



TEXAS TECH UNIVERSITY SYSTEM

BOARD OF REGENTS

AGENDA BOOK

October 4, 2019

BOARD OF REGENTS
TEXAS TECH UNIVERSITY SYSTEM

AGENDA

October 4, 2019

BOARD OF REGENTS

Mr. Christopher M. Huckabee, Chairman

Mr. J. Michael Lewis, Vice Chairman

Mr. Mark Griffin

Mr. Ron Hammonds

Mrs. Ginger Kerrick

Mr. Mickey L. Long

Mr. John D. Steinmetz

Mr. John B. Walker

Mr. Dusty Womble

Mr. Sean Lewis, Student-Regent

Standing Committees:

Academic, Clinical and Student Affairs:

Ginger Kerrick; Sean Lewis; John Steinmetz (Chair); John Walker

Audit:

Ron Hammonds (Chair); Ginger Kerrick; Dusty Womble

Facilities:

Mark Griffin; Ron Hammonds; Mickey Long (Chair)

Finance and Administration:

Mickey Long; John Walker (Chair); Dusty Womble

AGENDA

Board of Regents Meeting

Lubbock, Texas

October 4, 2019

Abbreviated Agenda with Approximate Times*

Friday, October 4, 2019

Joint Meeting of the TTUS Board of Regents,
the Executive Committee of the Texas Tech Foundation Board,
the Investment Advisory Committee,
and the ASU Foundation Board

8:30 am	Call to Order; convene Meeting of the Board/Committee of the Whole for a joint meeting with the Executive Committee of the Texas Tech Foundation Board, the Investment Advisory Committee, and members of the ASU Foundation Board Location: Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas
9:30 am	Recess

CONTINUED ON NEXT PAGE

*For general information. All open session meetings of the Board of Regents will take place in the Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas. Any executive session meetings that should occur throughout the day will take place in the Regents Committee Room (106), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas. The times listed are estimates, with periodic recesses. On Friday, October 4, 2019, the Meeting of the Board/Committee of the Whole will convene and participate in a "Joint Meeting" with the Executive Committee of the Texas Tech Foundation Board, the Investment Advisory Committee, and members of the ASU Foundation Board, no earlier than 8:30 am. The Joint Meeting is expected to end at approximately 9:30 am. After a short break, the Meeting of the Board/Committee of the Whole will reconvene at approximately 9:50 am for introduction and recognition presentations and to convene into Executive Session. The Meeting of the Board/Committee of the Whole will recess after Executive Session discussions conclude at which time committee meetings will commence. The Board will reconvene as a Meeting of the Board/Committee of the Whole after the last committee meeting adjourns at approximately 1:00 pm to complete the remainder of its normal business. A lunch break will be taken whenever deemed appropriate. The Meeting of the Board/Committee of the Whole is expected to adjourn on or before 3:00 pm; however, if needed, the meeting may continue beyond 3:00 pm until completed. The full board agenda is detailed on pages vi through xii. The agenda for each session of the board meeting or a meeting of a committee of the board is detailed behind the appropriate divider tab.

Board of Regents Meeting

Lubbock, Texas

October 4, 2019

Abbreviated Agenda with Approximate Times*

Friday, October 4, 2019

Meeting of the Board

CONTINUED FROM PREVIOUS PAGE

- 9:50 am Call to Order; reconvene Meeting of the Board
(or after a short break upon adjournment of the Joint Mtg/recess of the Mtg of the Board)
- Introductions and Recognitions
- Location: Regents Committee Room (106), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas
- 10:00 am Executive Session
Location: Regents Committee Room (106), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas
- 11:40 am Following Executive Session, convene into Open Session, and continue as Meeting of the Committee of the Whole and the Board and/or continuation of meetings of the Standing Committees of the Board, if necessary
Location: Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas
- 11:45 am Recess

CONTINUED ON NEXT PAGE

*For general information. All open session meetings of the Board of Regents will take place in the Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas. Any executive session meetings that should occur throughout the day will take place in the Regents Committee Room (106), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas. The times listed are estimates, with periodic recesses. On Friday, October 4, 2019, the Meeting of the Board/Committee of the Whole will convene and participate in a "Joint Meeting" with the Executive Committee of the Texas Tech Foundation Board, the Investment Advisory Committee, and members of the ASU Foundation Board, no earlier than 8:30 am. The Joint Meeting is expected to end at approximately 9:30 am. After a short break, the Meeting of the Board/Committee of the Whole will reconvene at approximately 9:50 am for introduction and recognition presentations and to convene into Executive Session. The Meeting of the Board/Committee of the Whole will recess after Executive Session discussions conclude at which time committee meetings will commence. The Board will reconvene as a Meeting of the Board/Committee of the Whole after the last committee meeting adjourns at approximately 1:00 pm to complete the remainder of its normal business. A lunch break will be taken whenever deemed appropriate. The Meeting of the Board/Committee of the Whole is expected to adjourn on or before 3:00 pm; however, if needed, the meeting may continue beyond 3:00 pm until completed. The full board agenda is detailed on pages vi through xii. The agenda for each session of the board meeting or a meeting of a committee of the board is detailed behind the appropriate divider tab.

Board of Regents Meeting

Lubbock, Texas

October 4, 2019

Abbreviated Agenda with Approximate Times*

Friday, October 4, 2019

Meeting of Standing Committees (Conducted sequentially)

CONTINUED FROM PREVIOUS PAGE

- | | |
|--|---|
| 1:00 pm
(or upon recess of the
Meeting of the Board or
following a lunch break) | Academic, Clinical and Student Affairs Committee
Location: Regents Conference Room (104A), First
Floor, System Building, 1508 Knoxville Avenue,
Lubbock, Texas |
| 1:10 pm
(or upon adjournment of
the ACS Cmte. meeting) | Audit Committee
Location: Regents Conference Room (104A), First
Floor, System Building, 1508 Knoxville Avenue,
Lubbock, Texas |
| 1:30 pm
(or upon adjournment of
the Audit Cmte. meeting) | Facilities Committee
Location: Regents Conference Room (104A), First
Floor, System Building, 1508 Knoxville Avenue,
Lubbock, Texas |

CONTINUED ON NEXT PAGE

*For general information. All open session meetings of the Board of Regents will take place in the Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas. Any executive session meetings that should occur throughout the day will take place in the Regents Committee Room (106), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas. The times listed are estimates, with periodic recesses. On Friday, October 4, 2019, the Meeting of the Board/Committee of the Whole will convene and participate in a "Joint Meeting" with the Executive Committee of the Texas Tech Foundation Board, the Investment Advisory Committee, and members of the ASU Foundation Board, no earlier than 8:30 am. The Joint Meeting is expected to end at approximately 9:30 am. After a short break, the Meeting of the Board/Committee of the Whole will reconvene at approximately 9:50 am for introduction and recognition presentations and to convene into Executive Session. The Meeting of the Board/Committee of the Whole will recess after Executive Session discussions conclude at which time committee meetings will commence. The Board will reconvene as a Meeting of the Board/Committee of the Whole after the last committee meeting adjourns at approximately 1:00 pm to complete the remainder of its normal business. A lunch break will be taken whenever deemed appropriate. The Meeting of the Board/Committee of the Whole is expected to adjourn on or before 3:00 pm; however, if needed, the meeting may continue beyond 3:00 pm until completed. The full board agenda is detailed on pages vi through xii. The agenda for each session of the board meeting or a meeting of a committee of the board is detailed behind the appropriate divider tab.

Board of Regents Meeting

Lubbock, Texas

October 4, 2019

Abbreviated Agenda with Approximate Times*

Friday, October 4, 2019

Meeting of the Board

CONTINUED FROM PREVIOUS PAGE

1:50 pm

(or upon adjournment of
the Facilities Cmte.
meeting)

Call to Order; reconvene Meeting of the Board

- Meeting of the Committee of the Whole and the Board, or continuation of meetings of the Standing Committees of the Board, if necessary

Location: Regents Committee Room (106), First Floor,
System Building, 1508 Knoxville Avenue, Lubbock,
Texas

On or before
3:00 pm

Adjournment

*For general information. All open session meetings of the Board of Regents will take place in the Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas. Any executive session meetings that should occur throughout the day will take place in the Regents Committee Room (106), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas. The times listed are estimates, with periodic recesses. On Friday, October 4, 2019, the Meeting of the Board/Committee of the Whole will convene and participate in a "Joint Meeting" with the Executive Committee of the Texas Tech Foundation Board, the Investment Advisory Committee, and members of the ASU Foundation Board, no earlier than 8:30 am. The Joint Meeting is expected to end at approximately 9:30 am. After a short break, the Meeting of the Board/Committee of the Whole will reconvene at approximately 9:50 am for introduction and recognition presentations and to convene into Executive Session. The Meeting of the Board/Committee of the Whole will recess after Executive Session discussions conclude at which time committee meetings will commence. The Board will reconvene as a Meeting of the Board/Committee of the Whole after the last committee meeting adjourns at approximately 1:00 pm to complete the remainder of its normal business. A lunch break will be taken whenever deemed appropriate. The Meeting of the Board/Committee of the Whole is expected to adjourn on or before 3:00 pm; however, if needed, the meeting may continue beyond 3:00 pm until completed. The full board agenda is detailed on pages vi through xii. The agenda for each session of the board meeting or a meeting of a committee of the board is detailed behind the appropriate divider tab.

Board of Regents Meeting

October 4, 2019

Agenda

Friday, October 4, 2019

**Regents Conference Room (104A), First Floor,
System Building, 1508 Knoxville Avenue,
Lubbock, Texas**

I. Joint Meeting of the TTUS Board of Regents, the Executive Committee of the Texas Tech Foundation Board, the Investment Advisory Committee, and members of the ASU Foundation Board/Meeting of the Board— Call to Order; convene into Open Session of the Board
Refer to agenda provided by Office of Investments/Office of the Chief Financial Officer.

Location: Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas

- A. IntroductionsChairman Huckabee
- B. 2019 Economy/Market Review.....Tim Bruce (NEPC)
- C. Investment Performance ReviewTim Barrett
- D. Questions/Answers

II. Adjournment of Joint Meeting/Recess Meeting of the BoardChairman Huckabee

NOTE: A short break will be taken after the adjournment of the Joint Meeting/recess of the Meeting of the Board to reset the Board Room.

