATERIAL SOURCE PERMIT

<u>No.</u>	<u>Grantee</u>	<u>County</u>	<u>Location</u>	<u>Quantity</u>	<u>Consideration</u>
355	W. A. (Bill) Farmer Construction Company	Andrews	Block 9	216 cubic yards caliche	\$ 62.64

REPORT ON CLEARANCE OF MONIES TO PERMANENT UNIVERSITY FUND AND AVAILABLE FUND.--The Auditor, Oil and Gas Production, reports the following with respect to monies cleared by the General Land Office to the Permanent University Fund and Available University Fund for the current fiscal year through March 31, 1969, as follows:

	February and March, 1969	Cumulative This Fiscal Year	Cumulative Preceding Fiscal Year (Averaged)
<u>Permanent University Fund</u>			
Royalty - Oil	\$ 2,608,875.37	\$ 8,075,391.81	\$ 9,009,739.62
Gas - Regular	213,523.62	578,057.37	623,161.49
- F. P. C.	227,428.13	372,763.34	-0-
Water	16,892.61	68,668.11	64,200.29
Salt Brine	2,399.97	8,315.83	7,729.40
Rental on Mineral Leases	896.09	142,023.16	135,620.80
Rental on Water Contracts	697.96	2,861.46	611.31
Rental on Brine Contracts	-0-	100.00	-0-
Amendments and Extensions of Mineral Leases	-0-	390,610.00	97,254.99
	<u>\$ 3,070,713.75</u>	<u>\$ 9,638,791.08</u>	<u>\$ 9,938,317.90</u>
Bonuses, Mineral Lease Sales, (actual)	-0-	-0-	2,426,400.00
Total, Permanent University Fund	<u>\$ 3,070,713.75</u>	<u>\$ 9,638,791.08</u>	<u>\$ 12,364,717.90</u>
<u>Available University Fund</u>			
Rental on Easements	\$ 51,926.68	\$ 157,751.43	\$ 176,753.92
Interest on Easements and Royalty	62.41	268.78	227.85
Correction Fees-Easements	-0-	-0-	-0-
Transfer and Relinquishment Fees	415.60	1,396.52	1,739.22
Total, Available University Fund	<u>\$ 52,404.69</u>	<u>\$ 159,416.73</u>	<u>\$ 178,720.99</u>
Total, Permanent and Available University Funds	<u>\$ 3,123,118.44</u>	<u>\$ 9,798,207.81</u>	<u>\$ 12,543,438.89</u>
<u>Oil and Gas Development - March 31, 1969</u>			
Acres under Lease	617,641		
Number of Producing Acres	315,013		
Number of Producing Leases	1,392		

PERMANENT UNIVERSITY FUND - LAND MATTERS.--

REPORT ON STATUS OF PERMIT LEASES AND RECOMMENDATIONS RELATING THERETO.--At its meeting on March 14, 1969, the Board of Regents requested the Executive Director, Investments, Trusts and Lands to review the status of the Permit Leases issued under the Mineral Act of 1917, and amendments thereto, and to bring to the Board of Regents at its May, 1969, meeting his recommendation with respect to the action, if any, that should be taken by the University with respect thereto.

This is a matter that has been of concern for quite a long time, and which is continuing to receive attention. At the present time approximately 49,271 acres are held by 32 Permit Leases. If it were considered arbitrarily that one producing well would hold 160 acres, it has been estimated by Mr. Hallfrisch, University Auditor for Oil & Gas Production, that these Permit Leases would hold approximately 30,500 acres. This would leave about 18,000 acres which would be considered as non-productive. Mr. Zimmerman, Geologist-in-Charge, feels that, realistically, about 11,000 acres would be the maximum amount of acreage that we could reasonably hope to recover on the basis of non-development.

It should be pointed out that jurisdiction with respect to these leases is vested in the Commissioner of the General Land Office. The Attorney General, in Opinion No. 0-4970, dated March 6, 1943, held, among other things, with respect to such leases

"that neither the Board of Regents nor the Board for Lease has any authority to forfeit-(such)-leases", and
"that the Land Commissioner has the authority to forfeit such leases for failure of the lessees to develop in a bona fide and diligent manner--."

The position of the University with respect to these matters has traditionally seemed to be that of cooperating with the Commissioner in working on this problem. Through this cooperation the acreage held by production has been reduced from 205,355 acres to 49,271 acres. This reduction has been accomplished in part by negotiation, and in part by litigation. We have been assured, and quite recently, by the Commissioner of his desire to continue to work with the University in seeking to recover additional acreage.

In this connection it might be pointed out that the Commissioner wrote letters on March 12 to four of the affected lessees. As a result of this letter, negotiations are under way with one lessee, Marathon Oil Company, regarding a farmout on a 240 acre tract, and a conference has been set for May 16, 1969, with Shell Oil Company for a discussion of their lease on 6,000 acres of unproductive land.

It is the recommendation of the Executive Director, Investments, Trusts and Lands that:

1. The previous policy of active cooperation with the Commissioner of the General Land Office in seeking recovery by negotiation of unproductive acreage presently held under Permit Leases be continued;

2. As to acreage on which successful negotiations cannot be consummated, the Commissioner, in accordance with the authority indicated in Attorney General's Opinion No. 0-4970, be urged to institute appropriate procedures for the recovery of the non-developed acreage held under Permit Leases.

REPORT ON BOUNDARY PROBLEM RELATING TO THE NORTHERN BOUNDARY OF BLOCKS 4, 5 AND 6, UNIVERSITY LANDS, ANDREWS AND GAINES COUNTIES.-- At its meeting on March 14, 1969, the Board of Regents requested the Executive Director, Investments, Trusts and Lands to investigate the boundary dispute relating to the above property, and to report thereon to the Regents at the meeting to be held May 2, 1969.

This particular boundary question (and there are many others relating to University Lands) involves a strip of land 19 miles long with an average width of 683.7 feet, containing approximately 1,500 acres of land. A map of the strip, together with a memorandum outlining the factual background on the case prepared by University Attorney W. R. Long, will be mailed to the Regents shortly. A report relating to the mineral values involved in the strip is being prepared by the Geologist in Charge. It will be available at the May meeting.

At a conference with Mr. Houghton Brownlee, Chief of the Natural Resources Division of the Attorney General's Office, Mr. Ben M. Harrison, Assistant Attorney General and Mr. Bob Long, a representative of the Attorney General, held on April 2, 1969, we requested from that office an appraisal of the chances of success of litigation to settle this boundary problem. This report has not as yet been received.

It is now recommended by the Executive Director, Investments, Trusts and Lands, that a competent outside attorney be employed to review the facts and the law applicable to this case and furnish the Regents his opinion of the chances of success of the proposed litigation. The Executive Director, Investments, Trusts and Lands and University Attorneys will be prepared to submit names for consideration at the May 2 meeting.

APPROVAL OF ASSIGNMENT OF WATER EXPLORATION PERMIT AND LEASE OPTION AGREEMENT NO. 122 FROM HANK AVERY TO DUVAL CORPORATION.--As of November 15, 1967, a Water Exploration Permit and Lease Option, No. 122, relating to 11,552.8 acres of land in Block 16, University Lands, Ward County, Texas, was granted to Mr. Hank Avery of Midland. The option was for a period of 18 months beginning November 15, 1967. Mr. Avery has requested consent of the University to his assignment of his entire interest in the contract to Duval Corporation. Mr. Avery states that a substantial supply (estimated by him at 225,000 acre feet) of water has been defined by him, and that Duval will exercise the option to enter into the lease agreement. The Executive Director, Investments, Trusts and Lands recommends that consent be granted to the proposed assignment.

*As indicated in report all data being sent to Mr. Avery
on results -*

TRUST AND SPECIAL FUNDS -- INVESTMENT MATTERS.--

REPORT OF SECURITIES TRANSACTIONS.--The following securities transactions have been made for the Trust and Special Funds from February 1 through March 31, 1969. The Executive Director of Investments, Trusts and Lands recommends approval by the Board of Regents of these transactions:

PURCHASES OF SECURITIES

<u>Date of Purchase</u>	<u>Security and Fund</u>	<u>Principal Cost</u>
2/11/69	900 Shares Gulf Oil Corporation Capital Stock at 44-7/8	\$ 40,760.46
	300 Shares IBM Corporation Capital Stock at 302-1/2 (The University of Texas System Common Trust Fund)	90,957.75
2/24/69	1000 Shares General Telephone & Electronics Corporation Common Stock at 38-1/4 (Hogg Foundation: W. C. Hogg Estate Fund)	38,560.19
	800 Shares Ditto (Hogg Foundation: Varner Properties)	30,848.15
2/26/69	100 Shares Florida Power & Light Company Common Stock at 69-1/8	6,958.41
	600 Shares Virginia Electric & Power Company Common Stock at 29-3/8 (Hogg Foundation: W. C. Hogg Estate Fund)	17,818.58
	500 Shares Ditto (Hogg Foundation: Varner Properties)	14,848.82
2/27/69	900 Shares Florida Power & Light Company Common Stock at 69 (Hogg Foundation: W. C. Hogg Estate Fund)	62,513.10
3/ 3/69	1000 Shares The Southern Company Common Stock at 25-7/8 (Hogg Foundation: W. C. Hogg Estate Fund)	26,194.40
3/21/69	213 Shares Oklahoma Gas & Electric Company Common Stock at 20 plus 20 rights (The University of Texas System Common Trust Fund)	4,260.00
	111 Shares Ditto (Hogg Foundation: W. C. Hogg Estate Fund)	2,220.00
	55 Shares Ditto (Hogg Foundation: Varner Properties)	1,100.00
	50 Shares Ditto (Archer M. Huntington Museum Fund)	1,000.00
	20 Shares Ditto (The Wm. Heuermann Fund for Cancer Research - Anderson Hospital)	400.00

PURCHASES OF SECURITIES
(Continued)

<u>Date of Purchase</u>	<u>Security and Fund</u>	<u>Principal Cost</u>
3/21/69	1000 Shares Bank of America NT&SA (San Francisco) Capital Stock at 72-1/8	\$ 72,587.10
	1500 Shares Columbia Broadcasting System, Inc. Common Stock at 50	75,580.00
	1000 Shares Eastman Kodak Company Common Stock at 71	71,461.00
	1400 Shares Texas Utilities Company Common Stock - 100 at 52-7/8, 700 at 53-1/4, 300 at 53-1/2 and 300 at 53-3/8	75,186.87
	1000 Shares United Air Lines, Inc. Common Stock - 300 at 40 and 700 at 39-7/8	40,340.08
	1000 Shares Goodyear Tire & Rubber Company Common Stock at 58-1/4	58,698.30
	1000 Shares Sears, Roebuck & Company Common Stock at 67-3/4	68,207.80
	1000 Shares American Airlines, Inc. Common Stock at 32-7/8	33,229.40
	1500 Shares Caterpillar Tractor Company Common Stock at 49 (The University of Texas System Common Trust Fund)	74,072.50

SPECIAL PURCHASES OF SECURITIES

<u>Date of Purchase</u>	<u>Security and Fund</u>	<u>Principal Cost</u>
2/21/69	\$300,000 par value General Motors Acceptance Corporation 6-3/8% Short Term Note, dated 2/21/69, due 3/10/69 to yield 6.39425% (17 days to maturity - interest in the amount of \$905.85 payable at maturity) Renewed to 4/8/69 @ 6-1/2% to yield 6.53421% (29 days to maturity - interest in the amount of \$1,579.10 payable at maturity)	\$300,000.00
	\$250,000 par value General Motors Acceptance Corporation 6-3/8% Short Term Note, dated 2/21/69, due 3/24/69 to yield 6.41019% (31 days to maturity - interest in the amount of \$1,379.97 payable at maturity) (Ima Hogg Foundation)	250,000.00
3/21/69	5 Shares Oklahoma Gas & Electric Company Common Stock at 20 plus 20 rights (Winedale Stagecoach Inn - Varner Acreage)	100.00

SALES OF SECURITIES

<u>Date Sold</u>	<u>Security and Fund</u>	<u>Net Sales Proceeds</u>
2/ 4/69	60 Shares Halliburton Company Common Stock at 45-5/8 (Chancellor's Council - Unrestricted Accounts)	\$ 2,703.75
2/20/69	15/100ths fractional interest of a share of The Clorox Company Common Stock received in exchange of 1 share Procter & Gamble Company Common Stock for 3.95 shares The Clorox Company Common Stock (Book value of 462 shares after writedown - \$10,028.90) (The University of Texas System Common Trust Fund)	3.85

SALES OF SECURITIES
(Continued)

Date Sold	Security and Fund	Net Sales Proceeds
2/20/69	25/100ths fractional interest of a share of The Clorox Company Common Stock received in exchange of 1 share Procter & Gamble Company Common Stock for 3.95 shares The Clorox Company Common Stock (Book value of 928 shares after writedown - \$11,981.14) (Hogg Foundation: W. C. Hogg Estate Fund)	\$ 6.22
	20/100ths fractional interest Ditto (Book value of 695 shares after writedown - \$4,353.66) (Hogg Foundation: Varner Properties)	5.12
2/24/69	400 Shares Utah Power & Light Company Stock at 37 (Loss on sale over book value \$697.18) (Hogg Foundation: W. C. Hogg Estate Fund)	14,629.70
	100 Shares Ohio Edison Company Common Stock at 29-1/4 (Gain on sale over book value \$28.18) (Hogg Foundation: Varner Properties)	2,886.31
2/25/69	5 Shares Standard Oil Company of California Common Stock at 67 7 Shares Manhattan Fund, Inc. at 7.91 Net (J. Anderson Fitzgerald Special Scholarship Fund - College of Business Administration Foundation)	327.24 55.37
2/27/69	40 Shares The Austin National Bank Capital Stock at 125 Net (Rosemary Walling Harmon Memorial Scholarship Fund)	5,000.00
3/ 6/69	52/100ths fractional interest of a share of Columbia Broadcasting System, Inc. Common Stock received in 2% stock dividend (The University of Texas System Common Trust Fund)	26.20#
3/10/69	\$9,000 par value U. S. 4% Treasury Bonds, due 10/1/69 at 98.5625 Net plus accrued interest to 3/18/69 (Loss on sale over book value \$156.21) \$27,000 par value U. S. 2-1/2% Treasury Bonds, due 6/15/72-67 at 89.5625 Net plus accrued interest to 3/18/69 (Loss on sale over book value \$1,941.87) \$10,000 par value U. S. 3-7/8% Treasury Bonds, due 11/15/74 at 89 Net plus accrued interest to 3/18/69 (Loss on sale over book value \$1,024.76) (Texas Western College Dormitory Revenue Bonds, Series 1946 - Reserve for Bond & Interest Sinking Fund)	8,870.63 24,181.88 8,900.00

SPECIAL SALE OF SECURITIES

Date Sold	Security and Fund	Net Sales Proceeds#
3/ 6/69	12/100ths fractional interest of a share of Columbia Broadcasting System, Inc. Common Stock received in 2% stock dividend (Winedale Stagecoach Inn - Varner Acreage)	\$ 6.04

#Cash received deposited to principal endowment and holding of stock involved written down by same amount.

