

TEXAS TECH UNIVERSITY SYSTEM
Lubbock, Texas

Minutes

Board of Regents
January 20, 2011

Thursday, January 20, 2011.—The members of the Board of Regents of the Texas Tech University System convened in a special-called meeting by teleconference at the adjournment of the Finance and Administration Committee teleconference meeting at 1:58 pm. on Thursday, January 20, 2011, in the Board Room, Room 201, Second Floor, Administration Building, Akron and Broadway Avenues, Lubbock, Texas, with the following in attendance:

ATTENDANCE.—

Regents present by telephone were Larry K. Anders, Chairman; L. Frederick “Rick” Francis; Jeff Harris, Student Regent; John Huffaker; Mickey L. Long; Debbie Montford; John Field Scovell; Daniel T. Serna; and Jerry E. Turner, Vice Chairman. Regent Nancy Neal attended in person.

Also participating at the opening of the meeting were Mr. Kent Hance, Chancellor, TTUS; Dr. Guy Bailey, President, TTU; Mr. Ben Lock, Executive Assistant to the Chancellor and Secretary of the Board, TTUS; Mr. Pat Campbell, Vice Chancellor and General Counsel, TTUS; Mr. Jim Brunjes, Chief Financial Officer, TTUS; Mr. Kyle Clark, Vice President for Administration and Finance, TTU; Mrs. Kim Turner, Chief Audit Executive, TTUS; Dr. Taylor Eighmy, Vice President for Research, TTU; Dr. Michael Shonrock, Senior Vice President for Student Affairs and Enrollment Management, TTU; Mr. Michael Molina, Vice Chancellor for Facilities Planning and Construction, TTUS; Mr. Jodey Arrington, Chief of Staff, Office of the Chancellor, TTUS; Mr. Russell Thomasson, Special Assistant to the Chancellor, TTUS; and Mrs. Christina Martinez, Assistant Secretary to the Board of Regents, TTUS.

- II. CALL TO ORDER; CONVENE INTO OPEN SESSION OF THE BOARD.—
Chairman Anders announced a quorum present and called the meeting to order at approximately 1:58 pm.
- III. REPORTS OF STANDING COMMITTEES.—At approximately 1:58 pm, at the direction of Chairman Anders, Standing Committee reports were presented sequentially to the Committee of the Whole.
 - III.A. REPORT OF THE FACILITIES COMMITTEE

Committee Chairman Francis reported that the Facilities Committee met in open session on January 20, 2011 to consider those matters on its agenda and to formulate recommendations to the Board of Regents of the Texas Tech University System. Unless otherwise indicated, the actions set forth in the Minute Orders that follow were recommended by the Facilities Committee and approved in open session and without objection by the Board of Regents of the Texas Tech University System.

- III.A.1A. TTU: Re-approve a project to construct an addition and renovate the PrinTech Building for Exercise Science Center.— The Board authorized the Office of Facilities Planning and Construction to (i) finalize the plans to construct an addition and renovate the PrinTech Building for the Exercise Science Center (“ESC”); (ii) increase the budget from \$2,000,000 to \$6,000,000; (iii) obtain approval from the Texas Higher Education Coordinating Board; and (iv) amend the existing design/build contract. The project will be funded through the Revenue Finance System (“RFS”) repaid with \$2,000,000 in Higher Education Assistance Funds (“HEAF”) and \$4,000,000 in University Student Housing and Hospitality Services funds.

It was further recommended that the board acknowledge that it expects to pay expenditures in connection with the construction of the project prior to the issuance of obligations to finance the project and, in that respect, the board found that the reimbursement for the payments of such expenditures will be appropriate and consistent with the lawful objectives of the Texas Tech University System, and, as such, declared its intention, in accordance with the provisions of *Treasury Regulations*, Section 1.150-2, to reimburse itself for original expenditures, advanced in connection with the design, planning and construction of a new project an aggregate maximum principal amount expected to be \$6,000,000.

The chancellor further recommended that the president be authorized 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.