III. Meeting of the Board—Call to Order; reconvene into Open Session of the Board

- A. Introductions and RecognitionsChancellor & President Mitchell, President May, President Schovanec, and President Lange

IV. Executive Session: The Board may convene into Executive Session, in the Regents Committee Room (106), First Floor, System Building, 1508 Knoxville Avenue to consider matters

permissible under Chapter 551 of the *Texas Government Code*, including, for example:Chairman Huckabee

- A. Consultation with attorney regarding privileged communications, pending or contemplated litigation and settlement negotiations – Section 551.071
 - B. Deliberations regarding real property: The purchase, lease, exchange, or value of real property – Section 551.072
 - C. Deliberations regarding prospective gifts – Section 551.073
 - D. Personnel matters: Discuss the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of employees – Section 551.074
 - E. Deliberations regarding security devices—deployment of security personnel or devices – Section 551.076
- V. Open Session:** The Board will convene into Open Session in the Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue and meet as a Committee of the Whole and Meeting of the Board to consider and act on:
- A. Consideration of appropriate action, if any, on items discussed in Executive SessionVice Chairman Lewis

VI. Recess

VII. Meeting of Standing Committees

Location: Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas

- A. Academic, Clinical and Student Affairs Committee
- | | <u>Page</u> |
|---|-------------|
| | ACS |
| 1. TTU: Approve appointments with tenure | 2 |
| 2. TTU: Approve exceptions to nepotism policy | 4 |
| 3. TTU and TTUHSC: Approve the Dual Degree Program, BS in Nursing, BS in Human Sciences, between TTUHSC School of Nursing and TTU College of Human Sciences | 6 |
| 4. TTUHSC: Approve conferral of emeritus appointment..... | 8 |

5. Adjournment

B. Audit Committee

Page
A

1. TTUS: Report on audits..... 3

2. Executive Session: The Audit Committee will convene into Executive Session in the Regents Committee Room (106), First Floor, System Building, 1508 Knoxville Avenue, to consider matters permissible under Chapter 551 of the Texas Government Code, including:

a. Consultation with Attorney — Section 551.071.

b. Discussion of personnel matters – Section 551.074.

3. Open Session: At the conclusion of Executive Session, the committee will convene into Open Session in the Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue, to consider appropriate action, if any, on items discussed in Executive Session.

4. Adjournment

C. Facilities Committee

Page
F

1. TTU: Approve total project budget for the Dairy Barn Renovation project (GMP) 3

2. TTU: Authorize expenditures for the J.T. and Margaret Talkington College of Visual and Performing Arts Theatre & Dance Complex Phase II Renovation project (DP Stage II and CMAR Pre-construction services)..... 5

3. TTU: Approve naming of Black Box Theatre within the J.T. and Margaret Talkington College of Visual and Performing Arts Theatre & Dance Complex 7

- 4. TTU: Authorize acceptance of a Gift-in-Kind of real property benefitting the new School of Veterinary Medicine Mariposa Station located in Amarillo, TX 8
- 5. TTU: Authorize a transfer of TTUHSC real property benefitting the new School of Veterinary Medicine Amarillo Campus located in Amarillo, TX 10
- 6. TTUHSC: Authorize expenditures for renovation of the Southwest Professional Building located in Dallas, TX (CMAR Pre-construction services; waive CMA) 12
- 7. TTUHSC: Approve concept and authorize expenditures for a new School of Health Professions Physician Assistant Building on the campus of Midland College (DP Stage I)..... 14
- 8. TTUS: Report on Facilities Planning and Construction projects..... 16
- 9. Adjournment

VIII. Meeting of the Board—Call to Order; reconvene into Open Session of the BoardChairman Huckabee

IX. Open Session: The Board will continue in Open Session and meet as a Committee of the Whole and Meeting of the Board to consider and act on:

A. Approve minutes of board meetings held on August 8-9, 2019.....Chairman Huckabee

B. Committee of the Whole.....Vice Chairman Lewis

Page
CW

1. ASU, TTU, TTUHSC, TTUHSC El Paso, TTUSA and TTUS: Approve Consent Agenda; acknowledge review of Information Agenda 7

Consent Agenda

- a. TTU: Approve faculty development leaves of absence (ACS)
- b. TTU: Authorize execution of four contract amendments with the US Department of Energy (F)
- c. TTU and TTUS: Approve purchasing contract(s)

in excess of \$1,000,000 (FA)

Information Agenda

Information is provided as required by Section 01.02.7.d(4)(c),
Regents' Rules

- (1) TTUHSC and TTUHSC El Paso: Contracts for ongoing and continuing health-related service relationships per Section 07.12.4.c, *Regents' Rules* – “Notwithstanding Section 07.12.3.a or Section 07.12.3.b, *Regents' Rules*, the board delegates to the presidents of health-related institutions the authority to approve the proposals and execute and sign contracts for health related services, as specified herein. This delegation is limited to contracts with entities for which the institution has an ongoing and continuing contractual relationship, to include: revenue contracts from which the institution receives payment for health related services; participation in health provider networks; resident or faculty support; and expense contracts with healthcare providers or suppliers necessary to fulfill the obligation to provide health related services as part of a revenue contract. Before such a contract may be executed, the president shall obtain the prior review of the TTUS Office of General Counsel and the TTUS vice chancellor and chief financial officer, or their designees. A list of health related services contracts that have been executed under this delegation of authority since the previous regular board meeting shall be provided to the board as an information item at the next regular board meeting.”
- (2) TTUHSC and TTUHSC El Paso: Consulting contracts with an initial consideration of \$25,000 or less per Section 07.12.4.e.(2), *Regents' Rules* – “(a) Board approval is not required, but the vice chancellor and chief financial officer, in consultation with the chancellor, presidents, and chief financial officers of the institutions, shall review consulting contracts of \$25,000 or less prior to execution of the contract by the chancellor or president, as appropriate. (b) A report of the contract shall be provided as an Information Agenda item at the next board meeting.”
- (3) TTU, TTUHSC El Paso and TTUS: Contracts that involve a stated or implied consideration that total in excess of \$1,000,000 over the entire term of the contract but the per annum amount is less than \$1,000,000 per section 07.12.4 of the *Regents' Rules* – Notwithstanding Section 07.12.3.a, *Regents' Rules*, the chancellor or president, as

appropriate, is delegated the authority to approve: (i) contracts that involve a stated or implied consideration that total in excess of \$1,000,000 over the entire term of the contract but the per annum amount is less than \$1,000,000; and (ii) any amendment, extension, or renewal of a contract originally approved by the chancellor or president, as appropriate, so long as the amendment, extension, or renewal does not cause the per annum amount of the contract to exceed \$1,000,000. This requirement is applicable to both cash and non-cash considerations. Information about such contracts or contract amendments, extensions, or renewals that are approved by the chancellor or a president under this delegation of authority shall be provided to the board as an information item at the next regular board meeting.

- (4) TTUHSC and TTUS: Emergency or exigent circumstances approval of contract per Section 07.12.3.g, *Regents' Rules* – Unless prohibited by law, when an emergency or exigent circumstances exist and it is not feasible or practical to convene a quorum of the board within the time in which action is needed, approval may be given for a contract proposal submitted by the chancellor, or the chancellor's designee, by verbal approval of the chair or of the chair of the Finance and Administration Committee. Contracts approved in this manner shall be presented to the board as an information item at the next board meeting.
- (5) TTU: Emergency or exigent circumstances approval of program naming per Section 06.06.1.a, *Regents' Rules* – “Except as provided in Section 06.06.2, *Regents' Rules*, any naming related to an endowment or other gift, including but not limited to scholarships and academic positions that are named in accordance with the wishes or in honor of a donor, must receive final approval before said designation may be announced. The approval process shall be as follows: The board shall approve a naming related to an unrestricted gift or grant over \$1,000,000.”
- (6) TTU: Notification of modification to the name and organization of a center per Sections 04.11.2 and 04.11.3, *Regents' Rules* – “The establishment or substantive restructuring of a center, institute, or other academic unit or program not addressed in Section 04.11.1 herein shall be approved by the president, with notice provided to the board via an item in the Information Agenda for the next meeting of the board.”
- (7) TTUS: Texas Tech Foundation Board nominations by Article IV, Section 2, Amended and Restated Bylaws of Texas Tech Foundation, Inc. – “The Foundation Board shall be composed of not

less than twenty-one (21), and not more than forty (40) voting members, elected by the current members, with notice to the Board of Regents. Members of the Foundation Board serve in cooperation and coordination with the Board of Regents. The Foundation Board shall endeavor to have at least one member from each of Lubbock, El Paso and San Angelo or their surrounding areas and shall further endeavor to have members that represent the diverse geographic areas of Texas served by the University System.”

X. Reports of Standing Committees: Standing Committee reports will be presented sequentially to the Committee of the Whole.

- A. Report of the Finance and Administration Committee.....Regent Walker
- B. Report of the Academic, Clinical and Student Affairs Committee.....Regent Steinmetz
- C. Report of the Audit Committee Regent Hammonds
- D. Report of the Facilities CommitteeRegent Long

XI. The Board will continue in Open Session as the Committee of the Whole and Meeting of the Board of Regents.

- A. Schedule for Board meetings:
 - December 12-13, 2019, Lubbock
 - February 27-28, 2020, Location TBD
 - May 14-15, 2020, Lubbock
 - August 6-7, 2020, Lubbock
 - October 2020, Dates TBD, Lubbock
 - December 10-11, 2020, Lubbock
- B. Student Government Association ReportsBrayden Woods,
David Rivero,
Tobi Saliu,
and Albert Romero
- C. Chairman’s Announcements.....Chairman Huckabee

XII. AdjournmentChairman Huckabee

**ACADEMIC,
CLINICAL AND
STUDENT AFFAIRS**

Academic, Clinical and Student Affairs Committee

Committee Meeting
October 4, 2019

Time: 1:10 pm (or upon adjournment of the Finance and Administration Committee meeting)

Place: Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas

Regents: Steinmetz (Chair), Kerrick, Walker,
Lewis (Student Regent)

Agenda

- Approve minutes of committee meeting held on August 8, 2019
- VII.A.** Consideration of items to be recommended by the Academic, Clinical and Student Affairs Committee to the Board of Regents of the Texas Tech University System (“TTUS”) for and on behalf of Angelo State University (“ASU”), TTUS, the TTU System Administration (“TTUSA”), Texas Tech University (“TTU”), Texas Tech University Health Sciences Center (“TTUHSC”), and Texas Tech University Health Sciences Center at El Paso (“TTUHSC El Paso”)

	<u>Page</u>
	ACS
1. TTU: Approve appointments with tenure	2
2. TTU: Approve exceptions to nepotism policy	4
3. TTU and TTUHSC: Approve the Dual Degree Program, BS in Nursing, BS in Human Sciences, between TTUHSC School of Nursing and TTU College of Human Sciences	6
4. TTUHSC: Approve conferral of emeritus appointment	8
5. Adjournment	

NOTE: Following consideration of the above items by the committee, the Committee Chair will present the Committee Report to the full Board of Regents for its consideration on Friday, October 4, 2019

1. **TTU: Approve appointments with tenure.**

Presenter: Dr. Michael Galyean

Presentation Time: 2 minutes

Board approval required by: Section 04.02, *Regents' Rules*; TTU Operating Policy 32.17

RECOMMENDATION

The president recommends and the chancellor concurs that the Board of Regents approve the granting of tenure for the following faculty of Texas Tech University concurrently with their respective appointments.

Dr. Jeffrey Belnap, Ph.D., Professor in the Department of Classical and Modern Languages and Literatures in the College of Arts and Sciences, and Dean of Texas Tech University – Costa Rica. He previously held faculty tenure and served as dean at Brigham Young University – Hawaii. He has also been chief academic officer at Zayed University, Abu Dhabi and Dubai, dean at Long Island University, Brooklyn, New York, and most recently served as the provost and senior vice president at the American University of Afghanistan in Kabul. His appointment was effective August 1, 2019.

Dr. Jennifer Burns, Ph.D., Professor and Chairperson of the Department of Biological Sciences in the College of Arts and Sciences. She progressed through the faculty ranks at the University of Alaska, Anchorage, receiving tenure there in 2006 and promotion to professor in 2011. Her Texas Tech faculty appointment is to be effective June 2020.