BOND EXCHANGES

<u>PAR VALUE</u>	<u>FUND AND DESCRIPTION</u>		<u>BOOK VALUE</u>		<u>BOOK YIELD</u>	<u>NEW BOOK YIELD</u>
	<u>ISSUE EXCHANGED</u>	<u>ISSUE RECEIVED</u>	<u>ISSUE EXCHANGED</u>	<u>ISSUE RECEIVED</u>	<u>IN- CREASE</u>	
	<u>THE UNIVERSITY OF TEXAS SYSTEM COMMON TRUST FUND --</u>					
\$29,000	Sears, Roebuck & Co. S. F. Debs., 4-3/4%, due 8/1/83	New England Power Co. First Mtge., 4%, due 6/1/88	\$29,571.59	\$24,714.09	0.69%	5.23%

THE UNIVERSITY OF TEXAS SYSTEM COMMON TRUST FUND - RECOMMENDATION RE ADDITIONS.--The Executive Director of Investments, Trusts and Lands recommends that the following supplemental additions made to the Common Trust Fund endowment account on March 1, 1969, be approved:

Fund	Recommended Addition
The American Theatre Scholarship - Drama (\$889.72 already in Common Trust Fund)	\$ 88.94
E. Bagby Atwood Memorial Graduate Scholarship in English (\$7,226.98 already in Common Trust Fund)	80.53
Lillian Barkley Scholarship Fund (\$6,223.97 already in Common Trust Fund)	200.00
The Accounting Education Fund (College of Business Administration Foundation) (\$52,247.10 already in Common Trust Fund)	60.00
J. Anderson Fitzgerald Special Scholarship Fund (College of Business Administration Foundation) (\$8,248.84 already in Common Trust Fund)	475.61
J. L. Mosle Memorial Scholarship Fund (College of Business Administration Foundation) (\$5,369.87 already in Common Trust Fund)	
Common stock on hand 2/28/69 transferred at market close 2/28/69 - last business day of quarter - 32 shares International Business Machines Corporation Capital Stock at 293-3/8	9,388.00
Morgan and Hamah Smith Callaway Fund (\$19,843.27 already in Common Trust Fund)	250.04
Emma Frances Clark Fellowship in Psychology (\$28,099.57 already in Common Trust Fund)	352.35
Roy Crane Awards in the Arts (\$10,334.23 already in Common Trust Fund)	25.96
J. C. Dolley Finance Education Fund (\$139.72 already in Common Trust Fund)	1.92
1966 M. E. Class Fund (College of Engineering Foundation) (\$174.90 already in Common Trust Fund)	1.92
E. William Doty Scholarship Fund (College of Fine Arts Foundation) (\$3,159.57 already in Common Trust Fund)	36.21
Mavis Alexander Fitzgerald Awards (\$201.96 already in Common Trust Fund)	2.83
Hal P. Bybee Memorial Fund (Geology Foundation) (\$162,780.67 already in Common Trust Fund)	
Common stock on hand 2/28/69 transferred at market close 2/28/69 - last business day of quarter - 140 shares Standard Oil Company (New Jersey) Capital Stock at 77-7/8	10,902.50

COMMON TRUST FUND - RECOMMENDATION RE ADDITIONS
(Continued)

Fund	Recommended Addition
Robert H. Cuyler Memorial Scholarship in Geology (Geology Foundation) (\$14,357.57 already in Common Trust Fund) Common stock on hand 2/28/69 transferred at market close 2/28/69 - last business day of quarter - 10 shares Standard Oil Company (New Jersey) Capital Stock at 77-7/8	\$ 25.00 778.75
(Sub-total - Additions to Cuyler Scholarship)	(803.75)
Guy E. Green Scholarship Fund (Geology Foundation) (\$9,189.25 already in Common Trust Fund) Common stock on hand 2/28/69 transferred at market close 2/28/69 - last business day of quarter - 10 shares Standard Oil Company (New Jersey) Capital Stock at 77-7/8	25.00 778.75
(Sub-total - Additions to Green Scholarship)	(803.75)
J. Hoover Mackin Scholarship Fund (Geology Foundation) (\$3,869.00 already in Common Trust Fund) Common stock on hand 2/28/69 transferred at market close 2/28/69 - last business day of quarter - 10 shares Standard Oil Company (New Jersey) Capital Stock at 77-7/8	 778.75
F. L. Whitney Memorial Book Fund - Various Donors (Geology Foundation) (\$2,497.80 already in Common Trust Fund) Common stock on hand 2/28/69 transferred at market close 2/28/69 - last business day of quarter - 10 shares Standard Oil Company (New Jersey) Capital Stock at 77-7/8	 778.75
The Gilbreth Award Fund (\$424.74 already in Common Trust Fund)	5.34
Hinds-Webb Scholarship Fund (\$118.98 already in Common Trust Fund)	1.41
Thos. E. Hogg - Residuary Legacy (\$4,223.03 already in Common Trust Fund)	43.50
The Will H. Mayes Scholarship in Journalism (\$9,745.06 already in Common Trust Fund)	106.16
The Roger Q. Mills Scholarship Fund (\$61.85 already in Common Trust Fund)	1.69
The Perry and Tommie Patterson Fellowships in Political Science (\$769.13 already in Common Trust Fund)	6.29
Lora Lee Pederson Scholarship Fund, Graduate Scholarship of Social Work (\$5,152.55 already in Common Trust Fund)	57.00
Raoul Daniel Rene "Daddy" Cline Memorial Endowment Fund (Pharmaceutical Foundation) (\$950.13 already in Common Trust Fund)	13.09
W. F. Gidley Appreciation Endowment Fund (Pharmaceutical Foundation) (\$2,887.30 already in Common Trust Fund)	34.90

COMMON TRUST FUND - RECOMMENDATION RE ADDITIONS
(Continued)

Fund	Recommended Addition
The Senior Class Endowment Fund (Pharmaceutical Foundation) (\$11,043.18 already in Common Trust Fund)	\$ 137.80
Pharmaceutical Research Fund (\$1,098.58 already in Common Trust Fund)	19.65
Alma Jacobs House Piner Fund (\$7,753.93 already in Common Trust Fund)	99.78
Milton Brockett Porter Memorial Fund (\$46.07 already in Common Trust Fund)	1.25
DeWitt Reddick Journalism Scholarship Fund (\$3,688.46 already in Common Trust Fund)	43.94
The Amanda Stoltzfus Memorial Trust Fund (\$3,059.19 already in Common Trust Fund)	49.18
Mollie Fitzhugh Thornton Music Scholarship Fund (\$438.01 already in Common Trust Fund)	4.90
Harry Carothers Wiess Chair for Cancer Research (Anderson Hospital) (\$100,000.00 already in Common Trust Fund)	50,000.00
Amon G. Carter Chair of Art History (U. T. Arlington) (NEW FUND)	250,000.00
The Robert Cantrell Feamster Foundation (Galveston Medical Branch) (\$2,977.47 already in Common Trust Fund)	38.24
The Gaynelle Robertson and Edgar J. Poth Forum Fund for Ophthalmology and General Surgery (Galveston Medical Branch) (\$44,220.93 already in Common Trust Fund)	48.70
William N. and Ida Zinn Alpha Omega Alpha Scholarship Fund (Galveston Medical Branch) (\$2,810.18 already in Common Trust Fund)	42.62
George W. Brackenridge Foundation Grant (San Antonio Medical School) (NEW FUND)	100,000.00
Dr. and Mrs. T. J. Walthall Chair in Ear, Nose and Throat (San Antonio Medical School) (NEW FUND)	30,000.00
Gillette Professorship of Obstetrics and Gynecology (Dallas Medical School) (\$11,381.39 already in Common Trust Fund)	86,906.58

COMMON TRUST FUND - RECOMMENDATION RE ADDITIONS
(Continued)

Fund	Recommended Addition
Fessinger Memorial Lecture Fund (U. T. El Paso) (\$4,031.55 already in Common Trust Fund)	\$ 44.69
Lloyd A. Nelson Professorship in Geology (U. T. El Paso) (\$85,859.47 already in Common Trust Fund)	924.55
Total Supplemental Additions made to the Common Trust Fund endowment account on March 1, 1969	<u>\$543,663.07*</u>

*The above total of \$543,663.07 submitted for approval, supplements previously approved corrected additions in the amount of \$50,870.85, for a total of \$594,533.92 (\$571,128.42 in cash and \$23,405.50 in securities) added to the Common Trust Fund endowment account on March 1, 1969, for a new book value of \$7,727,248.19.

TRUST AND SPECIAL FUNDS - REAL ESTATE MATTERS.--

U. T. EL PASO - RECOMMENDATION REGARDING AUTHORITY TO AWARD OIL AND GAS LEASE TO SUCCESSFUL BIDDER ON SALE RELATING TO FRANK B. COTTON TRUST LANDS.--At its meeting on March 14, 1969, the Board of Regents authorized the offering of an oil and gas lease on approximately 30,972 acres of land owned by the Frank B. Cotton Trust in Hudspeth and Culberson Counties, for sale at public auction immediately following the conclusion of the 56th public auction sale of oil and gas leases on University Lands on May 15, 1969. The Board set a minimum acceptable bid of \$62,000. for such lease, which would provide for 1/6 royalty, delay rental of \$1.00 per acre and a primary term of five years. While one lease is being offered, the property is divided into 51 separate parcels of approximately one section each. The lease will provide that production will perpetuate the lease only as to the parcel on which a producing well is located. The Executive Director, Investments, Trusts and Lands recommends that any Regent member of the Board for Lease be authorized to award the lease to the successful bidder, provided, that if neither such member is present at the sale, then any other Regent shall be vested with such authority; provided further, that if no Regent is present at such sale, then such authority shall be exercised by the Executive Director, Investments, Trusts and Lands.

HOGG FOUNDATION - RECOMMENDATION FOR OIL AND GAS LEASE ON 16 ACRES, UNION COUNTY, ARKANSAS, TO J. S. BEEBE, TRUSTEE.--J. S. Beebe, Trustee, of El Dorado, Arkansas, proposes a 2-year paid up oil and gas lease on the Hogg Foundation's 7/128th mineral interest (3/128th Thos. E. Hogg Fund and 4/128th Will C. Hogg Fund) under 16 acres out of the SE/4, NE/4, Section 8, Township 16 South, Range 15 West, Union County, Arkansas, at 1/8th royalty and bonus of \$11 per mineral acre (\$9.63 for Hogg Foundation). Miss Ima Hogg and Mrs. Hanszen who have small interests under this tract are joining in the lease, and the Executive Director, Investments, Trusts and Lands, recommends that the Board of Regents authorize the proposed lease.

LAND AND INVESTMENT COMMITTEE

Date: May 2, 1969
Time: Following the meeting of the Medical Affairs Committee
Place: Room 611
Library Building
U. T. Arlington
Arlington, Texas

C. PERMANENT UNIVERSITY FUND - BOND MATTERS.--

1. PERMANENT UNIVERSITY FUND BONDS, NEW SERIES 1969 - RECOMMENDATION OF ISSUE, BOND COUNSEL, MISCELLANEOUS COSTS, ETC.--
It is recommended by the Executive Director, Investments, Trusts and Lands, that Permanent University Fund Bonds, New Series 1969, be issued in the total amount of \$7,000,000; that the firm of McCall, Parkhurst & Horton be named as bond counsel; and that the Executive Director be authorized to advertise for bids for the bonds, paying agency and printing. Since Texas A&M University is also planning to sell bonds and we will coordinate on issuing Prospectus, etc. it is recommended the exact date of the sale and joint meetings of the Boards be set by the Chairman of the Board of Regents after conferring with the administrative officials at A&M.