- III.A.1B. TTU: Approve a project to abate and demolish the Sport Studies Center and construct a new residence hall and dining facility with associated parking.— The Board authorized the Office of Facilities Planning and Construction to proceed with a project to (i) abate and demolish the Sports Studies Center building; (ii) construct a new residence hall and dining facility with associated parking east of Boston Avenue between 18th

and 19th Streets; (iii) waive the use of an Owner's Representative; (iv) obtain project approval from the Texas Higher Education Coordinating Board; and (v) accept a Guaranteed Maximum Price ("GMP") proposal from the Design-Build Team. The project will be funded through the Revenue Finance System ("RFS") repaid with \$45,000,000 in University Student Housing and Hospitality Services funds.

It was further recommended that the board acknowledge that it expects to pay expenditures in connection with the construction of the project prior to the issuance of obligations to finance the project and, in that respect, the board found that the reimbursement for the payments of such expenditures will be appropriate and consistent with the lawful objectives of the Texas Tech University System, and, as such, declared its intention, in accordance with the provisions of *Treasury Regulations*, Section 1.150-2, to reimburse itself for original expenditures, advanced in connection with the design, planning and construction of a new project an aggregate maximum principal amount expected to be \$45,000,000.

The chancellor further recommended that the president be authorized 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.

The TTU Boston Avenue Residence Hall and Dining Facility Schematics are included herewith as Attachment No. 1.

- III.B. REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE
Committee Chairman Scovell reported that the Finance and Administration Committee met in open session on January 20, 2011 to consider those matters on its agenda and to formulate recommendations to the Board of Regents of the Texas Tech University System. Unless otherwise indicated, the action set forth in the Minute Order that follows was recommended by the Finance and Administration Committee and approved in open session and without objection by the Board of Regents of the Texas Tech University System.

- III.B.1. TTU: Authorize engagement of a consultant to provide services in the search for the Athletic Director of Texas Tech University.—The Board authorized the president or his designee to enter into a consulting agreement with an executive search firm to provide assistance in the search for the Texas Tech University Athletic Director.

After evaluation of proposals received in the RFP process and upon recommendation of the Athletic Director Search Committee, Parker Executive Search was selected to assist in the search process. Parker Executive Search is a leading search firm in collegiate athletics and has successfully completed search assignments for many public and private colleges and universities, providing leaders at all levels of intercollegiate sports, including athletic administrators and coaches.

The anticipated cost for this service is \$75,000 plus an estimated 12 percent in administrative expenses. In addition, the firm will bill direct reimbursable expenses that include travel costs, advertising placements and candidate background checks. This initiative will be funded through athletic operations.

The budget for the search firm is expected to be \$84,000 plus expenses and will be funded by Texas Tech University through athletic operations.

IV. EXECUTIVE SESSION.—At approximately 2:01 pm, the Board recessed and convened into Executive Session as authorized by Section 551.071 of the *Texas Government Code*.

V. OPEN SESSION.—At 2:19 pm., the Board reconvened in open session to consider items from Executive Session.

A. REPORT OF EXECUTIVE SESSION.—Chairman Anders called on Vice Chairman Turner to present motions regarding items discussed in Executive Session.

Vice Chairman Turner announced there were no motions resulting from Executive Session.

No action was taken on any matters that were discussed in Executive Session, which included:

Consultation with Attorney:

- Discussion of pending and contemplated litigation involving the Texas Tech University System and its component institutions;
- Discussion of contract negotiations regarding athletic events; and
- Consult with and seek the advice of legal counsel.

B. CHAIRMAN'S ANNOUNCEMENTS.—Mr. Anders asked if there were any announcements. No announcements were made.

VI. ADJOURNMENT.—Chairman Anders adjourned the meeting at approximately 2:19 pm.

INDEX OF ATTACHMENTS

Attachment 1 TTU Boston Avenue Residence Hall and Dining Facility Schematics

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 January 20, 2011.



Ben Lock
Secretary

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