Dr. James Lee, Qualia Endowed Professor of Romance Languages in the Department of Classical and Modern Languages and Literatures in the College of Arts and Sciences. He previously held tenured positions at the University of Illinois and Indiana University, and comes to Texas Tech University after serving as a faculty member since 2005 at the University of South Wales in Australia. His appointment was effective September 1, 2019.

Dr. Jesse Perez Mendez, J.D., Ph.D., Professor and Dean of the College of Education. Dr. Mendez most recently served as a tenured professor and as dean of the School of Education at Indiana University-Purdue University Indianapolis. He previously held tenured faculty positions at the University of Central Florida and Oklahoma State University. His appointment was effective August 1, 2019.

BACKGROUND INFORMATION

The faculty members whose names appear above have been judged by the respective department faculty, appropriate committees and administrative

personnel as worthy of academic promotion and tenure. University procedures (OP 32.01) for recommending promotion and tenure of qualified members of the faculty have been carefully followed.

Based on August 29, 2019 figures, approval of these four faculty members will bring the number of full-time tenured faculty at Texas Tech University to 805. There are 1,141 full-time tenured and tenure-track faculty. After these appointments, the percentage of tenure-track faculty who have been awarded tenure will be 70.4%, and tenured faculty represent 48.7% of all faculty (including part-time). Together, tenured and tenure-track faculty represent 69.2% of all faculty, and 74.8% of all full-time faculty.

2. **TTU: Approve exceptions to nepotism policy.**

Presenter: Dr. Michael Galyean

Presentation Time: 2 minutes

Board approval required by: Section 03.01.11, *Regents' Rules*; TTU Operating Policy 70.08

RECOMMENDATION

The president recommends and the chancellor concurs that the Board of Regents approve an exception to the nepotism policy in the following two instances.

Dr. Larry Williams was recently appointed as a professor with tenure in the Area of Management of the Rawls College of Business, effective September 1, 2019. Dr. Williams is the spouse of Dean Margaret Williams of the Rawls College of Business. Dr. Larry Williams' supervision, including his performance evaluations and compensation decisions, will be provided by the Area Coordinator of Management (currently Dr. Claudia Cogliser) in conferral with the Office of the Provost, thereby by-passing the office of the dean of the college. This arrangement will be evaluated at the end of each academic year to assure there is effective management of the conflict of interest and to determine whether modifications are necessary.

Ms. Clara Zahler is a professor of Practice (non-tenure track appointment) in the School of Music in the J. T. and Margaret Talkington College of Visual and Performing Arts, as of August 2016. Professor Zahler is the spouse of Dean Noel Zahler of the same college. It was recently discovered that a request for exception to the nepotism policy had not been done at the time of hire. Professor Zahler's supervision, including her performance evaluations and compensation decisions, will be provided by the Director of the School of Music (currently Professor Kim Walker) in conferral with the Office of the Provost, thereby by-passing the office of the dean of the college. This arrangement will be evaluated at the end of each academic year to assure there is effective management of the conflict of interest and to determine whether modifications are necessary.

BACKGROUND INFORMATION

Regents' Rules 03.01.11 and TTU OP 70.08 prohibit a person related to an administrator by a prohibited degree to have an initial appointment to a position in an area of responsibility over which the administrator has appointive authority, in whole or in part, regardless of the source of funds from which the position's salary is to be paid. Furthermore, no employee may approve, recommend, or otherwise take action with regard to the appointment, reappointment, promotion, salary, or supervision of an individual related to the employee within a prohibited degree. If an appointment, reappointment, reclassification or promotion of an employee places the employee under an administrative supervisor who is related within a prohibited degree, all subsequent personnel and compensation actions

affecting the employee shall become the responsibility of the next higher administrative supervisor.

3. TTU and TTUHSC: Approve the Dual Degree Program, BS in Nursing, BS in Human Sciences, between TTUHSC School of Nursing and TTU College of Human Sciences.

Presenters: Dr. Michael Galyean & Dr. Lori Rice-Spearman. Presentation Time: 3 minutes
Board approval required by: Section 04.09.1, *Regents' Rules*; HSC Operating Policy 60.11 and Chapter 5, subchapter C, THECB Laws and Rules

RECOMMENDATION

The presidents of Texas Tech University ("TTU") and Texas Tech University Health Sciences Center ("TTUHSC") recommend and the chancellor concurs that the Board of Regents approve a dual-degree program from existing programs: a Bachelor of Science in Nursing in the School of Nursing within TTUHSC and a Bachelor of Science in Human Sciences in the College of Human Sciences within TTU; and approve submission by the TTUHSC Senior Vice President for Academic Affairs to the Texas Higher Education Coordinating Board and the Southern Association of Colleges and Schools Commission on Colleges to seek their approval.

The dual program will utilize resources from existing programs at TTUHSC and TTU and will not require additional space, facilities, faculty, or staff. The School of Nursing will accept 60 SCH from TTU applicable to the BS in Nursing, and the College of Human Sciences will accept 24 hours from TTUHSC applicable to the BS in Human Sciences. To allow some of the requirements of the BS in Nursing to apply to the BS in Human Sciences, the College of Human Sciences developed a new undergraduate minor in Human Sciences in Nursing that will apply toward the BS in Human Sciences degree. The minor is fully approved and will be available only to students admitted to the dual-degree program. The minor comprises existing courses taught in the School of Nursing. No changes to the BS in Nursing curriculum are being proposed.

Enrollment increases are likely to be relatively small and confined to the College of Human Sciences, resulting in a very modest potential revenue generation specific to an increased enrollment. Enrollment in the first year at TTU is expected to be 20 students, and to plateau at about 80 students after two years. The proposed program has potential to serve as a model for future partnerships between academic degree programs at TTU and TTUHSC. Because the program will utilize existing faculty in existing courses, no additional costs of delivery are anticipated.

BACKGROUND INFORMATION

The BSHS/BSN dual degree is designed to allow TTU students in the College of Human Sciences who matriculate into the TTUHSC School of Nursing BS in Nursing program a means to finish their TTU degrees while completing their TTUSCH degrees. The School of Nursing coursework that will apply toward the

BS in Human Sciences integrates with and augments the existing curriculum in that degree. Students in the BSHS/BSN dual-degree program will complete the program with two distinct degrees, thereby advancing their skill set and future employability.

4. TTUHSC: Approve conferral of emeritus appointment.

Presenter: Dr. Lori Rice-Spearman

Presentation Time: 3 minutes

Board approval required by: Section 04.01.2, *Regents' Rules*, and HSC OP 10.12

RECOMMENDATION

The president recommends and the chancellor concurs that the Board of Regents approve to confer the title of professor emeritus on Patricia Allen, Ed.D., RN, CNE, ANEF, FAAN for her distinguished service to the School of Nursing ("SON") and the Texas Tech University Health Sciences Center ("TTUHSC").

BACKGROUND INFORMATION

Dr. Allen joined the TTUHSC SON in 2004, and led the development of the TTUHSC Second Degree Accelerated BSN track. She guided the faculty in the initial development of the Accelerated track concept and curriculum and led the development of the proposal to gain approval from the Texas Board of Nursing and Texas Higher Education Coordinating Board ("THECB") to offer the Accelerated BSN degree, which began in 2005.

Evidence of Dr. Allen's strong record of distinguished service is demonstrated through her achieving national recognition as a Fellow within the American Academy of Nursing and the National League of Nursing. Dr. Allen's leadership and expertise in nursing education resulted in the founding of the first SON center, the Center for Innovation in Nursing Education. One major goal of the Center was to spread innovation throughout the SON and this has occurred as new tracks have developed and innovation occurs frequently in all undergraduate tracks.

Dr. Allen has served most recently as a Professor and Director on Nursing Education for the SON and the Nursing Education Master's track. Previously she served in the roles of Associate Dean, Interim Regional Dean, and Acting Dean for the SON. She was also the founding Co-Chair for the Coordinating Council, the central council for the SON's Shared Governance Model. Dr. Allen retired on August 31, 2019.

AUDIT

Audit Committee

Committee Meeting
October 4, 2019

Time: 1:20 pm (or upon adjournment of the Academic, Clinical and Student Affairs Committee meeting)

Place: Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas

Regents: Hammonds (Chair), Kerrick, Womble

Agenda

- Approve minutes of committee meeting held on August 8, 2019

VII.B. Consideration of items to be recommended by the Audit Committee to the Board of Regents of the Texas Tech University System (“TTUS”) for and on behalf of Angelo State University (“ASU”), TTUS, the TTU System Administration (“TTUSA”), Texas Tech University (“TTU”), Texas Tech University Health Sciences Center (“TTUHSC”), and Texas Tech University Health Sciences Center at El Paso (“TTUHSC El Paso”)

Page
A

1. TTUS: Report on audits 3
2. Executive Session: The Audit Committee will convene into Executive Session in the Regents Committee Room (106), First Floor, System Building, 1508 Knoxville Avenue, to consider matters permissible under Chapter 551 of the *Texas Government Code*, including:
 - a. Consultation with Attorney — Section 551.071.
 - b. Discussion of personnel matters – Section 551.074.
3. Open Session: At the conclusion of Executive Session, the committee will convene into Open Session in the Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue, to consider appropriate action, if any, on items discussed in Executive Session.
4. Adjournment

NOTE: Following consideration of the above items by the committee, the Committee Chair will present the Committee Report to the full Board of Regents for its consideration on Friday, October 4, 2019.

1. TTUS: Report on audits.

Presenter: Mrs. Kim Turner

Presentation Time: 10 minutes

Report to Board required by: Section 07.02.7, *Regents' Rules*; and Audit Committee Charter

Mrs. Kim Turner, Chief Audit Executive, will present a report on the System's audit projects.

FACILITIES

Facilities Committee

Committee Meeting
October 4, 2019

Time: 1:30 pm (or upon adjournment of the Audit Committee meeting)

Place: Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas

Regents: Long (Chair), Griffin, Hammonds

Agenda

- Approve minutes of committee meetings held on August 8, 2019

VII.C. Consideration of items to be recommended by the Facilities Committee to the Board of Regents of the Texas Tech University System (“TTUS”) for and on behalf of Angelo State University (“ASU”), TTUS, the TTU System Administration (“TTUSA”), Texas Tech University (“TTU”), Texas Tech University Health Sciences Center (“TTUHSC”), and Texas Tech University Health Sciences Center at El Paso (“TTUHSC El Paso”)

	<u>Page</u>
	F
1. TTU: Approve total project budget for the Dairy Barn Renovation project (GMP).....	3
2. TTU: Authorize expenditures for the J.T. and Margaret Talkington College of Visual and Performing Arts Theatre & Dance Complex Phase II Renovation project (DP Stage II and CMAR Pre-construction services).....	5
3. TTU: Approve naming of Black Box Theatre within the J.T. and Margaret Talkington College of Visual and Performing Arts Theatre & Dance Complex	7
4. TTU: Authorize acceptance of a Gift-in-Kind of real property benefitting the new School of Veterinary Medicine Mariposa Station located in Amarillo, TX	8
5. TTU: Authorize a transfer of TTUHSC real property benefitting the new School of Veterinary Medicine Amarillo Campus located in Amarillo, TX.....	10

- 6. TTUHSC: Authorize expenditures for renovation of the Southwest Professional Building located in Dallas, TX (CMAR Pre-construction services; waive CMA)..... 12
- 7. TTUHSC: Approve concept and authorize expenditures for a new School of Health Professions Physician Assistant Building on the campus of Midland College (DP Stage I) 14
- 8. TTUS: Report on Facilities Planning and Construction projects 16
- 9. Adjournment

NOTE: Following consideration of the above items by the committee, the Committee Chair will present the Committee Report to the full Board of Regents for its consideration on Friday, October 4, 2019.