It is further recommended by the Executive Director, Investments, Trusts and Lands, that an account be set up in the amount of \$8,000 for Miscellaneous Costs - Permanent University Fund Bonds, New Series 1969, for payment of printing, bond counsel fees, postage and other costs of the issue. The funds for the Miscellaneous Costs account are to come from bond proceeds.

NOTE: The above item was inadvertently listed on the Agenda of the Land and Investment Committee in MSA on Page L & I - 1 as item "C. Bond Matters." On Page L & I - 1 the last listed page reference should be Page 26 rather than Page 27.

LAND AND INVESTMENT COMMITTEE
May 2, 1969

EMERGENCY ITEM

1. Hogg Foundation Properties on Main Street in Houston,
Texas-Recommendation Relating to Option to
Purchase or Lease

TRUST AND SPECIAL FUNDS - REAL ESTATE MATTERS.--

HOGG FOUNDATION PROPERTIES ON MAIN STREET IN HOUSTON, TEXAS -
RECOMMENDATION RELATING TO OPTION TO PURCHASE OR LEASE.--The Hogg
Foundation owns the following properties in Houston, Texas:

Parcel 1 - NE Corner Main & Clay Streets, facing 129' West on Main Street
and 153' South on Clay, containing 19,737 square feet, more or less, appraised
at (\$41.80 per sq. ft.) \$825,000. Property is vacant, leased for parking at
\$23,970. per year. Lease subject to cancellation in event of sale or long-term
lease.

Parcel 2 - NE Corner Main & Bell Streets, facing 135' West on Main Street
and 125' South on Bell, containing 16,875 square feet, more or less, appraised
at (\$38.50 per sq. ft.) \$650,000. Leased to operator of a small diner at
\$12,000. per year, plus a percentage of income, which in 1968 amounted to
approximately \$900.00. Lease is subject to cancellation in event of sale
or long-term lease.

Mr. Ben G. Sewell, Trustee, of Houston, through the W. A. Horne Company, Realtors,
has offered \$2,000. for an option to purchase Parcel 1 or Parcel 2, or in the alternative,
to lease one of such parcels, on the terms hereinafter set out:

OPTIONS TO PURCHASE

Parcel No. 1

Term of Option: Primary term 30 days; may pay \$5,000. for an extension of an additional
30 days, and \$10,000. for a second 30 day extension. If option is exercised, amount paid
therefor applies on purchase price. If not exercised the amount paid therefor will be for-
feited.

Total price at \$44.00 per square foot \$868,428.

Terms: \$50,000. earnest money put up at time of exercise of option. At closing, total
of \$150,000. to be paid in cash and a 7-1/2% note for balance to be delivered, payable
in three equal installments, the first due 18 months, the second due 30 months, and the
third due 42 months from date of note.

If survey shows more or less than 19,737 square feet, the purchase price will be adjusted
at the rate of \$44.00 per square foot.

Commission: Seller to pay 5%.

Title: Seller may furnish at its cost a title insurance policy or an abstract to the property.

Parcel No. 2

Term of Option: Primary term 30 days; may pay \$5,000. for an extension of an additional
30 days, and \$10,000. for a second 30 day extension. If option is exercised, amount paid
therefor applies on purchase price. If not exercised the amount paid therefor will be for-
feited.

Total price at \$38.50 per square foot \$649,687.50.

Parcel No. 2 - continued

Terms: \$50,000 earnest money put up at time of exercise of option. On closing, total of \$100,000. to be paid in cash and a 7-1/2% note for balance to be delivered, payable in three equal installments, the first due 18 months, the second due 30 months, and the third due 42 months from the date of the note.

If survey shows more or less than 16,875 square feet, the purchase price will be adjusted at the rate of \$38.50 per square foot.

Commission: Seller to pay 5%.

Title: Seller may furnish at its cost a title insurance policy or an abstract to the property.

LONG-TERM LEASE

As to Parcel 1 or Parcel 2. :

Lease Period - 99 years.

Rentals: Annual rentals for first 25 years would be 6% of value of property (\$44.00 per square foot on Parcel 1, or \$38.50 per square foot on Parcel 2). For the succeeding 10 year period, and each 10 year period thereafter, rental to be adjusted, up or down, based on a reappraisal of the property as of the beginning of each 10 year period, with the rental being based on 6% of such valuation; provided that the increase or decrease shall never exceed 15% of the rental in effect for the preceding period.

Ad Valorem Taxes: A formula to be devised to give the Lessor the benefit of one-half of the equivalent applicable ad valorem tax, if lessor's exemption continues.

Commission: To be paid by Lessor in accordance with schedule of Houston Board of Realtors.

RECOMMENDATION

The Executive Director, Investments, Trusts and Lands, recommends as follows:

Proposed Lease

That it not be approved.

Proposed Sale

That the options be granted to purchase Parcel 1 or Parcel 2, but not both, on the terms outlined above.



THE UNIVERSITY OF TEXAS SYSTEM
BOARD OF REGENTS
OFFICE OF INVESTMENTS, TRUSTS AND LANDS
P. O. BOX 7968 · AUSTIN, TEXAS 78712

FLOYD O. SHELTON
EXECUTIVE DIRECTOR

April 18, 1969

Mr. Frank C. Erwin, Chairman
Board of Regents
The University of Texas System
900 Brown Building
Austin, Texas 78701

Re: Andrews and Gaines County Boundary Conflict

Dear Mr. Erwin:

To aid in an understanding of the above matter which is scheduled for discussion at the May 2 meeting, we are sending you and all other Regents the following:

1. A memorandum prepared by Mr. W. R. Long, one of the University Attorneys, outlining the factual background and suggesting the principal points of law which appear to be involved in this conflict.
2. A map of the area in controversy, which as you see, embraces a strip approximately 700 feet wide and 19 miles long, containing approximately 1500 acres.

Sincerely,

Floyd O. Shelton
Executive Director

/cc

cc: Mr. Jack S. Josey
Mr. W. H. Bauer
Mr. Jenkins Garrett
Mr. Frank N. Ikard
Mr. Joe M. Kilgore
Mr. John Peace
Mr. Dan C. Williams
Dr. E. T. Ximenes
Miss Betty Anne Theford





LAW OFFICE

THE UNIVERSITY OF TEXAS SYSTEM

P. O. BOX 7727

AUSTIN, TEXAS 78712

UNIVERSITY ATTORNEYS

BURNELL WALDREP
RICHARD C. GIBSON
W. R. LONG

April 18, 1969

MEMORANDUM

TO: Members of the Board of Regents

FROM: W. R. Long

RE: BOUNDARY CONFLICT BETWEEN BLOCKS 4, 5, and 6,
UNIVERSITY LANDS, AND BLOCK A-19, PSL, ANDREWS
COUNTY, TEXAS

A boundary conflict exists between the northern tier of sections in Blocks 4, 5, and 6, University Lands, Andrews County, and the southern tier of sections in Block A-19, Public School Lands, Andrews County. A narrow strip approximately 700 feet in width and 19 miles in length is involved. Before proceeding with the filing of any lawsuit to quiet title to the area in question, it has been suggested that the members of the Board of Regents of The University of Texas System should reexamine the many facets of this boundary problem. To better understand the problem, a short history of the surveying in this area follows:

By an Act approved May 2, 1873, a reserve of land was created known as the T&P 80 mile reserve, being a strip of land 40 miles in width each side of a center line running from a point in Jones County (Fort Phantom Hill near Abilene) to a point south of the southeast corner of the State of New Mexico, an approximate distance of 200 miles. This reserve was created for the purpose of permitting the Texas and Pacific Railway Company to survey and select by way of priority the lands donated to it by said Act for the construction of a transcontinental railroad through Texas. Accordingly, in 1876 the Texas and Pacific Railway Company surveyors first entered the field in this area and established said 80 mile reserve as well as making numerous ground surveys out of which it was to select the lands donated to it. T&P original corners are to be found on this center line and south of it in this particular territory, but few, if any, of such corners are to be found north of said center line, as most of their surveys and selections in this particular territory were made south thereof.

The T&P surveyors adopted a system of surveying these lands whereby the reserve was divided in blocks 8 miles long, north and south (40 miles on each side of the center line), and 6 miles wide, east and west. These blocks were, in turn, subdivided by running of township lines parallel with the center line at 8 mile intervals. According to this system, the intersection of these block and township lines were intended to subdivide the reserve into township blocks 6 by 8 miles, each containing 48 sections of land. Subsequent surveyors in this area followed somewhat the same system in making adjoining surveys to said T&P system, including Dennis Corwin in his survey of University and Public Free School Lands in 1884, as well as his predecessors in 1879 in their surveys for the locators Gunter & Munson, Maddox Bros. & Anderson under the Fifty-cent Act of 1879.

Next came Col. L. C. Wise, in 1882, locating lands in this territory for the firm of Gunter & Munson, Maddox Bros. & Anderson, who desired to have surveys made for the purpose of purchasing such lands under the so-called Fifty-cent Act (Act of May 14, 1879). Wise, for G&MMB&A, placed his blocks and townships and numbered them precisely as the T&P would have numbered them should they have been taken by that company, instead of abandoning such surveys. Col. Wise made an actual survey of these lands upon the ground and built many original corners which may be found and identified upon the ground today, including those found and called for by Mr. Frank F. Friend in his resurvey of the University blocks in this area.

In addition to the original one million acres set apart and appropriated out of the public domain by the Constitution of 1876 as a land endowment for The University of Texas, another one million acres was appropriated to this fund out of the public domain by the legislative act of April 10, 1883, along with a million acres appropriated to the Public School Fund by this same act. In 1883, Captain Dennis Corwin, a surveyor, was employed by the then State Land Board and the Board of Regents of The University of Texas to make a survey of the above two million acres of land under the Act of 1883. The above University Blocks 4, 5, and 6 are a part of this statutory grant, as distinguished from the original constitutional grant.

On January 12, 1885, Dennis Corwin filed in the General Land Office his map and so-called field notes or block designations covering 77 blocks, some of which were set aside to the University and some to the Public School Fund. Some of these designations were not accepted, but were changed

from the University to the public schools and vice versa, and thereafter the map was filed showing the designations after such changes. This map is accepted and recognized as an official record of the General Land Office, and the designations shown thereon are accepted as appropriating the lands to the benefit of said respective funds. However, the courts have held that the Corwin work constitutes an office survey as distinguished from an actual ground survey of the lands. State v. Flick, 180 S.W.2d 371; Theisen v. Stanolind Oil & Gas Co., 210 S.W.2d 417 (err.ref.).

Although, in 1900, the Corwin blocks were selected and set apart to the respective funds as designated in accordance with his map, the Corwin work, being an office survey, his blocks were never located and identified on the ground by an actual survey. Therefore, it will be seen, as stated by the Court in the Theisen case, these blocks as shown by the Corwin map then had but a relative or theoretical position, as distinguished from an actual or fixed position upon the ground.

Under the Act of February 23, 1900, all of the then remaining unappropriated public domain in the State was set aside and appropriated to the Public School Fund. Under the provisions of this Act the Land Commissioner was authorized and directed to "partition," survey, and sectionize for the purpose of sale, and have returned to the General Land Office field notes of such lands. Accordingly, Col. D. S. Woods, Daniel Boone, R. E. Estes, and W. D. Twichell were appointed to do this work.

In 1900, Daniel Boone, for the State School Fund, surveyed on the ground practically all the remaining unappropriated public domain in the territory adjoining University blocks in the northeastern part of Andrews County. His surveys are represented and known in this part of the area as the "A" blocks, including Block A-19, PSL.

He ran the lines and marked many corners on the ground, most of which may be found and identified today. His marked south line of Block A-19 is fairly represented by the fence line shown on the map as the south line of the land in controversy. This land is now and has been claimed, occupied, and used by the landowners of Block A-19 in accordance with said fence for many years. As held in the Theisen case, in 1900 the University blocks had not theretofore been actually located and identified on the ground. It was essential that Boone do that, because he could not otherwise proceed with his work of surveying and fixing on the ground the Public School blocks and sectionize them as he was required to do.

It was further held in the Theisen case that the location of such blocks was then only relative or theoretical, and when made certain under lawful authority, they became official and original surveys by reason of survey of the Public School Land in this area as surveyed by Boone in 1900.

