

TEXAS TECH UNIVERSITY SYSTEM
Lubbock, Texas

Minutes

Board of Regents
September 30, 2005

Friday, September 30, 2005.—The members of the Board of Regents of the Texas Tech University System convened in a special called meeting by teleconference at 10:05 a.m. on Friday, September 30, 2005, in the Board Room, Second Floor, Room 201, Administration Building, Akron and Broadway Avenues, Lubbock, Texas, with the following in attendance:

ATTENDANCE.—

Regent C. Robert Black was present in the Board Room. Regents present by telephone were: L. Frederick “Rick” Francis, Chairman; J. Frank Miller, III, Vice Chair; Larry K. Anders; F. Scott Dueser; Mark Griffin; Daniel T. Serna; Windy Sitton; and Bob L. Stafford.

Also participating in the meeting by telephone was Dr. David R. Smith. Other officials present for the meeting were Dr. Jon Whitmore, President, TTU; Mr. Jim Brunjes, Chief Financial Officer, TTUS; Mr. Ben Lock, Senior Vice Chancellor, TTUS; Mr. Pat Campbell, Vice Chancellor and General Counsel, TTUS; Mr. Mike Ellicott, Vice Chancellor for Facilities, Planning and Construction, TTUS; Dr. Elizabeth Haley, Associate Vice Chancellor of Institutional Advancement, TTUS; Dr. William Marcy, Provost, TTU; Mr. Max Hinojosa, Vice President for Operations, TTU and Ms. Christina Martinez, Assistant Secretary of the Board of Regents.

- I. CALL TO ORDER; CONVENE INTO OPEN SESSION OF THE BOARD.—
Following roll call, Chairman Francis announced a quorum present and called the meeting to order at approximately 10:05 a.m.

- II. OPEN SESSION.—The board continued in Open Session and met as a Committee of the Whole and Meeting of the Board. Chairman Francis announced that for the purpose of facilitating action on the items to be considered, Vice Chairman Miller would preside over the Committee of the Whole.
 - II.A. Consideration of items to the Board of Regents of the Texas Tech University System (“TTUS”) for and on behalf of TTUS, the TTU System

Administration (“TTUSA”), Texas Tech University (“TTU”), and Texas Tech University Health Sciences Center (“TTUHSC”).

II.A.1. TTU: Ratify item to approve the TTU lease agreement with the Lubbock Reese Redevelopment Authority (“LRRRA”).—The board ratified a previous Executive Committee approval of the extension of an agreement with the Lubbock Reese Redevelopment Authority to lease a 67-acre parcel of land upon which Texas Tech University (“TTU”) has erected two towers. The proposed amendment will renew a lease agreement that had expired and allow the LRRRA to place radio communications equipment on one of the towers which will enable the LRRRA to provide Internet services to the Reese Center and surrounding areas. The term of the lease is for ten (10) years, beginning on August 1, 2005 and ending on July 31, 2015. TTU’s cost for the lease of this land is \$1 per year.

Dr. Whitmore reported that due to the recent hurricane relief efforts at the Reese Center, this agreement was previously presented to the Executive Committee of the board for approval. This item ratifies the approval of the Executive Committee. TTU originally entered into a five-year lease with the Lubbock Reese Redevelopment Authority for a 67-acre parcel of land. On that land, TTU erected two towers: one tower is 240 feet and the second is 675 feet. Each tower is utilized for research and economic development purposes. The 675 foot tower collects wind profile data and atmospheric conditions across a 30-county area and the 240 foot tower holds communications equipment that transmits and receives information that prospers economic development, educational interchange and applied research.

II.A.2. TTU: Report on request to expand the lease premises for the Ronald McDonald House.—The board accepted a report from Mr. Ellicott on the intent of the Ronald McDonald House to expand their facilities at some time in the future. An interest has been expressed in a 1.317 acre track of land north and east of the existing property. If such an amendment is required, an action item will be presented to the Board at a later meeting date.

Mr. Ellicott noted that in 1994, the board leased approximately 1.125 acres of land to Family House, Inc., the corporate structure behind the Ronald McDonald House. In February 2001, based on expansion plans, we had reserved an additional two acres adjacent to the original lease area for future expansion. The Ronald McDonald House has approached the university to ask for some additional land to build a playground. It has since been determined that they can place the playground within their original lease area,

but they are still interested in expanding their lease to allow for future expansion. We are continuing to work with the Ronald McDonald House to quantify exactly what they plan to do and the amount of land available. The land available appears to be a little over 1.3 acres to support their efforts. When negotiations continue, if it appears that their request for additional land is justified, an action item will be presented to the board at that time.

Regent Griffin asked if this is an option to the lease. Mr. Ellicott responded that there is no option in the lease. The Ronald McDonald House approached TTU some time ago about the possibility of expanding. In 2001, we were adjusting the Master Plan for several items and we reserved an additional two acres adjacent to their site to allow for future expansion.

Regent Griffin asked if the university is requesting authority to negotiate up to the amount of land available or if additional authority will be needed. Mr. Ellicott stated that additional authority is not being requested at this time. The 1.3 acres is all the additional land that is available at this time. The remainder of the 2 reserved acres is in the area when the Marsha Sharp Freeway is complete, that portion of Indiana Avenue will be eliminated and will provide the remainder of the 2 acres. We are not in a position to lease that land at this point.

Regent Anders asked if the 1.3 acre tract has any other development use for the university or the system as a whole. Mr. Ellicott responded that it does not. The land is basically north of the Ronald McDonald House up to 10th Street and east from the Ronald McDonald House to Indiana. In reality, there is no other use for that acreage.

Regent Dueser asked if Family House, Inc. is a non-profit organization. Mr. Ellicott confirmed that Family House, Inc. is a non-profit organization. TTU's original lease is with Family House, Inc. The corporate name has changed and we are attempting to verify that information. Family House, Inc. is the non-profit organization that operates the Ronald McDonald House.

Vice Chairman Miller stated that consideration of items by the Committee of the Whole was concluded.

- III. RECESS TO EXECUTIVE SESSION.—At approximately 10:13 a.m., the board recessed and convened in Executive Session as authorized by Chapter 551 of the *Texas Government Code*.

IV. RECONVENING OF THE BOARD INTO OPEN SESSION.—At approximately 11:35 a.m., the board reconvened in open session to consider items as a Committee of the Whole and Meeting of the Board.

IV.A. REPORT OF EXECUTIVE SESSION.—Chairman Francis called on Vice Chairman Miller to present motions regarding items discussed while in Executive Session. Vice Chairman Miller reported that there were no action items to be considered from Executive Session.

V. ADJOURNMENT.—Chairman Francis adjourned the meeting at 11:35 a.m.

I, Ben Lock, the duly appointed and qualified Secretary of the Board of Regents, hereby certify that the above and foregoing is a true and correct copy of the Minutes of the Texas Tech University System Board of Regents meeting on September 30, 2005.

Ben Lock
Secretary

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