1. TTU: Approve total project budget for the Dairy Barn Renovation project (GMP).

Presenter: Mr. Billy Breedlove

Presentation Time: 5 minutes

Board approval required by: Section 08.01.3, *Regents' Rules*

RECOMMENDATION

The president recommends and the chancellor concurs that the Board of Regents authorize the chancellor or the chancellor's designee to (i) accept the Guaranteed Maximum Price ("GMP") for construction of the Dairy Barn Renovation project; (ii) increase the budget by \$3,238,754 for a total project budget of \$3,539,061; (iii) report the project to the Texas Higher Education Coordinating Board ("THECB"); and (iv) amend the Construction Manager at Risk ("CMR") contract. The increase will be funded through the Revenue Finance System ("RFS") repaid with Gifts, Institutional Funds and Higher Education Funds ("HEF"). The current total of expenditures includes the previously authorized and board authorized expenditures from Gifts (\$20,000 cash), Texas Research Incentive Program ("TRIP") matching funds (\$103,650 cash), and RFS repaid with Higher Education Funds ("HEF") (\$176,657) totaling \$300,307.

The Board reasonably expects to incur debt obligations for the design, planning and construction of the project, and all or a portion of the debt proceeds are reasonably expected to be used to reimburse the System for project expenditures previously expended. The maximum principal amount of debt obligations to be issued for the Project is \$3,539,061.

The president further recommends that the chancellor authorize the president to negotiate and execute any and all agreements with city, state, and county agencies, utility companies and other entities required to successfully complete the project.

BACKGROUND INFORMATION

This approval grants authority to renovate and convert the entire 8,000 GSF historic structure to support Texas Tech University's ("TTU's") collaborative learning environment with the creation of studio spaces, display area, and event space. Due to the original function and date of this facility, a complete interior package is required along with all the mechanical, electrical, lighting, plumbing, fire suppression, security, stairs, and elevator to support such renovation. Asbestos materials have been documented and abated. The exterior of the building will require replacement of the roof; renovation of the existing deteriorated windows; new exterior doors; stucco repair as required; and painting of soffits and trim - all these items shall reflect the Dairy Barn's historical period. Ingress and egress of this facility will be coordinated with the newly design and constructed Library Mall. The existing silo is not a part of the renovation project.

In February 2019, the Board of Regents approved expenditures of \$176,657 to authorize the Design Professional Stage II services and award a Construction Manager at Risk (“CMR”) Agreement for pre-construction services. The expenditures were funded through the Revenue Finance System (“RFS”) repaid with Gifts for half of the project budget and Institutional Funds and Higher Education Funds (“HEF”) for the other half of the project budget.

In August 2018, the Board of Regents approved a Design Professional Stage I budget to move forward on the project’s vision through the programming and schematic design phases, and provide a Statement of Probable Cost and project schedule. The Stage I budget of \$123,650 included the previously authorized budget from Gifts (\$20,000 cash).

The vice president for administration and finance and chief financial officer has verified the source of funds. The vice chancellor and chief financial officer of the TTU System also acknowledges the source of the funds for this project.

2. TTU: Authorize expenditures for the J.T. and Margaret Talkington College of Visual and Performing Arts Theatre & Dance Complex Phase II Renovation project (DP Stage II and CMAR Pre-construction services).

Presenter: Mr. Billy Breedlove

Presentation Time: 5 minutes

Board approval required by: Section 08.01.3, *Regents' Rules*

RECOMMENDATION

The president recommends and the chancellor concurs that the Board of Regents authorize the chancellor or the chancellor's designee to (i) approve expenditures of \$1,731,896 for a total of \$2,287,416 for the J.T. and Margaret Talkington College of Visual and Performing Arts Theatre & Dance Phase II Renovation project, with an anticipated total project budget of \$20,000,000; (ii) waive the board directed fees for landscape enhancements and public art; (iii) authorize Design Professional Stage II services; and (iv) award a Construction Manager At Risk ("CMAR") Agreement for pre-construction services. The current total of expenditures, including the previously board authorized \$555,520 expenditure, will be funded through the Revenue Finance System ("RFS") repaid with Gift funds and Texas Research Incentive Program ("TRIP") matching funds.

The Board reasonably expects to incur debt obligations for the design, planning and construction of the project, and all or a portion of the debt proceeds are reasonably expected to be used to reimburse the System for project expenditures previously expended. The maximum principal amount of debt obligations to be issued for the Project is \$20,000,000.

The president further recommends that the chancellor authorize the president to negotiate and execute any and all agreements with city, state, and county agencies, utility companies and other entities required to successfully complete the project.

BACKGROUND INFORMATION

This approval grants authority for execution of Design Professional Stage II services consisting of the Design Development, Construction Documents, Construction Administration Phases, and to provide a Statement of Probable Cost and project schedule. Also, execution of a Construction Manager at Risk ("CMAR") Agreement to allow the contractor to provide pre-construction activities associated with the planning and design process, i.e., project evaluation; site analysis; constructability review; value engineering; scheduling; cost control; and concept budget development.

The J.T. and Margaret Talkington College of Visual and Performing Arts (“TCVPA”) Theatre & Dance Complex Phase II Renovation project will include both renovation and new construction areas within the Charles E. Maedgen, Jr. Theatre building (#231). Renovation of 24,200 GSF will include (1) entire basement with prop lab, trap room, orchestra pit, light storage room, workroom, and circulation / service spaces; (2) first floor - lobby, theatre, paint lab, metal shop, and backstage crossover for actors with dressing rooms, green room, and restrooms and; (3) second floor - theatre support areas. New construction of 11,328 GSF will include (1) first floor - a costume lab with classroom space, fitting rooms, dye and laundry rooms and four office spaces for teaching staff; and (2) second floor - a new administrative suite for the TCVPA (currently located in Holden Hall), and graduate student office suite. The Costume Lab currently located in Weeks Hall will be relocated to this building as part of the project. The project will address information technology, acoustics, audio visual requirements, and theatrical equipment. Exterior stone and masonry restoration repairs, as budget permits. The project will be designed to bring the building in compliance with all applicable federal, state, and local laws, regulations, and codes, including Life Safety Codes and Texas Accessibility Standards.

In May 2019, the Board of Regents approved a Design Professional Stage I budget to move forward on the project’s vision through the programming and schematic design phases, and provide a Statement of Probable Cost and project schedule. The expenditures of \$555,520 were funded through the Revenue Finance System (“RFS”) repaid with Gift funds and Texas Research Incentive Program (“TRIP”) matching funds.

The vice president for administration and finance and chief financial officer has verified the source of funds. The vice chancellor and chief financial officer of the TTU System also acknowledges the source of the funds for this project.

3. TTU: Approve naming of Black Box Theatre within the J.T. and Margaret Talkington College of Visual and Performing Arts Theatre & Dance Complex.

Presenter: Mr. Patrick Kramer

Presentation Time: 5 minutes

Board approval required by: Section 08.05.1, *Regents' Rules*

The president recommends and the chancellor concurs that the Board of Regents approve naming the Black Box Theatre within the J.T. and Margaret Talkington College of Visual and Performing Arts Theatre & Dance Complex as:

“The CH Foundation
The Legacy of Christine DeVitt
Black Box Theatre”

The donor concurs with the naming of this interior space. Appropriate signage for the room will specify the approved name.

BACKGROUND INFORMATION

The CH Foundation (“Foundation”) made a generous contribution of \$3 million to support Phase I of the J.T. and Margaret Talkington College of Visual and Performing Arts Theatre & Dance Complex. To honor and recognize the contribution, the Black Box Theatre will be named “The CH Foundation The Legacy of Christine DeVitt Black Box Theatre.” Appropriate interior signage for the theatre will specify this approved name.

The Foundation’s mission is to significantly improve human services and cultural and educational opportunities on the South Plains of Texas. The Foundation owes its existence to Christine DeVitt, whose personal generosity resulted in the creation of the Foundation. The Foundation was funded at the time of Christine’s death in 1983. The Foundation has generously contributed over \$44 million to support the initiatives and students of the Texas Tech University System.

The gift meets the minimum fifty percent (50%) threshold requirement for naming a subunit within a facility, as verified by the vice chancellor of facilities planning and construction.

Regents' Rules, Section 08.05.1 require board approval of the naming of all buildings, subunits, and other facilities within the TTU System.

4. TTU: Authorize acceptance of a Gift-in-Kind of real property benefitting the new School of Veterinary Medicine Mariposa Station located in Amarillo, TX.

Presenter: Mr. Patrick Kramer

Presentation Time: 5 minutes

Board approval required by: Section 06.01.2b, *Regents' Rules*

RECOMMENDATION

The president recommends and the chancellor concurs that the Board of Regents authorize the chancellor or the chancellor's designee to (i) accept a real property gift-in-kind from Mariposa Village Community Land, a Texas non-profit corporation ("Donor") of 10.39 acres, situated in the County of Potter, Texas, just west of N. Soncy Road (Loop Hwy. 335), with an assessed value of \$ 31,170; (ii) approve the execution of the deeded land to Texas Tech University for the benefit of the School of Veterinary Medicine Mariposa Station, (iii) accept and execute a Public Access Easement, an exclusive easement of 3.89 acres adjacent to the deeded property, for the purpose of ingress and egress; and (iv) report the gift to the Texas Higher Education Coordinating Board ("THECB").

Analysis of the property's value has been assessed through real estate sales within the surrounding area and through the Potter-Randall Appraisal District tax rolls.

BACKGROUND INFORMATION

The gifted real property of 10.39 acres is located just west of N. Soncy Road (Loop Hwy. 335), approximately 2.5 miles to the northwest of the Texas Tech University Health Sciences Center Amarillo Campus for the benefit of the School of Veterinary Medicine Mariposa Station. Ingress and egress to the property will be granted by an exclusive Public Access Easement of 3.89 acres.

Mariposa Village Community Land ("Donor") is a non-profit corporation that educates the public about regenerative development and design. Located at an old quarry, their goals are to restore the land, enhance its natural beauty and build a community that becomes a forum for sustainability. Ms. Mary T. Emeny, president of the Donor Corporation, seeks to convey said real property as a charitable gift for the benefit of the TTU School of Veterinary Medicine.

Ms. Emeny is a friend of Texas Tech University System. She earned her bachelor's, masters and doctorate from Connecticut College, University of Pittsburg and Insight University, respectively. She is rancher and member of the Frying Pan Ventures General Partner, LLC in Amarillo, Texas. Emeny is active in the Amarillo community and has been a supporter of the Texas Tech University School of Veterinary Medicine. Her generous support has made her a member of the Texas Tech Vet School Trailblazers.