By the Act approved March 29, 1929 (Sec. 2, Art. 2603a, Vernon's Texas Civil Statutes), the Board for Lease of University Lands was authorized:

" . . . to cause to be done such surveying or re-surveying of the blocks and subdivisions thereof of the University lands as may be necessary to enable the lines of the blocks and sections and fractional sections to be determined and identified and have such corners as may be necessary to that end permanently marked. When it is impracticable to establish such lines and corners as originally surveyed, or when such sections have not been actually surveyed on the ground, the blocks shall be surveyed or re-surveyed and divided into surveys of sections and fractional sections and as many corners thereof as may be necessary for the identification shall be permanently marked. The surveyors employed to do such surveying shall be approved by said Board. The field notes of such surveys shall be returned to the General Land Office, and when correct and in accordance with law, shall be approved by the Commissioner, filed in the General Land Office and become archives therein." (Ch. 282, Acts, Reg. Sess., 41st Leg., p. 616)

By the Acts of 1931, Section 2 of the above statute was amended so as to confer upon the Board of Regents of The University of Texas the function of having University lands surveyed, instead of the Board for Lease of University Lands. (Art. 2603b, Vernon's Texas Civil Statutes)

Mr. Frank F. Friend, a state licensed land surveyor of San Angelo, Texas, was employed under the above Acts to make a resurvey of University lands. He made such a resurvey of University Blocks Nos. 1 to 14, Andrews County, and marked their corners on the ground at intervals from June 20, 1930, to June 15, 1931. The Friend location of the north line of University Blocks 4, 5, and 6 is based upon the theory that the system of University blocks, to which these blocks belong, i.e., University Blocks 3 to 8, inclusive, should be placed upon the ground in accordance with their calls for adjoinder with and from the Gunter & Munson, Maddox Bros. & Anderson surveys on the south, run course and distance from the ground

marks or monuments of said G&MMB&A surveys as found upon the ground in this area. Because Capt. Wise in running his base line for the G&MMB&A system, purported 8 miles north of and parallel to the T&P center line, ran on a different course than used by the T&P surveyors, the northwest corner of Section 12, Block 42, T-2-N, G&MMB&A is located on the ground approximately 150 varas north and 200 varas east of its T&P counterpart. In this manner the G&MMB&A system is pulled apart from the T&P system. It is for this reason that Frank F. Friend's north line of University Blocks 4, 5, and 6 is located on the ground north of the Twichell-Boone fence line. The Twichell-Boone line is run course and distance from the T&P center line and is therefore south of the G&MMB&A line.

In July, 1964, J. A. Conklin, a licensed state land surveyor, and formerly crew chief for Frank F. Friend during the time that he resurveyed the University lands in West Texas, was employed by the Board of Regents to resurvey the areas covered by the boundary dispute. In November of 1964 Mr. Conklin filed a report of his survey which reflects the location of the various lines, corners and natural monuments which have a bearing on the location of the north line of Blocks 4, 5, and 6, University Lands, Andrews and Gaines Counties, Texas. The report is factual, without opinions or conclusions, in order that it might be introduced in court as evidence of his survey, and does trace and verify the location of the boundary line as established by Frank F. Friend.

DISCUSSION

It is difficult, if not impossible, to predict with any degree of accuracy the outcome of a boundary lawsuit. However, in view of the ruling of the court in the Theisen case, it would seem that the University is in the awkward position of attempting to refute the ground location of the division line between the University blocks on the south and the Public School Land on the north, as established on the ground in 1900 by W. D. Twichell and Daniel Boone. Though there are several approaches and various tactical maneuvers that the lawyers for the Board of Regents may take in the filing of any lawsuit, the basic position will be an attempt to establish the "Dennis Corwin Survey" as resurveyed on the ground by Frank F. Friend as the senior and controlling survey.

The University in a lawsuit will be alleging that the Commissioner of the General Land Office in using the Dennis Corwin map and field notes segregated the University blocks in question from the public domain. Since the Commissioner of the General Land Office was not vested with the power to dispose of University lands, that power being specifically

conferred upon the Board of Regents under Article 2596, Vernon's Civil Statutes, the approval of the Twichell-Boone field notes and the sales or awards of lands in Block A-19, PSL, in conflict with University Blocks 4, 5, and 6 are therefore void.

The official General Land Office map of Andrews County, which was in existence at the time that Woods, Boone and Twichell went into the field to partition the remaining unappropriated public domain, clearly showed the location of Corwin's Blocks 1-8 in Andrews County to be built off of the Gunter & Munson survey. The Commissioner of the General Land Office thus fixed the north line of Blocks 4, 5, and 6 in the position as found by Frank F. Friend in 1931, and such act on the part of the Commissioner of the General Land Office could not be changed or altered by the subsequent survey by W. D. Twichell.

In the case of Wilson v. Dillingham, 38 S.W. 650, which involved the location of the east boundary line of the T&P reservation, the Court said:

" . . . and the action of the Commissioner (of the General Land Office) in so designating the same fixed the eastern boundary line, and having acted under the law, whether the same was designated mathematically correct or not, cannot be called in question by defendant. Hancock v. McKinney, 7 Tex. 444; Jenkins v. Chambers, 9 Tex. 167; Styles v. Gray, 10 Tex. 504; Johnson v. Smith, 21 Tex. 730; Burkett v. Scarbrough, 59 Tex. 495; Smith v. Walton, 82 Tex. 549, 18 S.W. 217."

In Logan v. Curry, 95 Tex. 664, the Court said:

" . . . The Commissioner was required to exercise his judgment and discretion in a quasi judicial capacity and that when once exercised it would be conclusive except possibly against the state."

Further, the Frank F. Friend resurvey should be upheld as an official survey as defined in Gulf Oil Corp. v. Outlaw, 136 Tex. 281, 150 S.W. 2d 777. The Commissioner of the General Land Office was officially authorized by the Act of March 29, 1929, and amendments thereto to approve the Frank F. Friend field notes and findings of fact by the Land Commissioner cannot be collaterally attacked by the landowners or lessees in Block A-19, PSL. Commissioner v. Smith, 5 Tex. 471; Styles v. Gray, supra; Kirby Lumber Co. v. Adams, 62 S.W. 2d 366; Smith v. Walton, supra; Caples v. Cole, 129 Tex. 370, 102 S.W. 2d 173, 104 S.W.2d 3.

The opposition will argue that the Corwin line of Blocks 4, 5, and 6 was merely a theoretical location and that it was not until Woods, Boone and Twichell actually located the north line of Blocks 4, 5, and 6 that such University blocks had been actually segregated or partitioned from the unsurveyed unappropriated public domain.

The term "partition" as used in the Act of February 23, 1900, having previously acquired a definite meaning in law, must be construed in reference thereto. The whole sense of the entire Act in the light of the antecedent judicial history announced in the cases of G.H. & S.A. v. State, 77 Tex. 369, 12 S.W. 988, and Hogue v. Baker, 92 Tex. 58, 45 S.W. 1004, unmistakably indicates it was the intention of the Legislature that the public lands of the State should be partitioned in the same manner and with the same results that would be accomplished in a judicial or voluntary partition between private parties. Because the Woods-Boone-Twichell survey was an official survey as defined in Gulf Oil Corp. v. Outlaw, supra; and because it was performed under the express direction of the Legislature, such occupies the status of an original survey of University Blocks 4, 5, and 6; and because the Legislature had specifically delegated to the Land Commissioner the authority to fix and approve those lines; and because the Land Commissioner had approved them in 1901, his judgment upon fact matters delegated to him by the Legislature cannot be set aside in a collateral proceeding such as this, even by the State itself.

Further, after half a century of time during which every Legislature, Governor, Attorney General and Land Commissioner of this State have acquiesced in the construction of the University blocks as located by W. D. Twichell and innocent people relying upon such construction as acquiesced in by state officials and the Legislature have invested sums of money which should not now be divested by a decision to the contrary.

Any evaluation of this boundary problem should also encompass the economic effects, both beneficial and detrimental, which will result from any final resolution of this problem. Any benefits flowing to the University from obtaining possession of the surface to the disputed area should be carefully weighed against possible loss of future bonus and delay rentals under oil and gas leases covering the disputed area; the possible reduction of allowables and acreage assigned by the Railroad Commission to oil and gas wells completed on University lands adjacent to the disputed area; and possible suits for damages for drainage of oil and gas from under the disputed strip by University wells located adjacent thereto, in the event that the University is unsuccessful in such lawsuit.

The Office of Attorney General is presently preparing a brief covering the applicable case law and evaluating the

the possible chances of the Board of Regents being successful in such a lawsuit. It has further been suggested that all of the information as to surveying, economics, and the applicable case law be furnished to outside counsel for the purpose of obtaining an independent evaluation of this lawsuit. In this manner it is hoped that the members of the Board of Regents will then have in their possession all the necessary facts and opinions upon which to make a decision.

Meeting of the Board

AGENDA
MEETING OF THE BOARD OF REGENTS
OF
THE UNIVERSITY OF TEXAS SYSTEM

Chairman Erwin, Presiding

Date: May 2, 1969

Time: (1) 9:00 a. m.
(2) Following the meeting of the Committee
of the Whole

Place: Room 611
Library Building
U. T. Arlington
Arlington, Texas

The agenda for the meeting will be in the supplementary material since the resolution authorizing issuance of and awarding sale of Board of Regents U. T. El Paso Building Revenue Bonds, Series 1969, is not available.

AGENDA
MEETING OF THE BOARD OF REGENTS
OF
THE UNIVERSITY OF TEXAS SYSTEM

Chairman Erwin, Presiding

Date: May 2, 1969

Place: Room 611
Library Building
U. T. Arlington
Arlington, Texas

Time: 9 a.m.

- A. INVOCATION - *Garrett*
- B. CONSIDERATION OF MINUTES OF MEETING HELD ON
MARCH 14, 1969 *off ✓ [unclear] [unclear]*
- C. U. T. EL PASO: RESOLUTION AUTHORIZING ISSUANCE AND
AWARDING SALE OF BOARD OF REGENTS OF THE UNIVERSITY
OF TEXAS SYSTEM, THE UNIVERSITY OF TEXAS AT EL PASO,
BUILDING REVENUE BONDS, SERIES 1969, \$8,500,000. --Pur-
suant to authorization at the meeting of March 14, 1969, bids for
Board of Regents of The University of Texas System, The Uni-
versity of Texas at El Paso, Building Revenue Bonds, Series 1969,
in the amount of \$8,500,000, ~~will~~ will be received in the Office
of Investments, Trusts and Lands at 10:30 a.m. on Thursday,
May 1, 1969.

At the Regents' meeting on Friday, May 2, 1969, at 9:00 a.m.
a recommendation will be submitted by the Executive Director
of Investments, Trusts and Lands for sale of the bonds to the
successful bidder.

Action Required

1. Adoption of the resolution authorizing issuance and sale
of bonds as prepared by the bond counsel and as set out
on Pages B of R - 3- B of R - 41. *Shirley Barrett*
- a. Designation of paying agent and co-paying agent. --
Bids have been received and a recommendation
will be made at the meeting. *Same*
- b. Award of contract for printing bonds. --Bids have
been received and a recommendation will be made
at the meeting. *Same*
2. Adoption of resolution authorizing enforcement of parietal
rules. --This resolution as prepared by the bond counsel
is set out on Pages B of R - 42-B of R - 46.
3. Adoption of resolution fixing rates to be charged for the
facilities and services afforded by these bonds. --This
resolution, prepared by the bond counsel, is set out on
Pages B of 47 - B of R - 50.

*Concurrent
Item 26
3 (Place
of [unclear])*

RESOLUTION AUTHORIZING THE ISSUANCE OF
BOARD OF REGENTS OF THE UNIVERSITY OF
TEXAS SYSTEM, THE UNIVERSITY OF TEXAS
AT EL PASO, BUILDING REVENUE BONDS,
SERIES 1969, \$8,500,000

WHEREAS, the Board of Regents of the University of Texas System (sometimes hereinafter called the "Board") is authorized to construct, acquire, improve, and equip buildings and other structures, and additions to existing buildings and other structures, and acquire land therefor, at The University of Texas at El Paso (sometimes hereinafter referred to as the "University"); and

WHEREAS, the Board has determined to issue and deliver its negotiable revenue bonds in the aggregate amount of \$8,500,000 for such purposes; and

WHEREAS, said bonds, hereinafter authorized, are to be issued pursuant to Vernon's Article 2909c, as amended.

THEREFORE, BE IT RESOLVED BY THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM:

Section 1. That said Board's negotiable, serial, coupon bonds to be designated "BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, THE UNIVERSITY OF TEXAS AT EL PASO, BUILDING REVENUE BONDS, SERIES 1969," (hereinafter sometimes called the "Bonds") are hereby authorized to be issued and delivered in the principal amount of \$8,500,000 for the purpose of PAYING THE COST OF CONSTRUCTING, ACQUIRING, IMPROVING, AND EQUIPPING BUILDINGS AND OTHER STRUCTURES, AND ADDITIONS

TO BUILDINGS AND OTHER STRUCTURES, AND ACQUIRING
 LAND THEREFOR, AT THE UNIVERSITY OF TEXAS AT EL PASO.

Section 2. That the Bonds shall be dated MAY 1, 1969, shall be numbered consecutively from 1 THROUGH 1,700, shall be in the denomination of \$5,000 EACH, and shall mature and become due and payable serially on NOVEMBER 1 in each of the years, and in the amounts, respectively, as set forth in the following schedule:

<u>YEARS</u>	<u>AMOUNTS</u>	<u>YEARS</u>	<u>AMOUNTS</u>
1972	\$ 75,000	1989	\$220,000
1973	80,000	1990	235,000
1974	85,000	1991	250,000
1975	90,000	1992	260,000
1976	100,000	1993	275,000
1977	110,000	1994	290,000
1978	115,000	1995	310,000
1979	120,000	1996	335,000
1980	130,000	1997	355,000
1981	135,000	1998	375,000
1982	145,000	1999	400,000
1983	155,000	2000	425,000
1984	165,000	2001	450,000
1985	175,000	2002	480,000
1986	180,000	2003	510,000
1987	190,000	2004	530,000
1988	200,000	2005	550,000

Said Bonds may be redeemed prior to their scheduled maturities, at the option of said Board, on the dates stated, and in the manner provided in the FORM OF BOND set forth in this Resolution.

