

**MATERIAL SUPPORTING THE AGENDA**

**Volume XXIa**

**September 1973 - December 1973**

This volume contains the Material Supporting the Agenda furnished to each member of the Board of Regents prior to the meetings held on September 14, October 26 and December 7, 1973.

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

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

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



THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM

Material Supporting  
Agenda

Meeting Date: ..... September 14, 1973

Meeting No.: ..... 716

Name: ..... *Office Copy*

*1 - A + D - 2  
L & J - Water Control in  
CJW - 10 Litigation*

Press. - V. 11 71  
 Pres. " " " "  
 Pres. " Congress

- Andrew Pinone - ep  
 - Russell Curry - ep  
 - Ken Curry - utarl -

**CALENDAR**  
**BOARD OF REGENTS**  
**OF**  
**THE UNIVERSITY OF TEXAS SYSTEM**

September 14, 1973

Place: U. T. El Paso  
 El Paso, Texas

Meeting Room: Chaparral Room, The Union

Friday, September 14, 1973. --The order of the meetings is set out below:

- |            |   |
|------------|---|
| 9:00 a. m. | Meeting of the Board to Consider Sale<br>of Combined Fee Revenue Bonds for:<br>1. U. T. Arlington, \$7,500,000<br>2. U. T. Austin, \$34,000,000<br>3. U. T. El Paso, \$5,000,000  |
| 9:15 a. m. | System Administration Committee<br>Academic and Developmental Affairs<br>Committee<br>Buildings and Grounds Committee<br>Medical Affairs Committee<br>Land and Investment Committee<br>Committee of the Whole<br>Meeting of the Board |
| 12:00 noon | Lunch   |

Telephone Numbers

President Templeton's Office	747-5555
Meeting Room	747-3664
Holiday Inn	544-3300
Airlines	
American	544-1181
Continental	532-8961
Texas International	800-492-6600
Taxis	
Yellow Cab	533-3433
Checker	532-2626

*S. W. Air Range*      915-772-3291  
Waiting Room  
 Lounge Area Outside Chaparral Room

If at any time during the meeting, you think that the security officers should take over, please notify me so that I can alert Chief Cornwall (Director of Police).

**Meeting of  
the Board**



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

Chairman McNeese, Presiding

Date: September 14, 1973  
Time: 9:00 a. m.  
Place: Chaparral Room, The Union  
U. T. El Paso  
El Paso, Texas

	<u>Page B of R</u>
A. CALL TO ORDER	3
B. APPROVAL OF MINUTES OF REGENTS' MEETING - JULY 27, 1973	3
C. SPECIAL ORDERS. --At the Regents' meeting on July 27, 1973, the Board of Regents authorized that bids be invited for the sale of the bonds listed below, for the paying agents therefor, and for the printing thereof. The firm of McCall, Parkhurst and Horton was named Bond Counsel, and Sam Maclin was named Bond Consultant for each of the issues. The purpose of each issue is to provide funds for the acquisition, construction and equipping of buildings and facilities at the respective institutions (U. T. Arlington, U. T. Austin, and U. T. El Paso).	
<p>Bids for each bond issue are to be opened in the offices of McCall, Parkhurst and Horton, 1400 Mercantile Building, Dallas, Texas, at 11:00 a. m. , C. D. T. , on September 13, 1973.</p> <p>The bids for the designation of paying agents and for the award of contract for printing the bonds will be opened in the Office of Investments, Trusts and Lands, Austin, Texas, at 10:00 a. m. , C. D. T. , on September 12, 1973:</p>	
1. U. T. ARLINGTON: RESOLUTION AUTHORIZING ISSUANCE AND AWARDED SALE OF BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, THE UNIVERSITY OF TEXAS AT ARLINGTON, COMBINED FEE REVENUE BONDS, SERIES 1973-A, \$7,500,000; DESIGNATION OF PAYING AGENTS, AND AWARD OF CONTRACT FOR PRINTING BONDS	3

Action Required

- a. Adoption of the Resolution set out on Pages 4 - 14 . This Resolution was prepared by the Bond Counsel and authorizes the issuance and sale of bonds.
- b. Designation of paying agents for the bonds.
- c. Award of contract for printing bonds.

2. U. T. AUSTIN: RESOLUTION AUTHORIZING ISSUANCE AND AWARDING SALE OF BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, THE UNIVERSITY OF TEXAS AT AUSTIN, COMBINED FEE REVENUE BONDS, SERIES 1973, \$34,000,000; DESIGNATION OF PAYING AGENTS, AND AWARD OF CONTRACT FOR PRINTING BONDS

14

Action Required

- a. Adoption of the Resolution set out on Pages 15 - 22 . This Resolution was prepared by the Bond Counsel and authorizes the issuance and sale of bonds.
- b. Designation of paying agents for the bonds.
- c. Award of contract for printing bonds.

3. U. T. EL PASO: RESOLUTION AUTHORIZING ISSUANCE AND AWARDING SALE OF BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, THE UNIVERSITY OF TEXAS AT EL PASO, COMBINED FEE REVENUE BONDS, SERIES 1973, \$5,000,000; DESIGNATION OF PAYING AGENTS, AND AWARD OF CONTRACT FOR PRINTING BONDS

22

Action Required

- a. Adoption of the Resolution set out on Pages 23 - 30 . This Resolution was prepared by the Bond Counsel and authorizes the issuance and sale of bonds.
- b. Designation of paying agents for the bonds.
- c. Award of contract for printing bonds.

- D. RECESS\*

30

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\*The agenda and documentation for the Meeting of the Board that will be held following the meetings of the Standing Committees and the Committee of the Whole are set out in the last section, Meeting of the Board, in this volume.