Texas Tech University (“TTU”) in collaboration with Texas Tech University Health Sciences Center (“TTUHSC”) have established a new comprehensive School of Veterinary Medicine on the TTUHSC Amarillo Campus to deliver high-quality veterinary medicine education, research and outreach. The four-year School of Veterinary Medicine is expected to serve approximately 240 Doctor of Veterinary Medicine (DVM) students, with an additional 150 to 200 non-DVM graduate students and an estimated FTE faculty and staff of 90 persons. Although the school will be comprised of two sites that together provide all the facilities needed to implement the veterinary medical program; the gifted property in Amarillo recognized as the School of Veterinary Medicine Mariposa Station will focus primarily on large-animal veterinary instruction, research and outreach.

Regents’ Rules, Section 06.01.2b require board approval of the acceptance of all gifts of real property, regardless of value, type, location or designated use of the funds to be derived there from.

5. TTU: Authorize a transfer of TTUHSC real property benefitting the new School of Veterinary Medicine Amarillo Campus located in Amarillo, TX.

Presenter: Chancellor Tedd L. Mitchell

Presentation Time: 5 minutes

Board approval required by: Section 109.054, *Texas Education Code*

RECOMMENDATION

The president recommends and the chancellor concurs that the Board of Regents authorize the chancellor or the chancellor's designee to (i) transfer real property from Texas Tech University Health Sciences Center ("TTUHSC") of 6.57 acres located on the TTUHSC Amarillo campus, with a value of \$1,628,926; (ii) approve execution of the deeded land to Texas Tech University ("TTU") for the benefit of the School of Veterinary Medicine Amarillo Campus; (iii) TTUHSC will reserve an easement in the deed of 0.11 acres for future utilities and ingress and egress; and (iv) report the change in ownership to the Texas Higher Education Coordinating Board ("THECB").

The value has been assessed based on the property's previously gifted appraised value.

BACKGROUND INFORMATION

Approximately of 6.57 acres of real property, located on the Texas Tech University Health Sciences Amarillo Campus will be transferred to TTU for the benefit of the School of Veterinary Medicine Amarillo Campus. As part of the conveyance, TTUHSC will reserve an easement of 0.11 acres for future utilities, ingress and egress for use by the Institutions.

TTU, in collaboration with TTUHSC, have established a new comprehensive School of Veterinary Medicine on the TTUHSC Amarillo Campus to deliver high-quality veterinary medicine education, research and outreach. The four-year School of Veterinary Medicine is expected to serve approximately 240 Doctor of Veterinary Medicine (DVM) students, with an additional 150 to 200 non-DVM graduate students and an estimated FTE faculty and staff of 90 persons. Although the school will be comprised of two sites that together provide all the facilities needed to implement the veterinary medical program; the gifted property on the Amarillo Campus will serve as the hub of the School of Veterinary Medicine.

In December 2010, the Board of Regents approved acceptance of a gift-in-kind from The Don and Sybil Harrington Regional Medical Center at Amarillo, Inc. ("HRMC") of 10.89 acres with an appraised value of \$2,700,000. The transfer of real property is a portion of that original gift.

Section 109.054, *Texas Education Code*, provides that “The board may lease, sell, exchange, acquire, dispose of, and otherwise manage, control, and use the lands in any manner and at prices and under terms and conditions the board deems best for the interest of the institutions.”

6. TTUHSC: Authorize expenditures for renovation of the Southwest Professional Building located in Dallas, TX (CMAR Pre-construction services; waive CMA).

Presenter: Mr. Billy Breedlove

Presentation Time: 5 minutes

Board approval required by: Section 08.01.3, *Regents' Rules*

RECOMMENDATION

The president recommends and the chancellor concurs that the Board of Regents authorize the chancellor or the chancellor's designee to (i) approve expenditures of \$70,963 for a total of \$1,470,713 for the Renovation of the Southwest Professional Building located in Dallas, TX with an anticipated project budget of \$15,500,000; (ii) waive the use of a Construction Manager Agent ("CMA"); and (iii) award a Construction Manager At Risk ("CMAR") Agreement for pre-construction services. The expenditures will be funded with Higher Education Funds ("HEF"). The current total of expenditures includes the previously board authorized expenditures from Higher Education Funds ("HEF") (\$1,399,750).

The president further recommends that the chancellor authorize the president to negotiate and execute any and all agreements with city, state, and county agencies, utility companies and other entities required to successfully complete the project.

BACKGROUND INFORMATION

This approval grants authority to waive the use of a Construction Manager Agent ("CMA") and for execution of a Construction Manager At Risk ("CMAR") Agreement to allow the contractor to provide pre-construction activities associated with the planning and design process, i.e., project evaluation; site analysis; constructability review; value engineering; scheduling; cost control; and concept budget development.

The project will remediate, restore and renovate a seven-story; concrete structure facility constructed in the mid-1980's located in the Parkland Memorial Hospital District in Dallas, Texas. The facility is located at 5920 Forest Park Road on approximately 1.147 acres of land. The building is composed of an open concrete structure (first three floors) parking garage serving the facility with the upper four (4) levels consisting conditioned occupied space. The occupied building floors' consists of approximately 63,000 GSF. All defined renovation work is to be conducted with the facility occupied. The scope of the project could include, but is not limited to (1) repair/replacement of mechanical, electrical and plumbed building systems; (2) modifications and/or replacement of existing fire protection systems; (3) fire alarm modifications; (4) mitigation of potential identified hazardous materials; (5) exterior renovations of the building envelop;

and (6) interior modifications, finish upgrades, and renovations required to meet the Institution's programmatic needs.

In August 2019, the Board of Regents approved the project's concept and authorized expenditures to award the Design Professional Agreement for Stage I and Stage II services and waived the board directed fees for landscape enhancements and public art. The expenditures of \$1,399,750 were funded with Higher Education Funds ("HEF").

The vice president and chief financial officer has verified the source of funds. The vice chancellor and chief financial officer of the TTU System also acknowledges the source of the funds for this project.

7. TTUHSC: Approve concept and authorize expenditures for a new School of Health Professions Physician Assistant Building on the campus of Midland College (DP Stage I).

Presenter: Mr. Billy Breedlove

Presentation Time: 5 minutes

Board approval required by: Section 08.01.3, *Regents' Rules*

RECOMMENDATION

The president recommends and the chancellor concurs that the Board of Regents approve the concept for the project and authorize the chancellor or the chancellor's designee to (i) approve expenditures of \$592,937 in order to provide planning and design services for a new School of Health Professions Physician Assistant Building on the campus of Midland College, located in Midland, TX, with an anticipated project budget of \$20,000,000; (ii) waive the board directed fees for landscape enhancements and public art; and (iii) award the Design Professional Agreement and authorize Stage I services. The expenditures will be funded through the Revenue Finance System ("RFS") repaid with a Legislative Appropriation from the 86th Texas Legislature Regular Session (\$20,000,000).

The Board reasonably expects to incur debt obligations for the design, planning and construction of the project, and all or a portion of the debt proceeds are reasonably expected to be used to reimburse the System for project expenditures previously expended. The maximum principal amount of debt obligations to be issued for the Project is \$20,000,000.

The president further recommends that the chancellor authorize the president to negotiate and execute any and all agreements with city, state, and county agencies, utility companies and other entities required to successfully complete the project.

BACKGROUND INFORMATION

This approval grants authority to expend funds to execute a Design Professional Agreement, and authorize Stage I services in order to move forward on the project's vision through the Programming and Schematic Design phases, provide a Statement of Probable Cost and project schedule.

Due to the Institution's immediate need of the facility, the design professional was selected from the Texas Tech University System's approved design professional pre-qualification list. Parkhill Smith & Cooper, Inc. was chosen based upon their specific expertise in the area of medical academics and their extensive knowledge and history on the Midland College campus.

The project will program an approximate 20,000 – 22,000 GSF addition to the existing Dorothy and Todd Aaron Medical Sciences Building (“AMSB”) located on the campus of Midland College in Midland, TX, and provide partial renovation of the existing educational spaces. The addition includes new educational / classroom spaces, an ADA testing space, faculty / staff offices, and support spaces. The partial renovation of the existing educational spaces will accommodate the transition of instructional spaces to meet program needs and conversion of technologies used in current teaching practices. This project will incrementally increase the current cohort capacity of the program and allow for the possibility of future expansion.

The mission of the Texas Tech University Health Sciences Center School of Health Professions Physician Assistant Program is to provide comprehensive medical education to physician assistant students. Through an environment of academic excellence and the promotion of life-long learning and professionalism, graduates will be prepared to practice patient-centered primary care, increasing access to healthcare for communities of West Texas and beyond.

The vice president and chief financial officer has verified the source of funds. The vice chancellor and chief financial officer of the TTU System also acknowledges the source of the funds for this project.

8. TTUS: Report on Facilities Planning and Construction projects.

Presenter: Mr. Billy Breedlove
Report requested by: Board of Regents

Presentation Time: 5 minutes

Mr. Billy Breedlove, Vice Chancellor for Facilities Planning and Construction, TTUS, will present a report on Facilities Planning and Construction managed projects.

**MEETING OF THE
BOARD &
COMMITTEE OF
THE WHOLE**

Meeting of the Board
Friday, October 4, 2019

Time: 8:30 am

Place: Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas

Agenda

I. Joint Meeting of the TTUS Board of Regents, the Executive Committee of the Texas Tech Foundation Board, the Investment Advisory Committee, and members of the ASU Foundation Board/Meeting of the Board—Call to Order; convene into Open Session of the Board

Refer to agenda provided by Office of Investments/Office of the Chief Financial Officer.

- A. IntroductionsChairman Huckabee
- B. 2019 Economy/Market Review.....Tim Bruce (NEPC)
- C. Investment Performance ReviewTim Barrett
- D. Questions/Answers

II. Adjournment of Joint Meeting/Recess Meeting of the Board

.....Chairman Huckabee

NOTE: A short break will be taken after the adjournment of the Joint Meeting/recess of the Meeting of the Board to reset the Board Room.