Section 3. That the Bonds shall bear interest from their date, until maturity or redemption, at the following rates per annum:

Bonds maturing 1972 through 19__, _____%

Bonds maturing 19__ through 19__, _____%

Bonds maturing 19__ through 19__, _____%

Bonds maturing 19__ through 19__, _____%

Bonds maturing 19__ through 19__, _____%

Bonds maturing ____ through ____, _____%

Said interest shall be evidenced by interest coupons which shall appertain to said Bonds, and which shall be payable on the dates set forth in the FORM OF BOND set forth in this Resolution.

Section 4. That the Bonds, and the interest coupons appertaining thereto, shall be payable, shall have the characteristics, and shall be signed and

executed (and said Bonds shall be sealed), all as provided, and in the manner indicated, in the FORM OF BOND set forth in this Resolution.

Section 5. That the form of said Bonds, including the form of Registration Certificate of the Comptroller of Public Accounts of the State of Texas to be printed and endorsed on each of said Bonds, and the form of the aforesaid interest coupons which shall appertain and be attached initially to each of said Bonds, shall be, respectively, substantially as follows:

FORM OF BOND:

NO. _____ \$5,000

UNITED STATES OF AMERICA
STATE OF TEXAS
BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM
THE UNIVERSITY OF TEXAS AT EL PASO
BUILDING REVENUE BOND
SERIES 1969

ON NOVEMBER 1, _____, the BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, for and on behalf of THE UNIVERSITY OF TEXAS AT EL PASO, promises to pay to bearer the principal amount of

FIVE THOUSAND DOLLARS

and to pay interest thereon, from the date hereof, at the rate of _____% per annum, evidenced by interest coupons payable NOVEMBER 1, 1969, and semi-annually thereafter on each MAY 1 and NOVEMBER 1 while this bond is outstanding. The principal of this bond and the interest coupons appertaining hereto shall be payable to bearer, in lawful money of the United States of America, without exchange or collection charges to the bearer, upon presentation and surrender of this bond or proper interest coupon at the

_____,
_____, _____,
or, at the option of the bearer, at the _____
_____,
_____, _____,

which places shall be the paying agents for this Series of bonds.

THIS BOND is one of a Series of negotiable, serial, coupon bonds, dated MAY 1, 1969, issued in the principal amount of \$8,500,000 in accordance with Article 2909c, Vernon's Annotated Texas Statutes, as amended, and authorized pursuant to a Resolution duly adopted by said Board, for the purpose of PAYING THE COST OF CONSTRUCTING, ACQUIRING, IMPROVING, AND

EQUIPPING BUILDINGS AND OTHER STRUCTURES, AND
ADDITIONS TO BUILDINGS AND OTHER STRUCTURES, AND
ACQUIRING LAND THEREFOR, AT THE UNIVERSITY OF TEXAS
AT EL PASO.

ON MAY 1, 1984, OR ON ANY INTEREST PAYMENT
DATE THEREAFTER, the outstanding bonds of this Series
may be redeemed prior to their scheduled maturities,
at the option of said Board, IN WHOLE, OR IN PART,
for the principal amount thereof and accrued interest
thereon to the date fixed for redemption, plus a
premium on the principal amount of each such bond to
be so redeemed, as follows: 2% if redeemed on or
before November 1, 1988; 1-1/2% if redeemed after
November 1, 1988, but on or before November 1, 1994;
1% if redeemed after November 1, 1994, but on or
before November 1, 2000; and 1/2 of 1% if redeemed
after November 1, 2000.

AT LEAST thirty days prior to the date fixed
for any such redemption said Board shall cause a
written notice of such redemption to be published
at least once in a financial publication published
in the City of New York, New York. By the date
fixed for such redemption due provision shall be
made with the paying agents for the payment of
the required redemption price. If such written
notice of redemption is published and if due provision

for such payment is made, all as provided above, the bonds which are to be so redeemed thereby automatically shall be redeemed prior to their scheduled maturities, and they shall not bear interest after the date fixed for redemption, and they shall not be regarded as being outstanding except for the purpose of being paid by the paying agents with the funds so provided for such payment.

IT IS HEREBY certified, recited, and covenanted that this bond has been duly and validly issued and delivered; that all acts, conditions, and things required or proper to be performed, exist, and be done precedent to or in the issuance and delivery of this bond have been performed, existed, and been done in accordance with law; and that the interest on and principal of this bond and the Series of which it is a part are secured by and payable from an irrevocable first lien on and pledge of the Net Revenues of the Housing System, an irrevocable lien on and pledge of the Net Revenues of the Encumbered Facilities, subject only to the prior lien and pledge presently existing thereon in connection with the Encumbered Facilities Bonds, and an irrevocable first lien on and pledge of the Gross Revenues to be derived from Student Fees, as defined and provided in the Resolution authorizing this Series of bonds.

SAID BOARD has reserved the right, subject to the restrictions stated in said Resolution authorizing this Series of bonds, to issue additional parity revenue bonds which also may be secured by and made payable from an irrevocable first lien on and pledge of the aforesaid Net Revenues of the Housing System, an irrevocable lien on and pledge of the aforesaid Net Revenues to be derived from the Encumbered Facilities, subject only to the prior lien and pledge presently existing thereon in connection with the Encumbered Facilities Bonds, and an irrevocable first lien on and pledge of the aforesaid Gross Revenues to be derived from Student Fees.

THE HOLDER hereof shall never have the right to demand payment of this obligation out of any funds raised or to be raised by taxation.

IN WITNESS WHEREOF, this bond and the interest coupons appertaining hereto have been signed with the facsimile signature of the Chairman of said Board and countersigned with the facsimile signature of the Secretary of said Board, and the official seal of said Board has been duly impressed, or placed in facsimile, on this bond.

XXXXXXXXXX

Secretary, Board of Regents
The University of Texas
System

XXXXXXXXXX

Chairman, Board of Regents
The University of Texas
System

FORM OF REGISTRATION CERTIFICATE:

COMPTROLLER'S REGISTRATION CERTIFICATE: REGISTER NO.

I hereby certify that this bond has been examined, certified as to validity, and approved by the Attorney General of the State of Texas, and that this bond has been registered by the Comptroller of Public Accounts of the State of Texas.

Witness my signature and seal this

XXXXXXXX
Comptroller of Public Accounts
of the State of Texas

FORM OF INTEREST COUPON:

NO. _____ \$ _____

ON _____ 1, _____

THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM,
for and on behalf of THE UNIVERSITY OF TEXAS AT EL PASO,
promises to pay to bearer the amount shown on this interest coupon, in lawful money of the United States of America, without exchange or collection charges to the bearer, unless due provision has been made for the redemption prior to maturity of the bond to which this interest coupon appertains, upon presentation and surrender of this interest coupon, at the _____,
_____, or, at the option of
the bearer, at the _____

_____,
_____, said amount being
interest due that day on the bond, bearing the num-
ber hereinafter designated, of that issue of BOARD OF
REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, THE UNIVER-
SITY OF TEXAS AT EL PASO, BUILDING REVENUE BONDS,
SERIES 1969, DATED MAY 1, 1969. The holder hereof
shall never have the right to demand payment of this
obligation out of any funds raised or to be raised
by taxation. Bond No. _____.

Secretary, Board of Regents _____
Chairman, Board of Regents

Section 6. That throughout this Resolution the following terms as used herein shall have the meanings set forth below, unless the text hereof specifically indicates otherwise:

The term "Board" shall mean the Board of Regents of The University of Texas System.

The term "University" shall mean The University of Texas at El Paso.

The term "Gymnasium Facilities" shall mean the existing buildings and facilities therein known as the Memorial Gymnasium, and the Women's Gymnasium, located on the campus of the University, which provide physical training, sports, athletic, and other gymnasium facilities for students at the University, together with all improvements and additions thereto, and any

replacements thereof. It is hereby determined and declared that the Gymnasium Facilities are revenue-producing facilities at the University.

The term "Library Facilities" shall mean the existing building and facilities therein known as the Library on the campus of the University, and all other libraries and library facilities on the campus of the University which provide library facilities for students at the University, together with all improvements and additions thereto, and any replacements thereof. It is hereby determined and declared that the Library Facilities are revenue-producing facilities at the University.

The term "Housing System" shall mean and include the following facilities owned and operated by the Board on the campus of the University:

a. The following new facilities to be constructed with the proceeds from the sale of these Bonds:

- (1) A new dormitory for approximately 422 men students;
- (2) A new dormitory for approximately 326 women students; and
- (3) A new commons building.

b. The existing dormitories known as Hudspeth Hall and Bell Hall.

c. Any facilities at any time hereafter added to the Housing System in connection with Additional Bonds, or otherwise, as provided by this Resolution.

d. The Encumbered Facilities when the Encumbered Facilities Bonds shall have been retired.

e. All buildings, facilities and services of all of the foregoing, together with all improvements, extensions, and additions thereto and replacements thereof.

The term "Student Fees" or "Use Fees" shall mean the gross collections of the fees to be fixed, charged, and collected from all students regularly enrolled at the University, for the use and availability of the Gymnasium Facilities and/or the Library Facilities, in the manner and to the extent provided by this Resolution.

The term "Encumbered Facilities" shall mean and include the existing facilities on the Campus of the University known as Burges Hall, a dormitory with a capacity for approximately 180 students and TWC Village, consisting of apartments for 60 families.

The term "Encumbered Facilities Bonds" shall mean the Board of Regents of the University of Texas, Texas Western College of The University of Texas

Student Housing Revenue Bonds of 1961, part of which bonds are presently outstanding and secured by a first lien on and pledge of the net revenues derived from the Encumbered Facilities.

The term "Gross Revenues," when used with reference to Student Fees or any facility or facilities, shall mean all of the revenues and income of every nature derived therefrom or from the operation and/or ownership thereof.

The term "Current Expenses" when used with reference to any facility or facilities, shall mean all necessary operating expenses, current maintenance charges, expenses of reasonable upkeep and repairs, cost of food served, properly allocated share of charges for insurance, and all other expenses incident to the maintenance and operation thereof, but shall exclude depreciation and all general expenses of the University, and payments into any funds or accounts created by this Resolution.

The term "Net Revenues," when used with reference to any facility or facilities, shall mean all Gross Revenues derived therefrom, after deduction of the Current Expenses thereof.

The term "Bonds" shall mean the Bonds authorized by this Resolution.

The term "Additional Bonds" shall mean the

additional parity revenue bonds permitted to be authorized in this Resolution.

Section 7. That the Bonds and Additional Bonds are and shall be secured by and payable from an irrevocable first lien on and pledge of the Net Revenues of the Housing System, an irrevocable lien on and pledge of the Net Revenues of the Encumbered Facilities, subject only to the prior lien and pledge presently existing thereon in connection with the Encumbered Facilities Bonds, and an irrevocable first lien on and pledge of the Gross Revenues to be derived from Student Fees, and said Net Revenues and Gross Fees are further pledged irrevocably to the establishment and maintenance of the Interest and Redemption Fund and Reserve Fund, hereinafter created.

Section 8. That the Bonds and Additional Bonds, and interest coupons appertaining thereto, shall constitute special obligations of the Board, payable solely from the pledged Net Revenues and Student Fees, and such obligations shall not constitute a prohibited indebtedness of the University, the Board, nor the State of Texas, and the holders of the Bonds and Additional Bonds, and the coupons attached thereto shall never have the right to demand payment out of funds raised or to be raised

by taxation.

Section 9. (a) That there is hereby created and ordered to be established on the books of the University a separate account to be entitled the "Housing System Revenue Fund" (hereinafter sometimes called the "Revenue Fund").

(b) Commencing immediately after the delivery of the Bonds, all Gross Revenues of the Housing System shall be credited as received to the Revenue Fund; and further, all unencumbered revenues of the Encumbered Facilities System shall be deposited as they become available, to the credit of the Revenue Fund; it being the intention of, and being required by, this Resolution that the currently existing lien and pledge in connection with the Encumbered Facilities Bonds shall remain undisturbed; but it is covenanted and agreed that no additional liens or pledges shall be created in connection with the revenue of the Encumbered Facilities, except as specifically permitted by this Resolution; and that during the existence of said current lien and pledge, only the unencumbered surplus or excess Net Revenues of said Encumbered Facilities shall be deposited in the Revenue Fund; but when said existing lien and pledge is extinguished, the Encumbered Facilities automatically shall become a part of the Housing System for all

purposes, and the Gross Revenues of the Housing System, including the Gross Revenues of the former Encumbered Facilities, shall be deposited on receipt to the credit of the Revenue Fund. All Current Expenses of the Housing System shall be paid from the Revenue Fund, as a first charge against same.

Section 10. That there is hereby created and shall be established on the books of the University a separate account to be entitled the "Student Building Fees Fund." Commencing after delivery of the Bonds, all gross collections of the Student Fees shall be credited to the Student Building Fees Fund.

Section 11. That to pay the principal of and interest on all outstanding Bonds and Additional Bonds as same become due, there is hereby created and shall be established on the books of the University a separate account to be entitled the "Building Revenue Bonds Interest and Redemption Fund" (hereinafter sometimes called the "Interest and Redemption Fund").

