

Meeting No. 1,199

THE MINUTES OF THE BOARD OF REGENTS  
OF  
THE UNIVERSITY OF TEXAS SYSTEM

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November 6, 2019

Austin, Texas

MEETING NO. 1,199

WEDNESDAY, NOVEMBER 6, 2019.--The members of the Board of Regents of The University of Texas System convened a special called meeting at 1:30 p.m. via telephone conference call on Wednesday, November 6, 2019, in the Board Room, Second Floor, The University of Texas System Building, 210 West Seventh Street, Austin, Texas, with the following participation:

ATTENDANCE.--

Present

Chairman Eltife  
Vice Chairman Longoria  
Vice Chairman Weaver  
Regent Beck  
Regent Crain  
Regent Hicks  
Regent Jiles  
Regent Perez  
Regent Warren  
Regent Dominguez, Student Regent, nonvoting

In accordance with a notice being duly posted with the Secretary of State and there being a quorum present on the telephone, Chairman Eltife called the meeting to order in Open Session.

RECESS TO EXECUTIVE SESSION.--At 1:30 p.m., the Board recessed to Executive Session, pursuant to *Texas Government Code* Sections 551.071, 551.072, 551.073, and 551.074 to consider the matters listed on the Executive Session agenda.

RECONVENE THE BOARD IN OPEN SESSION TO CONSIDER ACTION, IF ANY, ON EXECUTIVE SESSION ITEMS.--The Board reconvened in Open Session at 1:46 p.m. to consider action on Executive Session Items

- 1a. U. T. System Academic Institutions: Discussion and appropriate action regarding proposed negotiated gifts, including potential naming features

Vice Chairman Longoria made the following motion:

I move that the U. T. System Board of Regents authorize President Fenves, Chancellor Milliken, and Vice Chancellor Safady to conclude negotiations necessary to finalize, approve, and accept gifts and to finalize and execute any agreements with potential naming features for the benefit of U. T. Austin consistent with the terms and conditions outlined and recommended in Executive Session.

Regent Hicks seconded the motion, which carried unanimously.

1b. U. T. System Health Institutions: Discussion and appropriate action regarding proposed negotiated gifts, including potential naming features

No action was taken on this item.

2. U. T. System: Discussion and appropriate action regarding individual personnel matters relating to appointment, employment, evaluation, compensation, assignment, and duties of presidents (academic and health institutions); U. T. System Administration officers (Executive Vice Chancellors and Vice Chancellors); other officers reporting directly to the Board (such as Chancellor, General Counsel to the Board, and Chief Audit Executive); Board members; and U. T. System and institutional employees

No action was taken on this item.

3. U. T. System Board of Regents: Discussion with Counsel on pending legal issues

No action was taken on this item.

4. U. T. Austin: Discussion and appropriate action regarding the expansion of the ground lease, operating agreement, and related agreements for the development and operation of a new arena to incorporate the construction of an adjacent approximately 64,000 square foot indoor gymnasium practice facility by Oak View Group, LLC through a subsidiary or affiliate, located on the institution's main campus within an area bounded by East Martin Luther King Jr. Boulevard, the IH-35 Frontage Road, Clyde Littlefield Drive, and the proposed realigned Robert Dedman Drive, Travis County, Austin, Texas, for intercollegiate sports and other mission uses

Vice Chairman Weaver made the following motion:

I move that the U. T. System Board of Regents authorize President Fenves, following review and approval by the Chancellor, the Executive Vice Chancellors for Academic and Business Affairs, the Vice Chancellor and General Counsel, and the System Executive Director of Real Estate, to conclude negotiations with Oak View Group, LLC (OVG) through a subsidiary or affiliate, to expand the ground lease, operating agreement, and related agreements as necessary for the development and operation of a new arena to incorporate the construction of an adjacent approximately 64,000 square foot indoor gymnasium practice facility, both located on the institution's main campus within an area bounded by East Martin Luther King Jr. Boulevard, the IH-35 Frontage Road, Clyde Littlefield Drive, and the proposed realigned Robert Dedman Drive, Travis County, Austin, Texas, for intercollegiate

sports, including men's and women's basketball, and other mission uses, on terms in accordance with the parameters outlined in Executive Session.

I further move that the Board:

- a. delegate authority to the Executive Director of Real Estate, following review and approval by President Fenves, the Chancellor, the Executive Vice Chancellors for Academic and Business Affairs, and the Vice Chancellor and General Counsel, to execute all documents, instruments, and other agreements and to take all further actions deemed necessary to execute a new short-term lease to OVG through a subsidiary or affiliate for construction of an arena and an adjacent indoor gymnasium practice facility on the property described above; and
- b. delegate authority to President Fenves, following review and approval by the Chancellor, the Executive Vice Chancellors for Academic and Business Affairs, the Vice Chancellor and General Counsel, and the System Executive Director of Real Estate, to take steps necessary to effect this authorization, including the authority to execute a new long-term services and/or management agreement with OVG through a subsidiary or affiliate for the management of the arena and the practice facility for the use, benefit, and enjoyment of the University and related public uses

with both delegations on terms deemed most beneficial to the University and both delegations to include the authority to execute other ancillary documents as necessary or appropriate to implement this authorization.

Vice Chairman Longoria seconded the motion, which carried unanimously.

ADJOURNMENT.--There being no further business, the meeting was adjourned at 1:50 p.m.

/s/ Tina E. Montemayor  
Secretary to the Board of Regents  
November 14, 2019