III. Meeting of the Board—Call to Order; reconvene into Open Session of the Board

.....Chairman Huckabee

- A. Introductions and Recognitions Chancellor & President Mitchell, President May, President Schovanec, and President Lange

IV. Executive Session: The Board may convene into Executive Session in the Regents Committee Room (106), First Floor, System Building, 1508 Knoxville Avenue to consider matters permissible under Chapter 551 of the *Texas Government Code*, including, for example:

.....Chairman Huckabee

- A. Consultation with attorney regarding privileged communications, pending or contemplated litigation and settlement negotiations – Section 551.071
 - B. Deliberations regarding real property: The purchase, lease, exchange, or value of real property – Section 551.072
 - C. Deliberations regarding prospective gifts – Section 551.073
 - D. Personnel matters: Discuss the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of employees – Section 551.074
 - E. Deliberations regarding security devices—deployment of security personnel or devices – Section 551.076
- V. Open Session:** The Board will reconvene in the Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue and meet as a Committee of the Whole and Meeting of the Board to consider and act on:
- A. Consideration of appropriate action, if any, on items discussed in Executive Session.....Vice Chairman Lewis
- VI. Recess**Chairman Huckabee

VII. Meeting of Standing Committees: Conducted sequentially and separately from the Meeting of the Board starting upon adjournment of the Trustees meeting of the Carr Scholarship Foundation—refer to agenda for each respective committee meeting.
Location: Regents Conference Room (104A), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas

Meeting of the Board
Friday, October 4, 2019

Time: 2:10 pm

Place: Regents Conference Room (104A), First Floor, System Building, 1508
Knoxville Avenue, Lubbock, Texas

Agenda

**VIII. Meeting of the Board—Call to Order; reconvene into
Open Session of the Board**Chairman Huckabee

IX. Open Session: The Board will continue in Open Session and meet as a
Committee of the Whole and Meeting of the Board to consider and act on:

A. Approve minutes of Board meetings held on
August 8-9, 2019.....Chairman Huckabee

B. Committee of the Whole.....Vice Chairman Lewis

Page
CW

1. ASU, TTU, TTUHSC, TTUHSC El Paso, TTUSA,
and TTUS: Approve Consent Agenda; acknowledge
review of Information Agenda..... 7

Consent Agenda

- a. TTU: Approve faculty development leaves of
absence (ACS)
- b. TTU: Authorize execution of four contract
amendments with the US Department of
Energy (F)
- c. TTU and TTUS: Approve purchasing
contract(s) in excess of \$1,000,000 (FA)

Information Agenda

Information is provided as required by Section
01.02.7.d(4)(c), *Regents' Rules*

- (1) TTUHSC and TTUHSC El Paso: Contracts for
ongoing and continuing health-related service
relationships per Section 07.12.4.c, *Regents'*
Rules – “Notwithstanding Section 07.12.3.a or Section

07.12.3.b, Regents' Rules, the board delegates to the presidents of health-related institutions the authority to approve the proposals and execute and sign contracts for health related services, as specified herein. This delegation is limited to contracts with entities for which the institution has an ongoing and continuing contractual relationship, to include: revenue contracts from which the institution receives payment for health related services; participation in health provider networks; resident or faculty support; and expense contracts with healthcare providers or suppliers necessary to fulfill the obligation to provide health related services as part of a revenue contract. Before such a contract may be executed, the president shall obtain the prior review of the TTUS Office of General Counsel and the TTUS vice chancellor and chief financial officer, or their designees. A list of health related services contracts that have been executed under this delegation of authority since the previous regular board meeting shall be provided to the board as an information item at the next regular board meeting."

- (2) TTUHSC and TTUHSC El Paso: Consulting contracts with an initial consideration of \$25,000 or less per Section 07.12.4.e.(2), *Regents' Rules* – "(a) Board approval is not required, but the vice chancellor and chief financial officer, in consultation with the chancellor, presidents, and chief financial officers of the institutions, shall review consulting contracts of \$25,000 or less prior to execution of the contract by the chancellor or president, as appropriate. (b) A report of the contract shall be provided as an Information Agenda item at the next board meeting."
- (3) TTU, TTUHSC El Paso and TTUS: Contracts that involve a stated or implied consideration that total in excess of \$1,000,000 over the entire term of the contract but the per annum amount is less than \$1,000,000 per section 07.12.4 of the *Regents' Rules* – Notwithstanding Section 07.12.3.a, Regents' Rules, the chancellor or president, as appropriate, is delegated the authority to approve: (i) contracts that involve a stated or implied consideration that total in excess of \$1,000,000 over the entire term of the contract but the per annum amount is less than \$1,000,000; and (ii) any amendment, extension, or renewal of a contract originally approved by the chancellor or president, as appropriate, so long as the amendment, extension, or renewal does not cause the per annum amount of the contract to exceed \$1,000,000. This requirement is applicable to both cash and non-cash considerations. Information about such contracts or contract amendments, extensions, or

renewals that are approved by the chancellor or a president under this delegation of authority shall be provided to the board as an information item at the next regular board meeting.

- (4) TTUHSC and TTUS: Emergency or exigent circumstances approval of contract per Section 07.12.3.g, *Regents' Rules* – Unless prohibited by law, when an emergency or exigent circumstances exist and it is not feasible or practical to convene a quorum of the board within the time in which action is needed, approval may be given for a contract proposal submitted by the chancellor, or the chancellor's designee, by verbal approval of the chair or of the chair of the Finance and Administration Committee. Contracts approved in this manner shall be presented to the board as an information item at the next board meeting.
- (5) TTU: Emergency or exigent circumstances approval of program naming per Section 06.06.1.a, *Regents' Rules* – “Except as provided in Section 06.06.2, *Regents' Rules*, any naming related to an endowment or other gift, including but not limited to scholarships and academic positions that are named in accordance with the wishes or in honor of a donor, must receive final approval before said designation may be announced. The approval process shall be as follows: The board shall approve a naming related to an unrestricted gift or grant over \$1,000,000.”
- (6) TTU: Notification of modification to the name and organization of a center per Sections 04.11.2 and 04.11.3, *Regents' Rules* – “The establishment or substantive restructuring of a center, institute, or other academic unit or program not addressed in Section 04.11.1 herein shall be approved by the president, with notice provided to the board via an item in the Information Agenda for the next meeting of the board.”
- (7) TTUS: Texas Tech Foundation Board nominations by Article IV, Section 2, Amended and Restated Bylaws of Texas Tech Foundation, Inc. – “The Foundation Board shall be composed of not less than twenty-one (21), and not more than forty (40) voting members, elected by the current members, with notice to the Board of Regents. Members of the Foundation Board serve in cooperation and coordination with the Board of Regents. The Foundation Board shall endeavor to have at least one member from each of Lubbock, El Paso and San Angelo or their surrounding areas and shall further endeavor to

have members that represent the diverse geographic areas of Texas served by the University System.”

- X. Reports of Standing Committees:** Standing Committee reports will be presented sequentially to the Committee of the Whole.
 - A. Report of the Finance and Administration CommitteeRegent Walker
 - B. Report of the Academic, Clinical and Student Affairs CommitteeRegent Steinmetz
 - C. Report of the Audit Committee Regent Hammonds
 - D. Report of the Facilities CommitteeRegent Long

- XI. The Board will continue in Open Session as the Committee of the Whole and Meeting of the Board of Regents.**
 - A. Schedule for Board meetings:
 - December 12-13, 2019, Lubbock
 - February 27-28, 2020, Location TBD
 - May 14-15, 2020, Lubbock
 - August 6-7, 2020, Lubbock
 - October 2020, Dates TBD, Lubbock
 - December 10-11, 2020, Lubbock
 - B. Student Government Association ReportsBrayden Woods,
David Rivero,
Tobi Saliu,
and Albert Romero
 - C. Chairman’s AnnouncementsChairman Huckabee

- XII. Adjournment**Chairman Huckabee

1. **ASU, TTU, TTUHSC, TTUHSC El Paso, TTUSA and TTUS: Approve Consent Agenda; acknowledge review of Information Agenda.**

RECOMMENDATION

The chancellor recommends that the Board of Regents (i) approves the Consent Agenda for the meeting of October 4, 2019; and (ii) acknowledge its review of the Information Agenda for the same meeting.

BACKGROUND INFORMATION

Pursuant to Section 01.02.6.b(2), *Regents' Rules*, the Board of Regents approves certain administrative actions.

This action is required to authorize the various officers and officials of Texas Tech to perform the tasks and duties delineated in the policies of the Board of Regents. This action also confirms the authority to prepare reports, execute contracts, documents, or instruments approved within the Consent Agenda and further confirms that such authority has been delegated to the officer or official preparing and/or executing the said item.

**CONSENT/
INFORMATION
AGENDA**

BOARD OF REGENTS
TEXAS TECH UNIVERSITY SYSTEM

CONSENT AGENDA
and
INFORMATION AGENDA

October 4, 2019

BOARD OF REGENTS

Mr. Christopher M. Huckabee, Chairman

Mr. J. Michael Lewis, Vice Chairman

Mr. Mark Griffin

Mr. Ron Hammonds

Mrs. Ginger Kerrick

Mr. Mickey L. Long

Mr. John D. Steinmetz

Mr. John B. Walker

Mr. Dusty Womble

Mr. Sean Lewis, Student-Regent

Standing Committees:

Academic, Clinical and Student Affairs:
Ginger Kerrick; Sean Lewis; John Steinmetz (Chair); John Walker

Audit:
Ron Hammonds (Chair); Ginger Kerrick; Dusty Womble

Facilities:
Mark Griffin; Ron Hammonds; Mickey Long (Chair)

Finance and Administration:
Mickey Long; John Walker (Chair); Dusty Womble

**TEXAS TECH UNIVERSITY SYSTEM
BOARD OF REGENTS**

October 4, 2019

TABLE OF CONTENTS

CONSENT AGENDA

	<u>Page</u>
a. TTU: Approve faculty development leaves of absence (ACS).....	1
b. TTU: Authorize execution of four contract amendments with the US Department of Energy (F)	2
c. TTU and TTUS: Approve purchasing contract(s) in excess of \$1,000,000 (FA).....	3

INFORMATION AGENDA

(Titles only; full agenda is on page 5)
Information is provided as required by
Section 01.02.7.d(4)(c), *Regents' Rules*

NOTE: The following are reports or other documents which, according to the *Regents' Rules* or state law, must be made available to the Board of Regents. As such, the reports below are on file in the Board Office, and their listing on the Information Agenda constitutes notice that they are available to Board members upon request.

- (1) **TTUHSC and TTUHSC El Paso: Contracts for ongoing and continuing health-related service relationships per Section 07.12.4.c, *Regents' Rules*** – “Notwithstanding Section 07.12.3.a or Section 07.12.3.b, *Regents' Rules*, the board delegates to the presidents of health-related institutions the authority to approve the proposals and execute and sign contracts for health related services, as specified herein. This delegation is limited to contracts with entities for which the institution has an ongoing and continuing contractual relationship, to include: revenue contracts from which the institution receives payment for health related services; participation in health provider networks; resident or faculty support; and expense contracts with healthcare providers or suppliers necessary to fulfill the obligation to provide health related services as part of a revenue contract. Before such a contract may be executed, the president shall obtain the prior review of the TTUS Office of General Counsel and the TTUS vice chancellor and chief financial officer, or their designees. A list of health related services contracts that have been executed under this delegation of authority since the previous regular board meeting shall be provided to the board as an information item at the next regular board meeting.”
- (2) **TTUHSC and TTUHSC El Paso: Consulting contracts with an initial consideration of \$25,000 or less per Section 07.12.4.e.(2), *Regents' Rules*** – “(a) Board approval is not required, but the vice chancellor and chief financial officer, in consultation with the chancellor, presidents, and chief financial officers of the institutions, shall review consulting contracts of \$25,000 or less prior to execution of the contract by the chancellor or president, as appropriate. (b) A report of the contract shall be provided as an Information Agenda item at the next board meeting.”
- (3) **TTU, TTUHSC El Paso and TTUS: Contracts that involve a stated or implied consideration that total in excess of \$1,000,000 over the entire term of the contract but the per annum amount is less than \$1,000,000 per section 07.12.4 of the *Regents' Rules*** – Notwithstanding Section 07.12.3.a, *Regents' Rules*, the chancellor or president, as appropriate, is delegated the authority to approve: (i) contracts that involve a stated or implied consideration that total in excess of \$1,000,000 over the entire term of the contract but the per annum amount is less than \$1,000,000; and (ii) any amendment, extension, or renewal of a contract originally approved by the chancellor or president, as appropriate, so long as the amendment, extension, or renewal does not cause the per annum amount of the

contract to exceed \$1,000,000. This requirement is applicable to both cash and non-cash considerations. Information about such contracts or contract amendments, extensions, or renewals that are approved by the chancellor or a president under this delegation of authority shall be provided to the board as an information item at the next regular board meeting.