Section 12. That there is hereby created and ordered to be established, at an official depository of the Board (which must be a member of the Federal Deposit Insurance Corporation), a separate fund to be known as the "Building Revenue Bonds, Reserve Fund" (hereinafter sometimes called the "Reserve Fund"). The Reserve Fund shall be used finally

in retiring the last of the outstanding Bonds and Additional Bonds, if any, or for paying principal of and interest on any outstanding Bonds and Additional Bonds, when and to the extent the amount in the Interest and Redemption Fund is otherwise insufficient for such purpose.

Section 13. That there is hereby created and ordered to be established, at an official depository of the Board (which must be a member of the Federal Deposit Insurance Corporation), a separate fund to be known as the "Housing System Facilities Construction Fund" (hereinafter sometimes called the "Construction Fund"). Immediately after delivery of the Bonds, the Board shall deposit to the credit of the Construction Fund an amount of money at least equal to the total cost of construction of the Housing System facilities to be constructed with the proceeds from the sale of the Bonds, exclusive of interest during construction appropriated by this Resolution; the Construction Fund shall be used only for paying the cost of construction of such facilities, and any money remaining in such Fund after final completion of and payment for the construction of such facilities shall be deposited to the credit of the Interest and Redemption Fund.

Section 14. INVESTMENTS. Money in every fund

created by this Resolution may, at the option of the Board, be placed in time deposits or be invested in direct obligations of the United States of America; obligations which, in the opinion of the Attorney General of the United States, are general obligations of the United States and backed by its full faith and credit; all obligations guaranteed by the United States of America; evidences of indebtedness of the Federal Land Banks, Federal Intermediate Credit Banks, Banks for Cooperatives, Federal Home Loan Banks, or Federal National Mortgage Association; provided that all such deposits and investments shall be made in such manner that the money required to be expended from any fund will be available at the proper time or times. Any obligations in which money is so invested shall be kept and held for the benefit of the holders of the Bonds and all Additional Bonds, and shall be promptly sold and the proceeds of the sale applied to the making of all payments required to be made from the fund from which the investment was made. All such investments shall be valued in terms of current market value as of June 30 and December 31 of each year.

Section 15. (a) That immediately after the delivery of the Bonds, all accrued interest and any premium received from the sale of the Bonds shall be deposited to the credit of the Interest and Redemption

Fund. Simultaneously, the sum of \$300,000 from the proceeds of the sale of the Bonds shall be transferred and deposited to the credit of the Interest and Redemption Fund. It is hereby found and determined that said \$300,000 is at least equal to the unearned interest during construction on the Housing System facilities to be constructed from the proceeds of these Bonds.

(b) That on or before the 20th day of October, 1969, and semi-annually thereafter, on or before the 20th day of each April and October, the Board shall transfer from the Net Revenues in the Revenue Fund and/or from the Use Fees in the Student Building Fees Fund and deposit to the credit of the Interest and Redemption Fund an amount of money which, when added to any then current balance in the Interest and Redemption Fund, will be equal to not less than the interest scheduled to become due on the Bonds on the next succeeding interest payment date. In calculating the current balance for the purposes of this paragraph, any balances in the Interest and Redemption Fund which are the result of deposits made under paragraph 15(c) hereof, shall be excluded.

(c) That on or before the 20th day of April, 1972, and semi-annually thereafter, on or before the 20th day of each October and April, the Board shall transfer from the Net Revenues in the Revenue Fund and/or the Use Fees in the Student Building Fees Fund and deposit to the credit of the Interest and Redemption Fund an amount

equal to one-half of all principal scheduled to mature and come due on the Bonds on the next succeeding November 1.

Section 16. That on or before the 20th day of October, 1969, and semi-annually thereafter on or before the 20th day of each April and October, the Board shall transfer from the Net Revenues in the Revenue Fund and/or the Use Fees in the Student Building Fees Fund and deposit to the credit of the Reserve Fund the sum of not less than \$60,000; provided, however, that when the total amount of money in investments in the Reserve Fund is at least equal to the aggregate amount of \$600,000 in market value, then such deposits into the Reserve Fund may be discontinued, unless and until the Reserve Fund should be depleted to less than said aggregate amount in market value, in which case such deposits shall be resumed and continued until the Reserve Fund is restored to said aggregate amount.

Section 17. (a) That if on any occasion there shall not be sufficient pledged Net Revenues or Use Fees available to make the required deposits into the Interest and Redemption Fund or the Reserve Fund, then such deficiency shall be made up as soon as possible from the next available pledged Net Revenues and Use Fees, or from any other sources lawfully available for such purpose.

(b) That subject to making all deposits to the credit of the Interest and Redemption Fund and the

Reserve Fund, as required by this Resolution, or any resolution authorizing the issuance of Additional Bonds, any surplus Net Revenues in the Revenue Fund and Use Fees in the Student Building Fees Fund shall be used by the Board to pay premiums on insurance required to be carried by this Resolution, to the extent such premiums are not actually paid from some other source, and any other surplus Net Revenues and Use Fees may be used by the Board for any lawful purpose.

Section 18. That the Board covenants and agrees at all times to fix, levy, charge, and collect a uniform Student Fee from each student regularly enrolled at the University at each regular fall and spring semester and at each term of each summer session, for the use and availability of any one, or all, of the Gymnasium Facilities and the Library Facilities, in such amounts, without any limitation whatsoever, as will be at least sufficient at all times, together with the Net Revenues of the Housing System and any surplus Net Revenues from the Encumbered Facilities, to provide money for making all deposits required to be made to the credit of the Interest and Redemption Fund and the Reserve Fund in connection with the Bonds and any Additional Bonds, and for paying the premiums on the insurance required to be carried

by this Resolution, to the extent such premiums are not actually paid from some other source. It is hereby officially found, determined and declared by the Board that said Student Fees in such amounts are reasonable in all respects, taking into consideration all factors involved.

Commencing with the first term of the summer session of the University beginning in June, 1969, the Board hereby fixes and covenants and agrees to levy, charge and collect from each student regularly enrolled at the University, a uniform Student Fee for the use and availability of any one, or all, of the Gymnasium Facilities and the Library Facilities, in the amounts as follows:

a. \$14.00 per term from each student regularly enrolled in the University at each term of each summer session; and

b. \$28.00 per semester from each student regularly enrolled in the University at each of the regular fall and spring semesters;

and such Use Fees shall be and remain in effect in at least said amounts through the 1969-70 fiscal year of the University, but shall be increased if required by this Section.

Section 19. (a) That the Board shall have the

right and power at any time and from time to time, and in one or more series or issues, to authorize, issue, and deliver additional parity revenue bonds (herein called "Additional Bonds") in any amounts, for any lawful purpose. Such Additional Bonds, if and when authorized, issued, and delivered in accordance with this Resolution, shall be secured and payable equally and ratably on a parity with the Bonds, and all other outstanding Additional Bonds, by a first lien on and pledge of the Net Revenues to be derived from the Housing System and a lien on and pledge of the Net Revenues to be derived from the Encumbered Facilities, subject only to the prior lien and pledge presently existing thereon in connection with the Encumbered Facilities Bonds, and a first lien on and pledge of the Gross Revenues to be derived from the Student Fees.

(b) Each resolution under which Additional Bonds are issued shall provide that, in addition to the amounts required by this Resolution and any Resolution or Resolutions authorizing Additional Bonds to be deposited to the credit of the Interest and Redemption Fund and the Reserve Fund, the Board shall deposit to the credit of the Interest and Redemption Fund at least such amounts as are required for the payment of all principal of and interest on

said Additional Bonds then being issued, as the same shall become due, and shall deposit to the credit of the Reserve Fund at least such amounts, in not less than approximately equal semi-annual installments, as will, together with any other amounts already required to be deposited in the Revenue Fund in connection with the Bonds and any other outstanding Additional Bonds, be sufficient to cause the Reserve Fund to accumulate and contain within a period of not to exceed five years from the date of the Additional Bonds then being issued a total amount of money and investments at least equal in market value to the average annual principal and interest requirements of such proposed Additional Bonds and the then outstanding Bonds, and any then outstanding Additional Bonds, and that thereafter such deposits shall be made to the credit of the Reserve Fund as will cause the Reserve Fund at all times to contain a total amount of money and investments at least equal in market value to the average annual principal and interest requirements of such proposed Additional Bonds, the then outstanding Bonds, and any then outstanding Additional Bonds.

(c) The principal of all Additional Bonds must be scheduled to be paid or to mature on November 1 of the years in which such principal is scheduled to be

paid or mature; and all interest thereon must be payable on May 1 and November 1; and any redemption of the principal thereof prior to maturity shall be permitted only as of May 1 or November 1.

Section 20. Additional Bonds shall be issued only in accordance with this Resolution, and no installment, series, or issue of Additional Bonds shall be issued or delivered unless:

(a) The senior financial officer of the University signs a written certificate to the effect that the Board is not in default as to any covenant, condition, or obligation in connection with all outstanding Bonds and Additional Bonds, and the Resolutions authorizing same, and that the Interest and Redemption Fund and Reserve Fund each contains the amount then required to be therein.

(b) The State Auditor of the State of Texas, or a certified public accountant, signs a written certificate to the effect that, during either the University's fiscal year, or the twelve calendar month period, next preceding the date of execution of such certificate, the Net Revenues of the Housing System and Gross Revenues derived from Student Fees, together with any other amounts pledged to the payment of Bonds

and Additional Bonds, were at least equal to 1.25 times the average annual principal and interest requirements of all then outstanding Bonds and Additional Bonds.

(c) The senior financial officer of the University signs a written certificate to the effect that during each University fiscal year while any Bonds or Additional Bonds, including the proposed Additional Bonds, are scheduled to be outstanding, the estimated Net Revenues of the Housing System and Gross Revenues to be derived from Student Fees, together with any other amounts pledged to the payment of Bonds and Additional Bonds, will be at least equal to 1.25 times the average annual principal and interest requirements of all then outstanding Bonds and Additional Bonds and the then proposed Additional Bonds.

Section 21. On or before the 25th day of October, 1969, and on or before the 25th day of each April and of each October thereafter while any of the Bonds and Additional Bonds, if any, are outstanding and unpaid, there shall be made available to the paying agents therefor, out of the Interest and Redemption Fund, money sufficient to pay such interest on and such principal of the Bonds and Additional Bonds,

if any, as will accrue or mature on the November 1 or May 1 immediately following. The paying agents shall totally destroy all paid bonds and coupons and furnish the Board with an appropriate certificate of destruction covering the bonds and coupons thus destroyed.

Section 22. (a) That all money in all Funds created by this Resolution, to the extent not invested, shall be secured in the manner prescribed by law for securing funds of The University of Texas System, in principal amounts at all times not less than the amounts of money credited to such Funds, respectively.

(b) That whenever the total amount in the Interest and Redemption Fund and the Reserve Fund shall be equivalent to (1) the aggregate principal amount of Bonds and Additional Bonds, if any, outstanding, plus (2) the aggregate amount of all unpaid coupons thereto appertaining unmatured and matured, no further payments need be made into the Interest and Redemption Fund or the Reserve Fund. In determining the amount of Bonds or Additional Bonds outstanding, there shall be subtracted the amount of any Bonds or Additional Bonds which shall have been duly called for redemption and for which funds shall have been deposited with the paying agents sufficient

for such redemption.

Section 23. The Board covenants and agrees that:

(a) It will faithfully perform at all times any and all covenants, undertakings, stipulations, and provisions contained in this Resolution and in each and every Bond and Additional Bond; that it will promptly pay or cause to be paid the principal of and interest on every Bond and Additional Bond, on the dates and at the places and in the manner prescribed in such Bond or Additional Bond; and that it will, at the times and in the manner prescribed herein, deposit or cause to be deposited the amounts of money specified herein.

(b) It is duly authorized under the laws of the State of Texas to create and issue the Bonds; that all action on its part for the creation and issuance of the Bonds has been duly and effectively taken, and that the Bonds in the hands of the holders and owners thereof are and will be valid and enforceable special obligations of the Board in accordance with their terms.

(c) It lawfully owns and is lawfully

possessed of the lands upon which the Gymnasium Facilities, the Library Facilities, the Housing System and the Encumbered Facilities are and will be located, and has a good and indefeasible estate in such lands in fee simple, that it warrants that it has, and will defend, the title to all the aforesaid lands and facilities, and every part thereof and all improvements thereon, for the benefit of the holders and owners of the Bonds and Additional Bonds against the claims and demands of all persons whomsoever, that it is lawfully qualified to pledge the Net Revenues and Gross Revenues herein pledged to the payment of the Bonds and Additional Bonds in the manner prescribed herein, and has lawfully exercised such rights.

(d) It will from time to time and before the same become delinquent pay and discharge all taxes, assessments, and governmental charges, if any, which shall be lawfully imposed upon it, or the Gymnasium Facilities, the Library Facilities, the Housing System or the Encumbered Facilities, that it will pay all lawful claims for rents, royalties, labor, materials, or supplies which if unpaid might by law become a lien

or charge upon any of the aforesaid facilities, the lien of which would be prior to or interfere with the liens hereof, so that the priority of the liens granted hereunder shall be fully preserved in the manner provided herein, and that it will not create or suffer to be created any mechanic's, laborer's, materialman's or other lien or charge which might or could be prior to the liens hereof, or do or suffer any matter or thing whereby the liens hereof might or could be impaired; provided, however, that no such tax, assessment, or charge, and that no such claims which might be used as the basis of a mechanic's, laborer's, materialman's or other lien or charge, shall be required to be paid so long as the validity of the same shall be contested in good faith by the Board.

(e) It will not do or suffer any act or thing whereby the Gymnasium Facilities, the Library Facilities, the Housing System or the Encumbered Facilities might or could be impaired, and that it will at all times maintain, preserve, and keep the real and tangible property of the Gymnasium Facilities, the Library Facilities, the Housing System and

the Encumbered Facilities, and every part thereof, in good condition, repair, and working order and operate, maintain, preserve, and keep all structures and equipment pertaining thereto and every part and parcel thereof in good condition, repair, and working order. It is covenanted and agreed that all Current Expenses of the Housing System will be paid from the Gross Revenues in the Revenue Fund, or from any other funds available to the University or Board. It is further specifically covenanted that the Board will establish and maintain so long as any of the Bonds or Additional Bonds are outstanding, such parietal rules, rental rates, and charges for the use of the Housing System and the Encumbered Facilities as may be necessary to assure maximum occupancy and use of the same and all of the facilities and services afforded thereby, and to provide Gross Revenues at least sufficient to pay all Current Expenses of the Housing System and the Encumbered Facilities, and Net Revenues, which together with the Student Fees will be at all times sufficient to make all deposits required to be made into the Interest and Sinking Fund and the Reserve

Fund in connection with the Bonds and any Additional Bonds.

(f) While the Bonds or Additional Bonds, if any, are outstanding and unpaid, the Board shall not additionally encumber the pledged Net Revenues or Gross Revenues to be derived from Student Fees in any manner, except as permitted in this Resolution in connection with Additional Bonds, unless said encumbrance is made junior and subordinate in all respects to the liens, pledges, covenants, and agreements of this Resolution.

(g) While the Bonds or any Additional Bonds are outstanding the Board will not encumber, sell, lease, abandon, or otherwise dispose of any real or personal property of the Gymnasium Facilities, the Library Facilities, the Housing System or the Encumbered Facilities, unless the Board provides for the replacement thereof with substantially equal or superior facilities, or unless the Board determines that such real or personal property is no longer needed or is no longer useful, and that the disposition thereof will not adversely affect the University or the operation and maintenance of the Gymnasium Facilities,

the Library Facilities, the Housing System or the Encumbered Facilities.

(h) At all times hereafter the Board shall procure boiler explosion insurance on all steam boilers servicing the Gymnasium Facilities, Library Facilities, and the Housing System, in an amount not less than \$50,000 against loss suffered by reason of a boiler explosion. Further, at all times hereafter the Board shall procure fire and extended coverage insurance on the Gymnasium Facilities, the Library Facilities, and the Housing System. The foregoing boiler explosion and fire and extended coverage insurance shall be maintained so long as Bonds or Additional Bonds are outstanding, and such fire and extended coverage insurance shall be in amounts at least sufficient to provide for full recovery to the extent that the damage does not exceed 80% of the full insurable value. Such insurance shall be carried with a reliable insurance company or companies. In lieu of providing fire and extended coverage insurance as required above, the Board may, at its option, provide the equivalent of such insurance under its System-Wide Fire and Extended Coverage Insurance Policy, subject to a deductible provision

which is reasonable in amount, provided that the Board establishes and maintains a special account containing funds which are at least sufficient to offset said deductible amount and which are immediately available for such purpose. Upon the happening of any loss or damage covered by such insurance from one or more of said causes, the Board shall make due proof of loss and shall do all things necessary or desirable to cause the insuring companies to make payment in full directly to the Board. The proceeds of insurance covering such property, together with any other funds necessary and available for such purpose, shall be used forthwith by the Board for repairing the property damaged or replacing the property destroyed; provided, however, that if any insurance proceeds and other funds are insufficient for such purpose, then said insurance proceeds shall be used promptly as follows:

(1) For the redemption prior to maturity of the Bonds and Additional Bonds, if any, ratably in the proportion that the outstanding principal of each series or issue of Bonds or Additional Bonds bears to the total outstanding principal of all

Bonds and Additional Bonds; provided that if on any such occasion the principal of any such series or issue is not subject to redemption, it shall not be regarded as outstanding in making the foregoing computation; or

(2) If none of the outstanding Bonds or Additional Bonds are subject to redemption, then for the purchase on the open market and retirement of said Bonds and Additional Bonds, in the same proportion as prescribed in the foregoing clause (1), to the extent practicable; provided that the purchase price for any such bond or additional bond shall not exceed the redemption price of such Bond or Additional Bond on the first day upon which it becomes subject to redemption; or

(3) To the extent that the foregoing clauses (1) and (2) cannot be complied with at the same time, the insurance proceeds, or the remainder thereof, shall be deposited in a special and separate trust fund, at an official depository of the Board, to be designated the Insurance Account. The Insurance Account shall be held until such

time as the foregoing clauses (1) and (2) can be complied with, or until other funds become available which, together with the Insurance Account, will be sufficient to make the repairs or replacements originally required, whichever of said events occurred first.

(i) While the Encumbered Facilities Bonds are outstanding, it will comply with the various covenants and obligations contained in the Resolutions authorizing such Bonds, particularly with reference to insurance requirements; and that when said Bonds are no longer outstanding and the present lien and pledge in connection therewith have been extinguished, then the Board shall procure and maintain boiler and fire and extended coverage insurance, and use and occupancy insurance, on the Encumbered Facilities as a part of the Housing System.

(j) At all times when the Reserve Fund does not contain a total amount of money and investments at least equal in market value to the average annual principal and interest requirements of the Bonds and any Additional Bonds then outstanding, the Board shall procure and maintain business interruption insurance on all facilities, buildings and structures of the Gymnasium Facilities, Library Facilities, and the Housing System, to the extent

obtainable, in an amount sufficient to enable the Board to deposit in the Interest and Redemption Fund and the Reserve Fund, out of the proceeds of such insurance, an amount equal to the sums that are required to be deposited in said funds during the time the Gymnasium Facilities, Library Facilities and/or Housing Facilities are wholly or partially unusable, as a result of loss of use or occupancy caused by the perils covered by fire and extended coverage insurance.

(k) It will, as soon as practicable after the delivery of the Bonds, and on or before February 1 of each year thereafter, file with the original purchasers of the Bonds a certificate signed by the senior financial officer of the University stating that the Board has complied with the requirements of this Section with respect to the maintenance of insurance, and listing all policies carried, and that all insurance premiums upon the insurance policies to which reference is hereinbefore made have been paid.

(l) Proper books of record and account will be kept in which full, true, and correct entries will be made of all dealings, activities,

and transactions relating to the pledged Net Revenues and Gross Revenues to be derived from Student Fees, and all books, documents, and vouchers relating thereto shall at all reasonable times be made available for inspection upon request by the holders of not less than 25% of the outstanding Bonds and Additional Bonds.

(m) That each year while the Bonds or Additional Bonds, if any, are outstanding, an audit will be made of its books and accounts relating to the pledged Net Revenues and Gross Revenues to be derived from Student Fees by the State Auditor of the State of Texas, or a certified public accountant, such audit to be based on the fiscal year of the University beginning on September 1 of each year and ending on August 31 of each year. As soon as practicable after the close of each such fiscal year, and when said audit has been completed and made available to the Board, a copy of such audit for the preceding fiscal year shall be mailed to the original purchasers of the Bonds, and to all bondholders who shall so request. Such annual audit reports shall be open to the inspection of the bondholders and their agents and representatives

at all reasonable times.

Section 24. That the Chairman of the Board of Regents is hereby authorized to have control of said Bonds and all necessary records and proceedings pertaining to said Bonds pending their delivery and their investigation, examination, and approval by the Attorney General of the State of Texas, and their registration by the Comptroller of Public Accounts of the State of Texas. Upon registration of said Bonds, said Comptroller of Public Accounts (or a deputy designated in writing to act for said Comptroller) shall manually sign the Comptroller's Registration Certificate printed and endorsed on each of said Bonds, and the seal of said Comptroller shall be impressed, or placed in facsimile, on each of said Bonds.

Section 25. That the Bonds are hereby sold and shall be delivered to _____
_____,
for the price of par and accrued interest to the date of delivery, plus a premium of \$ _____.

RESOLUTION OF THE BOARD OF REGENTS OF THE UNIVERSITY
OF TEXAS SYSTEM CONCERNING PARIETAL RULES AND REGULA-
TIONS IN CONNECTION WITH THE ISSUANCE OF THE \$8,500,000
BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM,
THE UNIVERSITY OF TEXAS AT EL PASO, BUILDING REVENUE
BONDS, SERIES 1969; AND CONTAINING OTHER PROVISIONS
RELATING THERETO

WHEREAS, concurrently with the adoption of this Resolution the Board of Regents of the University of Texas System has adopted a Resolution authorizing the issuance of its "BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, THE UNIVERSITY OF TEXAS AT EL PASO, BUILDING REVENUE BONDS, SERIES 1969," (hereinafter sometimes called the "Bonds") dated May 1, 1969, and secured by and payable from an irrevocable first lien on and pledge of the Net Revenues of the Housing System, an irrevocable lien on and pledge of the Net Revenues of the Encumbered Facilities, subject only to the prior lien and pledge presently existing thereon in connection with the Encumbered Facilities Bonds, and an irrevocable first lien on and pledge of the Gross Revenues to be derived from Student Fees, as defined and provided in the Resolution authorizing said Bonds; and

WHEREAS, the Board is authorized to enter into agreements relating to the maintenance of a maximum percentage of occupancy and use of the facilities and services afforded by the Housing System and Encumbered Facilities; and

WHEREAS, the Board has covenanted and agreed that it will at all times while any part of the principal of or interest on said Bonds is outstanding and unpaid, establish and maintain such parietal rules and regulations as are necessary to assure maximum occupancy and use of the facilities and services afforded by the Housing System and Encumbered Facilities; therefore

BE IT RESOLVED BY THE BOARD OF REGENTS OF THE UNIVERSITY
OF TEXAS SYSTEM:

Section 1: That the Board hereby establishes and covenants to enforce so long as any part of the principal of or interest on the Bonds is outstanding and unpaid these parietal rules and regulations which will assure maximum occupancy and use of the facilities and services afforded by the Housing System and Encumbered Facilities.

Section 2: That in the event more space should become available for dormitory and housing purposes than is required by the students applying for such space, the administrative officers of The University of Texas System and of The University of Texas at El Paso are authorized and directed to give preference and priority to the use of the Housing System and Encumbered Facilities, even if such preference and priority results in the non-use of all or part of other space available at The University of Texas at El Paso for dormitory or housing purposes, subject only to the provisions of a Resolution adopted by the Board of Regents of the University of Texas on the 5th day of October, 1962, wherein said Board covenanted to establish and maintain parietal rules and regulations which would assure maximum use and occupancy of the facilities afforded by the Encumbered Facilities in connection with the issuance by said Board of the "BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS, TEXAS WESTERN COLLEGE OF THE UNIVERSITY OF TEXAS STUDENT HOUSING REVENUE BONDS OF 1961", dated October 1, 1961, a part of which bonds are presently outstanding.

Section 3: That, subject only to the provisions of the aforesaid Resolution adopted on the 5th day of October, 1962, to the extent any surplus space shall become available in the Housing System or Encumbered Facilities while any part of the

principal of or interest on the Bonds is outstanding and unpaid, it shall be the duty of the administrative officers of The University of Texas System and of The University of Texas at El Paso to enforce a rule requiring occupancy and use, to the extent practicable, of the Housing System and the Encumbered Facilities by students attending The University of Texas at El Paso, and this provision shall be considered as a rule for the guidance of said administrative officers.

Section 4: That the administrative officers of The University of Texas System and of The University of Texas at El Paso are hereby directed to utilize and cause the utilization of the facilities and services afforded by the Housing System and the Encumbered Facilities in such manner as will yield the maximum revenues of which they are reasonably capable to the end that the Bonds may be adequately serviced.

Section 5: That such rules shall be amended from time to time so as to meet changing conditions and to better assure the fulfillment of the pledges herein made.

Section 6: That notwithstanding the foregoing provisions of this Resolution, it is specifically provided that the parietal rules set forth herein shall be subordinate to all valid parietal rules heretofore adopted by the Board in connection with the issuance of any revenue bonds of the Board insofar as there may be any conflict, except that the parietal rules set forth herein shall confer a priority as to maximum use and occupancy of the facilities and services of the Housing System and the Encumbered Facilities ahead of the use and occupancy of any similar facilities and services hereafter constructed or otherwise acquired

by the Board at The University of Texas at El Paso, whether
financed through the issuance of additional parity bonds under
any Bond Resolution heretofore adopted, or adopted concurrently
herewith, or otherwise.

PASSED AND APPROVED this 2nd day of May, 1969.

/s/ Frank C. Erwin, Jr.