- (4) TTUHSC and TTUS: Emergency or exigent circumstances approval of contract per Section 07.12.3.g, *Regents' Rules* –**
Unless prohibited by law, when an emergency or exigent circumstances exist and it is not feasible or practical to convene a quorum of the board within the time in which action is needed, approval may be given for a contract proposal submitted by the chancellor, or the chancellor's designee, by verbal approval of the chair or of the chair of the Finance and Administration Committee. Contracts approved in this manner shall be presented to the board as an information item at the next board meeting.
- (5) TTU: Emergency or exigent circumstances approval of program naming per Section 06.06.1.a, *Regents' Rules* –** “Except as provided in Section 06.06.2, *Regents' Rules*, any naming related to an endowment or other gift, including but not limited to scholarships and academic positions that are named in accordance with the wishes or in honor of a donor, must receive final approval before said designation may be announced. The approval process shall be as follows: The board shall approve a naming related to an unrestricted gift or grant over \$1,000,000.”
- (6) TTU: Notification of modification to the name and organization of a center per Sections 04.11.2 and 04.11.3, *Regents' Rules* –**
“The establishment or substantive restructuring of a center, institute, or other academic unit or program not addressed in Section 04.11.1 herein shall be approved by the president, with notice provided to the board via an item in the Information Agenda for the next meeting of the board.”
- (7) TTUS: Texas Tech Foundation Board nominations by Article IV, Section 2, Amended and Restated Bylaws of Texas Tech Foundation, Inc. –** “The Foundation Board shall be composed of not less than twenty-one (21), and not more than forty (40) voting members, elected by the current members, with notice to the Board of Regents. Members of the Foundation Board serve in cooperation and coordination with the Board of Regents. The Foundation Board shall endeavor to have at least one member from each of Lubbock, El Paso and San Angelo or their surrounding areas and shall further endeavor to have members that represent the diverse geographic areas of Texas served by the University System.”

a. TTU: Approve faculty development leaves of absence.

Board approval required by: Section 04.05, *Regents' Rules*; TTU Operating Policy 32.15

The request is to approve the following leaves of absence. This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

FACULTY DEVELOPMENT LEAVE

Dr. Mindy Brashears, Ph.D., Professor in the Department of Animal and Food Sciences, College of Agricultural Sciences and Natural Resources, for a one-year extension – from January 2020 to January 2021 -- of her current leave of absence without pay approved by the Board of Regents in May 2018. The purpose of the leave is to continue serving as deputy undersecretary for food safety in the U.S. Department of Agriculture. Her full salary will continue to be paid by the federal government for the period of leave.

Dr. Bella Gerlich, Ph.D., Professor and Dean of the University Libraries. Dr. Gerlich is returning full-time to the Library faculty effective January 1, 2020. Dr. Gerlich came to Texas Tech as Dean of Libraries in March 2015. While at Texas Tech she has advanced faculty collaborations with the Library across colleges and departments and reformed or expanded Library services. She has served as President of the Executive Committee of the Texas Digital Library and as a member of the TexShare Advisory Board. The request is for a leave with pay for the Fall semester (September 1, 2019 – December 31, 2019) to prepare for her return to the faculty.

Dr. Linda Hoover, Ph.D., Professor and former Dean of the College of Human Sciences. Dr. Hoover expressed her intentions to resign as dean of the College of Human Sciences as of August 31, 2019, after 16 years of effective leadership and service in that role. She has been a faculty member at Texas Tech University since 1990, and has been recognized with the President's Academic Achievement Award, the Texas 4-H Alumni Award from the Texas 4-H and Youth Development Program and its Foundation, and been a member of the Texas Tech Teaching Academy and of Phi Beta Phi Honor Society. The request is for a leave with pay for the Fall semester (September 1, 2019 – December 31, 2019) to prepare for her return to the faculty.

b. TTU: Authorize execution of four contract amendments with the US Department of Energy.

Board approval required by: Section 07.12.3.d., *Regents' Rules*

The request is to authorize the president, or the president's designee, to execute contract amendments to four leases with the U.S. Department of Energy ("USDOE"). In each instance, the USDOE is a tenant on Texas Tech University ("TTU") real property or occupying TTU facilities located near the Pantex Plant in Carson County. This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

The land and facilities lease to the USDOE are referred to respectively as "the Killgore Center," "the Bull Barns and Sheds," "Tracts I & II," and "Tract III."

Each amendment extends the originally approved term of the lease for one year to allow property appraisals and negotiations between the parties. The leases date back to 1989.

BACKGROUND INFORMATION

Section 07.12.3.d. *Regents' Rules*, requires Board approval on contracts involving the sale or lease of land and/or improvements thereon, or a commitment of funds or other resources for more than four years.

c. TTU and TTUS: Approve purchasing contract(s) in excess of \$1,000,000.

Board approval required by: Sections 07.12.3.a and 07.12.3.c, *Regents' Rules*

The request is to approve the purchasing contracts in excess of \$1,000,000 per annum in accordance with *Regents' Rules* 07.12.3.a and those contracts with a value exceeding \$5,000,000 in accordance with *Regents' Rules* 07.12.3.c as listed on the following page. This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

BACKGROUND INFORMATION

In accordance with the *Regents' Rules*, the Board is routinely requested to approve purchasing contracts under which the TTUS components spend more than \$1,000,000 per annum. Purchasing contracts are procured and executed in compliance with Texas Education Code §51.9335 as well as the *Regents' Rules* and TTUS component Operating Policies and Procedures.

Section 07.12.3.a, *Regents' Rules*, requires Board approval for contracts that total in excess of \$1,000,000 over the entire term of the contract, unless a different consideration is specified by this policy.

However, Section 07.12.3.c provides that, for all purchasing contracts that exceed a total value of \$5,000,000 over the life of the contract (even if the annual amount is less than \$1,000,000), the Board must be provided:

- (1) verification that the solicitation and purchasing method and contractor selection process comply with state law and TTU System policies; and
- (2) information on any potential issue(s) that may arise in the solicitation, purchasing, or contractor selection process.

The attached table shows: (1) purchasing contracts that exceed \$1,000,000 per year for which Board approval is required; and (2) purchasing contracts that exceed \$5,000,000 over the life of the contract for which the special reporting is required.

TTU and TTUS: Approve purchasing contracts

Regents' Rules 07.12.3.a

Component	Vendor	Services or Goods to be Provided	Estimated Per Annum Consideration	Estimated Term Consideration (includes renewals)	Start	End	Procurement Method
TTU	Converge One	Telephony products	\$ 1,007,046	\$ 3,500,000	2/1/2018	6/14/2020	Department of Information Resources

Regents' Rules 07.12.3.c

Component	Vendor	Services or Goods to be Provided	Estimated Per Annum Expenditures	Estimated Term Expenditures (includes renewals)	Start	End	Procurement Method	Verification that the solicitation and contractor selection process comply with State law and TTU System policies	Information on potential issues that may arise in the solicitation, purchasing, or contractor selection process.
TTU	Club Corp	Operation of TTU Club	\$ 631,369	\$ 9,000,000	8/1/2010	7/31/2025	RFP	The contract was procured in accordance with state statutes and TTU operating policies and procedures.	
TTUS	Coca-Cola Southwest Beverages	Pouring rights and vending of beverages	\$ 2,237,778	\$ 29,000,000	9/1/1996	8/31/2021	RFP	The contract was originally procured in accordance with state statutes and TTU operating policies and procedures.	TTUS plans to issue a RFP in 2020 to procure and execute a new pouring rights agreement.
TTU	Constellation New Energy	Natural gas services	\$ 2,849,586	\$ 20,000,000	4/1/2016	8/31/2023	RFP	The contract was procured in accordance with state statutes and TTU operating policies and procedures.	This was submitted in February 2016 but that predated the rule for \$5 million.
TTU	Ebsco	Library materials	\$ 3,389,579	\$ 10,000,000	9/1/2017	8/31/2020	Direct Publisher	The contract was procured in accordance with state statutes and TTU operating policies and procedures.	
TTU	Elsevier BV - Amsterdam	Library materials	\$ 1,994,687	\$ 8,000,000	9/21/2015	12/31/2019	Direct Publisher	The contract was procured in accordance with state statutes and TTU operating policies and procedures.	
TTUS	Factory Mutual Insurance	Property insurance	\$ 1,382,869	\$ 6,000,000	6/1/2016	5/31/2020	RFP	The contract was procured in accordance with state statutes and TTU operating policies and procedures.	
TTUS	Johnson Controls	Facilities maintenance	\$ 724,950	\$ 6,000,000	12/8/2004	8/31/2020	GSA Contract	The contract was procured in accordance with state statutes and TTU operating policies and procedures.	
TTUS	Summus Industries/Staples	Office Supplies	\$ 2,500,000	\$ 20,000,000	12/1/2019	11/30/2023 plus four (4) one-year renewals	RFP	Confirmed	TTUS has historically contracted with this vendor. No previous contract issues. Historically Underutilized Business partner between Summus and Staples.

CONTENTS OF THE INFORMATION AGENDA

Section 01.02.7.d(4)(c), *Regents' Rules*, provides: “material required by a provision of the *Regents' Rules* to be furnished to the Board as information will be listed in the information agenda.”

NOTE: The following are reports or other documents which, according to the *Regents' Rules* or state law, must be made available to the Board of Regents. As such, the reports below are on file in the Board Office, and their listing on the Information Agenda constitutes notice that they are available to Board members upon request.

INFORMATION AGENDA

Information is provided as required by
Section 01.02.7.d(4)(c), *Regents' Rules*

NOTE: The following are reports or other documents which, according to the *Regents' Rules* or state law, must be made available to the Board of Regents. As such, the reports below are on file in the Board Office, and their listing on the Information Agenda constitutes notice that they are available to Board members upon request.

- (1) **TTUHSC and TTUHSC El Paso: Contracts for ongoing and continuing health-related service relationships per Section 07.12.4.c, *Regents' Rules*** – “Notwithstanding Section 07.12.3.a or Section 07.12.3.b, *Regents' Rules*, the board delegates to the presidents of health-related institutions the authority to approve the proposals and execute and sign contracts for health related services, as specified herein. This delegation is limited to contracts with entities for which the institution has an ongoing and continuing contractual relationship, to include: revenue contracts from which the institution receives payment for health related services; participation in health provider networks; resident or faculty support; and expense contracts with healthcare providers or suppliers necessary to fulfill the obligation to provide health related services as part of a revenue contract. Before such a contract may be executed, the president shall obtain the prior review of the TTUS Office of General Counsel and the TTUS vice chancellor and chief financial officer, or their designees. A list of health related services contracts that have been executed under this delegation of authority since the previous regular board meeting shall be provided to the board as an information item at the next regular board meeting.”

TTUHSC:

- (a) CON2383643 Texas Health and Human Services Commission; HHSC Network Access Improvement Program; \$ 2,622,668 annually.
- (b) AMEND597614-002 University of Texas Medical Branch; Extend Term - Interagency coop-pharmaceutical services for TDCJ units; Reduction of \$1,480,000 to \$9,920,000 annually. (Business Review)
- (c) AMEND592606-018 University Medical Center - UMC Lubbock; Amend Burn/Trauma support with deficit support for APP in SICU, Critical Care, and Burn services at UMC; Increase of \$100,000 to \$24,718,339 annually.
- (d) AMEND592606-017 University Medical Center - UMC Lubbock; Amendment Y - Schedule of Services and Compensation - Services Agreement 1115 Waiver; Decrease of \$257,356 to \$24,618,339 annually.
- (e) AMEND589560-004 BSA Health System of Amarillo LLC; Amendment to Family Medicine faculty and support agreement to extend term; Increase of \$20,880 to \$1,756,925.
- (f) AMEND589536-004 Northwest Texas Healthcare System Inc; Amend Resident Services Agreement to extend; Increase of \$98,101 to \$4,173,482 annually.
- (g) AMEND589532-003 Bio Medical Applications of Texas Inc; Amendment to establish a continuing 10 year Medical Director Agreement; Increase of \$60,000 to \$570,000 annually.
- (h) AMEND588851-004 University Medical Center - UMC Lubbock; 2019-2020 Master Coordinating Agreement; Decrease of \$75,529 to \$20,093,638 annually.

- (i) AMEND1720372-002 Texas Department of Criminal Justice 696; Amendment to Increase FY19 - Contract TDCJ Master Contract; Increase of \$8,686,390 to \$115,708,083 annually
- (j) AMEND1592374-008 University Medical Center - UMC Lubbock; Amendment to agreement for faculty support Department of Internal Medicine, Cardiology; Increase of \$1,725,917 to \$2,760,000 annually.
- (k) AMEND1592373-007 University Medical Center - UMC Lubbock; Amendment F - Agreement for faculty support Department of Internal Medicine, Medical Oncology; Decrease of \$79,860 to \$2,199,140 annually.

TTUHSC El Paso:

- (a) 03903-A01; Rachel Wood, "Professional Service Agreement" for TTUHSC El Paso campus, RE: Certified Registered Nurse Anesthetist (CRNA) services for TTUHSC EP at hospital affiliates, annual amount not to exceed \$400,000, total contract value over term \$2,500,000.
- (b) 05772-A02; The Hospitals of Providence, "Neurology Service Agreement" for TTUHSC El Paso campus, RE: On call neurology interventional services at THOP Sierra campus, amendment increase of \$393,250, total contract value over term \$1,342,250.
- (c) 06618; Mark D. Henderson Inc., "Professional Service Agreement" for TTUHSC El Paso campus, RE: Certified Registered Nurse Anesthetist (CRNA) services for TTUHSC EP at hospital affiliates, annual amount not to exceed \$300,000, total contract value over term \$1,200,000.
- (d) 06597; Texas Health and Human Services Commission, "Network Access Improvement Program Agreement" for TTUHSC El Paso campus, STAR Program agreement in conjunction with CMS and Managed Care Organizations, \$1,171,892.

(2) TTUHSC and TTUHSC El Paso: Consulting contracts with an initial consideration of \$25,000 or less per Section

07.12.4.e.(2), Regents' Rules – "(a) Board approval is not required, but the vice chancellor and chief financial officer, in consultation with the chancellor, presidents, and chief financial officers of the institutions, shall review consulting contracts of \$25,000 or less prior to execution of the contract by the chancellor or president, as appropriate. (b) A report of the contract shall be provided as an Information Agenda item at the next board meeting."

TTUHSC:

- (a) CON2375124 TK Consulting Physician Assistant Education LLC; Consultant Services for TTUHSC SHP PA program. NTE \$ 9,600.

TTUHSC El Paso:

- (a) 06608; Patton Healthcare Consulting Inc., "Consultant Services Agreement" for TTUHSC El Paso campus, RE: Consulting services for institution in preparation of Joint Commission survey, \$9,600.

(3) TTU, TTUHSC El Paso and TTUS: Contracts that involve a stated or implied consideration that total in excess of \$1,000,000 over the entire term of the contract but the per annum amount is less than \$1,000,000 per section 07.12.4 of the Regents' Rules – Notwithstanding Section 07.12.3.a, Regents' Rules, the chancellor or president, as appropriate, is delegated the authority to approve: (i) contracts that involve a stated or implied consideration that total in excess of \$1,000,000 over the entire term of the contract but the per annum amount is less than \$1,000,000; and (ii) any amendment, extension, or renewal of a contract

originally approved by the chancellor or president, as appropriate, so long as the amendment, extension, or renewal does not cause the per annum amount of the contract to exceed \$1,000,000. This requirement is applicable to both cash and non-cash considerations. Information about such contracts or contract amendments, extensions, or renewals that are approved by the chancellor or a president under this delegation of authority shall be provided to the board as an information item at the next regular board meeting.

(a) See attachments of contracts below that meet the above criteria.

TTU: Approved contracts to be reported to the Board of Regents

Regents' Rules 07.12.4

Component	Vendor	Services or Goods to be Provided	Estimated Per Annum Consideration	Estimated Term Consideration (includes renewals)	Start	End	Procurement Method
TTU	B&H Foto & Electronics	Electronic equipment and supplies	\$ 560,059	\$ 2,733,780	8/1/2013	7/31/2023	Cooperative Contract
TTU	Craftsman Printers	Printing services	\$ 384,038	\$ 4,750,000	8/13/2014	8/13/2023	RFP
TTU	Extreme Packets	Data communications cabling	\$ 183,046	\$ 3,000,000	7/9/2013	7/8/2020	RFP
TTU	King's Highway	Charter services	\$ 415,789	\$ 4,000,000	11/10/2016	11/9/2024	RFP
TTU	Bailey Boiler Works	Industrial	\$ 379,785	\$ 3,500,000	8/29/2014	8/28/2022	RFP

TTUHSC El Paso: Approved contracts to be reported to the Board of Regents

Regents' Rules 07.12.4

Component	Vendor	Services or Goods to be Provided	Estimated Per Annum Consideration	Estimated Term Consideration (includes renewals)	Start	End	Procurement Method
TTUHSC El Paso	Exan Enterprises, Inc.	Dental health record system	\$ 714,680 Max. per year	\$ 1,060,000	10/1/2019	9/20/2024	RFP

TTUS: Approved contracts to be reported to the Board of Regents

Regents' Rules 07.12.4

Component	Vendor	Services or Goods to be Provided	Estimated Per Annum Consideration	Estimated Term Consideration (includes renewals)	Start	End	Procurement Method
TTUS	West Texas Lighthouse for the Blind dba Lighthouse Office Supply	Office Supplies	\$ 500,000	\$ 4,000,000	12/1/2019	11/30/2023 plus four (4) one-year renewals	RFP
TTUS	Today's Business Solutions/Office Depot	Office Supplies	\$ 500,000	\$ 4,000,000	12/1/2019	11/30/2023 plus four (4) one-year renewals	RFP

- (4) **TTUHSC and TTUS: Emergency or exigent circumstances approval of contract per Section 07.12.3.g, *Regents' Rules*** – Unless prohibited by law, when an emergency or exigent circumstances exist and it is not feasible or practical to convene a quorum of the board within the time in which action is needed, approval may be given for a contract proposal submitted by the chancellor, or the chancellor's designee, by verbal approval of the chair or of the chair of the Finance and Administration Committee. Contracts approved in this manner shall be presented to the board as an information item at the next board meeting.

TTUHSC:

- (a) On August 23, 2019, Chairman Huckabee granted exigent circumstances approval for the following contract: CON2394411 Texas Health and Human Services Commission; Mental Health Outpatient Health Services-TCCO. \$ 1,000,000 annually. Two-year term.

TTUS:

- (a) On August 23, 2019, Chairman Huckabee granted exigent circumstances approval for a three year contract for Chancellor Mitchell that encompasses his dual role as Chancellor of the TTU System and President of TTUHSC.

- (5) **TTU: Emergency or exigent circumstances approval of program naming per Section 06.06.1.a, *Regents' Rules*** – “Except as provided in Section 06.06.2, *Regents' Rules*, any naming related to an endowment or other gift, including but not limited to scholarships and academic positions that are named in accordance with the wishes or in honor of a donor, must receive final approval before said designation may be announced. The approval process shall be as follows: The board shall approve a naming related to an unrestricted gift or grant over \$1,000,000.”

- (a) On August 23, 2019, Chairman Huckabee granted an exigent circumstances approval that authorized the Rawls Business Leadership Program to be renamed the “Scovell Business Leadership Program”. The naming is to honor the Scovell Family’s gift of \$3 million to the Rawls College of Business Administration, endowing the Rawls Business Leadership Program.

The Rawls Business Leadership Program, open to all business majors, creates a dynamic learning experience to provide students with real-world knowledge and experiences to excel in leadership roles. The four elements of the program include experiential living and learning opportunities, real-world application, international experience, and interactive personal development with a designated professional mentor. Over 50 students have successfully completed the program since its inception in fall of 2013.

- (6) **TTU: Notification of modification to the name and organization of a center per Sections 04.11.2 and 04.11.3, *Regents' Rules*** – “The establishment or substantive restructuring of a center, institute, or other academic unit or program not addressed in Section 04.11.1 herein shall be approved by the president, with notice provided to the board via an item in the Information Agenda for the next meeting of the board.”

- (a) Effective September 1, 2020, the University Writing Center will be renamed the Writing Centers at Texas Tech University (WC@TTU) and will adopt a new organizational structure comprising three separate service centers: The

Undergraduate Writing Center, the Graduate Writing Center, and the Online Writing Center. The WC@TTU will be coordinated by a managing director who will report to the Office of the Provost. The objective of this reorganization is to better serve the students and faculty of Texas Tech University by providing focused writing consultation, tutoring, training, and programming to both graduate students and undergraduate students and by expanding such services to students studying at regional sites, TTU-Costa Rica, and online.

- (7) **TTUS: Texas Tech Foundation Board nominations by Article IV, Section 2, Amended and Restated Bylaws of Texas Tech Foundation, Inc.** – “The Foundation Board shall be composed of not less than twenty-one (21), and not more than forty (40) voting members, elected by the current members, with notice to the Board of Regents. Members of the Foundation Board serve in cooperation and coordination with the Board of Regents. The Foundation Board shall endeavor to have at least one member from each of Lubbock, El Paso and San Angelo or their surrounding areas and shall further endeavor to have members that represent the diverse geographic areas of Texas served by the University System.”

- (a) On August 30, 2019, the Texas Tech Foundation Board of Directors unanimously approved the following individuals to serve on the foundation board of directors:

First Term Appointments – Expiring August 31, 2023

Clay Cash
Dennis Kruse
Tim Lancaster
Randy Morris
Christi Quinn
David Turner
Lea Wright

The Texas Tech Foundation, Inc.’s bylaws state that the Board of Directors (the “Board”) shall be composed of not less than twenty-one (21) and no more than forty (40) voting members, elected by the current members, with notice to the Board of Regents.