Chairman, Board of Regents
The University of Texas System

ATTEST:

/s/ Betty Anne Thedford

Secretary, Board of Regents

(SEAL)

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

I, the undersigned, Secretary of the Board of Regents of The University of Texas System, do hereby certify that the attached and foregoing is a true and correct copy of a Resolution adopted by said Board of Regents at a meeting thereof held on the 2nd day of May, 1969, together with an excerpt from the minutes of said meeting showing the adoption of said Resolution, as the same appears of record in the official minutes of said Board of Regents on file in my office.

WITNESS MY HAND AND THE OFFICIAL SEAL OF SAID BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM this 2nd day of May, 1969.

Secretary, Board of Regents
The University of Texas System

(SEAL)

RESOLUTION BY THE BOARD OF REGENTS OF THE UNIVERSITY
OF TEXAS SYSTEM FIXING RATES IN CONNECTION WITH THE
ISSUANCE OF THE BOARD OF REGENTS OF THE UNIVERSITY OF
TEXAS SYSTEM, THE UNIVERSITY OF TEXAS AT EL PASO,
BUILDING REVENUE BONDS, SERIES 1969; AND CONTAINING
OTHER PROVISIONS RELATING THERETO

WHEREAS, concurrently with the adoption of this Resolution the Board of Regents of the University of Texas System has adopted a Resolution authorizing the issuance of its "BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, THE UNIVERSITY OF TEXAS AT EL PASO, BUILDING REVENUE BONDS, SERIES 1969," (hereinafter sometimes called the "Bonds") dated May 1, 1969, and secured by and payable from an irrevocable first lien on and pledge of the Net Revenues of the Housing System, an irrevocable lien on and pledge of the Net Revenues of the Encumbered Facilities, subject only to the prior lien and pledge presently existing thereon in connection with the Encumbered Facilities Bonds, and an irrevocable first lien on and pledge of the Gross Revenues to be derived from Student Fees, as defined and provided in the Resolution authorizing said Bonds; and

WHEREAS, it is appropriate and proper that before the actual issuance and delivery of the Bonds, the Board adopt a Resolution which fixes reasonable and adequate rates to be charged for the facilities and services to be afforded by the Housing System and the Encumbered Facilities; therefore

BE IT RESOLVED BY THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM:

Section 1: That the following rates to be charged for the facilities and services to be afforded by the Housing System and the Encumbered Facilities are hereby fixed and estab-

lished as follows, to-wit:

	Regular Semester Room and Board Rates			Summer Session Room and Board Rates		
	<u>1968-69</u>	<u>1969-70</u>	<u>1970-71</u>	<u>1969</u>	<u>1970</u>	<u>1971</u>
Bell Hall	\$375	\$415	\$455	\$250	\$276	
Hudspeth Hall	375	415	455			
Burges Hall	407	442	480	272	294	320
TWC Village*	85	85	100	85	85	\$100
New Men's Dormitory			520			342
New Women's Dormitory			520-540			342-372

*Monthly rentals only.

Section 2: That the rates thus fixed in Section 1 of this Resolution are in amounts deemed to be reasonable and adequate by the Board, taking into consideration the cost of providing said facilities and services, the use to be made of them, and the advantages to be derived therefrom by the users thereof and by The University of Texas System and The University of Texas at El Paso. Such rates shall remain in force and effect unless changed by order of the Board, which reserves the right and has covenanted to alter or revise such rates as and when considered by it to be necessary to make the payments that it has covenanted to make in the Resolution authorizing the issuance of the Bonds.

Section 3: That the administrative officers of The University of Texas System and of The University of Texas at El Paso be, and they are hereby, authorized and directed to do any and all things necessary and/or convenient to carry out and accom-

plish the purposes of this Resolution.

PASSED AND APPROVED this 2nd day of May, 1969.

/s/ Frank C. Erwin, Jr.

Chairman, Board of Regents,
The University of Texas System

ATTEST:

/s/ Betty Anne Thedford

Secretary, Board of Regents
The University of Texas System

(SEAL)

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

I, the undersigned, Secretary of the Board of Regents of The University of Texas System, do hereby certify that the attached and foregoing is a true and correct copy of a Resolution adopted by said Board of Regents at a meeting thereof held on the 2nd day of May, 1969, together with an excerpt from the minutes of said meeting showing the adoption of said Resolution, as the same appears of record in the official minutes of said Board of Regents on file in my office.

WITNESS MY HAND AND THE OFFICIAL SEAL OF SAID BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM this 2nd day of May, 1969.

Secretary, Board of Regents
The University of Texas System

(SEAL)

Agenda of the Meeting of the Board of Regents (Continued)

Time: Following the meeting of the Committee of the Whole

D. SPECIAL ITEMS

1. Chancellor Harry Ransom
2. Chief Administrative Officers of the Component Institutions
 - a. U. T. Austin (Doctor Hackerman)
 - b. U. T. Arlington (Doctor Harrison)
 - c. U. T. El Paso (Doctor Leech)
 - d. Galveston Medical Branch
(Doctor Blocker)
 - e. Dallas Medical School
(Doctor Sprague)
 - f. San Antonio Medical School
(Doctor Pannill)
 - g. System Nursing School
(Doctor Willman)
 - h. Houston Dental Branch
(Doctor Olson)
 - i. Anderson Hospital (Doctor Clark)
 - j. G.S.B.S. (Doctor Arnim)
 - k. Division of Continuing Education
(Doctor Taylor)
 - l. Public Health School (Doctor Stallones)
3. Members of the Board of Regents
 - a. Chairman Frank C. Erwin, Jr.
 - b. Vice-Chairman Jack S. Josey
 - c. Regent W. H. Bauer
 - d. Regent Jenkins Garrett
 - e. Regent Frank N. Ikard

- f. Regent Joe M. Kilgore
- g. Regent John Peace
- h. Regent Dan C. Williams
- i. Regent E. T. Ximenes

E. REPORTS OF STANDING COMMITTEES

- 1. Executive Committee
- 2. Academic and Developmental Affairs Committee
- 3. Buildings and Grounds Committee
- 4. Land and Investment Committee
- 5. Medical Affairs Committee
- 6. Board for Lease of University Lands

F. REPORTS OF SPECIAL COMMITTEES, IF ANY

G. REPORT OF COMMITTEE OF THE WHOLE

H. ADJOURNMENT

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM
THE UNIVERSITY OF TEXAS AT EL PASO, BUILDING REVENUE BONDS, SERIES 1969
IN THE AMOUNT OF \$8,500,000

SALE OF THE BONDS.--As authorized, bids were called for and received until 10:30 a.m. CDT, on May 1, 1969, and then publicly opened and tabulated. A copy of the tabulation is attached.

It is recommended by the Executive Director, Investments, Trusts and Lands, that the Board of Regents adopt the resolution authorizing the issuance of the bonds and the sale to a syndicate composed of First National City Bank, N.Y.; Morgan Guaranty Trust Company of New York; Salomon Bros. & Hutzler, and First National Bank in Dallas (Joint Managers and Associates).

It is further recommended that the resolution fixing rates in the Housing System at U. T. El Paso be adopted in connection with the issuance of the bonds.

It is further recommended that the resolution concerning parietal rules and regulations in the Housing System at U. T. El Paso be adopted in connection with the issuance of the bonds.

DESIGNATION OF PAYING AGENCY.--Attached is a tabulation of the bids received and publicly opened and tabulated at 2:00 p.m., April 30, 1969, CDT, in accordance with specifications furnished prospective bidders.

It is recommended by the Executive Director, Investments, Trusts and Lands, that the bid of the El Paso National Bank to serve as paying agent for this issue be accepted. The bank will charge twenty cents (20¢) per coupon and \$1.75 per bond paid. The New York paying agent is Bankers Trust Company.

AWARD OF CONTRACT FOR PRINTING THE BONDS.--Attached is a tabulation of the bids received and publicly opened and tabulated at 2:00 p.m., April 30, 1969, CDT, in accordance with specifications previously furnished companies bidding on University issues in recent years.

It is recommended by the Executive Director, Investments, Trusts and Lands, that the bid of the Steck-Warlick Company, The Steck Division, Austin, be accepted for printing the bonds with lithographed borders, as set out in the specifications, for the sum of \$679.00, there being 4 interest rates.

TABULATION OF BIDS
\$8,500,000
THE UNIVERSITY OF TEXAS AT EL PASO

BUILDING REVENUE BONDS, SERIES 1969

Opened: Thursday, May 1, 1969; 10:30 A.M., C.D.T.

ACCOUNT	COUPONS	INTEREST COST	EFFECTIVE RATE
First National City Bank, NY Morgan Guaranty Trust Co. of NY Solomon Bros. & Hutzler First National Bank in Dallas (Joint Managers & Assocs.)	19 <u>72</u> to <u>92</u> <u>6.50%</u>		
	19 <u>93</u> <u>only</u> <u>6.00</u>	Gross: \$ <u>11,950,177.50</u>	5.5344%
	19 <u>94</u> to <u>2003</u> <u>5.60</u>	Less Prem: <u>-0-</u>	
	2004 <u> </u> to <u>2005</u> <u>4.00</u>	Net: \$ <u>11,950,177.50</u>	
	19 <u> </u> to <u> </u> <u> </u>		
	19 <u> </u> to <u> </u> <u> </u>		
Walsey, Stuart & Co. Inc. Dehman Bros. Pear, Stearns & Co. & Assocs.	19 <u>72</u> to <u>86</u> <u>6.50%</u>		
	19 <u>87</u> <u>only</u> <u>5.50</u>	Gross: \$ <u>12,425,863.75</u>	5.7547%
	19 <u>88</u> to <u>97</u> <u>5.70</u>	Less Prem: <u>-0-</u>	
	19 <u>98</u> to <u>99</u> <u>5.75</u>	Net: \$ <u>12,425,863.75</u>	
	2000 19 <u> </u> to <u>2004</u> <u>5.80</u>		
	2005 <u> </u> <u>only</u> <u>5.00</u>		
Merrill Lynch, Pierce, Fenner & Smith John Nuveen & Co., Inc. Kauscher Pierce & Co., Inc. White, Weld & Co. and Assocs.	19 <u>72</u> to <u>83</u> <u>6.50%</u>		
	19 <u>84</u> <u>only</u> <u>6.25</u>	Gross: \$ <u>12,281,551.25</u>	5.6829%
	19 <u>85</u> to <u>91</u> <u>5.75</u>	Less Prem: <u>10,710.00</u>	
	19 <u>92</u> to <u>96</u> <u>5.65</u>	Net: \$ <u>12,270,841.25</u>	
	19 <u>97</u> to <u>2004</u> <u>5.70</u>		
	2005 <u> </u> <u>only</u> <u>5.00</u>		
Drexel Harriman Ripley, Inc. Glyth & Co., Inc & PHELPS, FENN & Co., Account Managers & Assocs.	19 <u>72</u> to <u>85</u> <u>6.50%</u>		
	19 <u>86</u> to <u>only</u> <u>5.70</u>	Gross: \$ <u>12,205,550.00</u>	5.6518%
	19 <u>87</u> to <u>90</u> <u>5.50</u>	Less Prem: <u>1,865.00</u>	
	19 <u>91</u> to <u>94</u> <u>5.60</u>	Net: \$ <u>12,203,685.00</u>	
	19 <u>95</u> to <u>2004</u> <u>5.70</u>		
	2005 <u> </u> <u>only</u> <u>4.75</u>		
	19 <u> </u> to <u> </u> <u> </u>		
	19 <u> </u> to <u> </u> <u> </u>	Gross: \$ <u> </u>	
	19 <u> </u> to <u> </u> <u> </u>	Less Prem: <u> </u>	
	19 <u> </u> to <u> </u> <u> </u>	Net: \$ <u> </u>	
	19 <u> </u> to <u> </u> <u> </u>		
	19 <u> </u> to <u> </u> <u> </u>		

BIDS FOR PAYING AGENCY

\$8,500,000

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM
 THE UNIVERSITY OF TEXAS AT EL PASO
 BUILDING REVENUE BONDS, SERIES 1969

(Dated May 1, 1969)

Tabulation of Bids Received
 April 30, 1969 - 2:00 p.m., CDT

Bidder	New York Co-Paying Agent	Per Coupon Paid	Per Bond Paid
El Paso National Bank	Bankers Trust Company	20¢	\$1.75
Southwest National Bank of El Paso	Chase Manhattan Bank	1/4 of 1% (31¢ @ 5%)	1/10 of 1% (\$5.00)
The State National Bank of El Paso	Chemical Bank New York Trust Company	26¢	1/10 of 1% (\$5.00)

BIDS FOR PRINTING BONDS

\$8,500,000

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM
 THE UNIVERSITY OF TEXAS AT EL PASO
 BUILDING REVENUE BONDS, SERIES 1969

(Dated May 1, 1969)

Tabulation of Bids Received
 April 30, 1969 - 2:00 p.m., CDT

Bidder	One Coupon Rate	Two Coupons Rate	Three Coupons Rate	Four Coupons Rate	Five Coupons Rate	Six Coupons Rate	Number of Working Days
Helms Printing Co, Inc. 2710 Swiss Avenue Dallas, Texas 75204	\$750.00	\$762.50	\$775.00	\$787.50	\$800.00	\$812.50	10
The Steck-Warlick Company The Steck Division P. O. Box 968 Austin, Texas 78767	\$634.00	\$649.00	\$664.00	\$679.00	\$694.00	\$709.00	15