DOCUMENTATION

- A. CALL TO ORDER
- B. APPROVAL OF MINUTES OF REGENTS' MEETING - JULY 27, 1973
- C. SPECIAL ORDERS
  - 1. U. T. ARLINGTON: RESOLUTION AUTHORIZING ISSUANCE AND AWARDED SALE OF BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, THE UNIVERSITY OF TEXAS AT ARLINGTON, COMBINED FEE REVENUE BONDS, SERIES 1973-A, \$7,500,000; DESIGNATION OF PAYING AGENTS, AND AWARD OF CONTRACT FOR PRINTING BONDS (Pages 4 - 14 ). --

RESOLUTION AUTHORIZING THE ISSUANCE OF BOARD  
OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM,  
THE UNIVERSITY OF TEXAS AT ARLINGTON, COMBINED  
FEE REVENUE BONDS, SERIES 1973-A, \$7,500,000

WHEREAS, the Board of Regents of The University of Texas System is authorized to issue the bonds hereinafter authorized pursuant to Chapter 55, Texas Education Code.

THEREFORE, BE IT RESOLVED BY THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM:

Section 1. That said Board's negotiable, serial, coupon bonds to be designated "BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, THE UNIVERSITY OF TEXAS AT ARLINGTON, COMBINED FEE REVENUE BONDS, SERIES 1973-A", are hereby authorized to be issued, sold, and delivered in the principal amount of \$7,500,000, FOR THE PURPOSE OF PROVIDING FUNDS TO PURCHASE LAND, IMPROVE EXISTING FACILITIES, AND CONSTRUCT AND EQUIP BUILDINGS, STRUCTURES, AND FACILITIES, FOR AND ON BEHALF OF THE UNIVERSITY OF TEXAS AT ARLINGTON.

Section 2. That said bonds shall be dated OCTOBER 1, 1973, shall be numbered consecutively from 1 THROUGH 1500, shall be in the denomination of \$5,000 EACH, and shall mature and become due and payable serially on JULY 1 in each of the years, and in the amounts, respectively, as set forth in the following schedule:

<u>YEARS</u>	<u>AMOUNTS</u>	<u>YEARS</u>	<u>AMOUNTS</u>
1974	\$ 50,000	1990	\$ 195,000
1975	55,000	1991	200,000
1976	55,000	1992	210,000
1977	60,000	1993	225,000
1978	65,000	1994	230,000
1979	65,000	1995	250,000
1980	70,000	1996	260,000
1981	75,000	1997	275,000
1982	80,000	1998	290,000
1983	130,000	1999	310,000
1984	135,000	2000	325,000
1985	145,000	2001	340,000
1986	150,000	2002	830,000
1987	165,000	2003	900,000
1988	175,000	2004	1,000,000
1989	185,000		

Said bonds may be redeemed prior to their scheduled maturities, at the option of said Board, on the dates stated, and in the manner provided, in the FORM OF BOND set forth in this Resolution.

Section 3. That said bonds scheduled to mature during the years, respectively, set forth below shall bear interest at the following rates per annum:

maturities	1974	through	____,	_____%
maturities	_____	through	____,	_____%
maturities	_____	through	____,	_____%
maturities	_____	through	____,	_____%
maturities	_____	through	____,	_____%
maturities	_____	through	____,	_____%
maturities	_____	through	____,	_____%

Said interest shall be evidenced by interest coupons which shall appertain to said bonds, and which shall be payable on the dates stated in the FORM OF BOND set forth in this Resolution.

Section 4. That said bonds, and the interest coupons appertaining thereto, shall be payable, shall have the characteristics, and shall be signed and executed (and said Bonds shall be sealed), all as provided, and in the manner indicated, in the FORM OF BOND set forth in this Resolution.

Section 5. That the form of said bonds, including the form of Registration Certificate of the Comptroller of Public Accounts of the State of Texas to be printed and endorsed on each of said bonds, and the form of the aforesaid interest coupons which shall appertain and be attached initially to each of said bonds, shall be, respectively, substantially as follows:

FORM OF BOND:

NO. \_\_\_\_\_

\$5,000

UNITED STATES OF AMERICA  
STATE OF TEXAS  
BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM  
THE UNIVERSITY OF TEXAS AT ARLINGTON  
COMBINED FEE REVENUE BOND  
SERIES 1973-A

ON JULY 1, \_\_\_\_\_, the BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, for and on behalf of THE UNIVERSITY OF TEXAS AT ARLINGTON, promises to pay to bearer the principal amount of

FIVE THOUSAND DOLLARS

and to pay interest thereon, from the date hereof, at the rate of \_\_\_\_\_% per annum, evidenced by interest coupons payable JANUARY 1, 1974, and semi-annually thereafter on each JULY 1 and JANUARY 1 while this bond is outstanding.

THE PRINCIPAL of this bond and the interest coupons appertaining hereto shall be payable to bearer, in lawful money of the United States of America, without exchange or collection charges to the bearer, upon presentation and surrender of this bond or proper interest coupon, at the following, which shall constitute and be defined as the "Paying Agent" for this Series of Bonds:

\_\_\_\_\_, TEXAS,  
OR, AT THE OPTION OF THE BEARER, AT  
\_\_\_\_\_, NEW YORK, NEW YORK.

THIS BOND is one of a Series of negotiable, serial, coupon bonds, dated OCTOBER 1, 1973, issued in the principal amount of \$7,500,000, FOR THE PURPOSE OF PROVIDING FUNDS TO PURCHASE LAND, IMPROVE EXISTING FACILITIES, AND CONSTRUCT AND EQUIP BUILDINGS, STRUCTURES, AND FACILITIES, FOR AND ON BEHALF OF THE UNIVERSITY OF TEXAS AT ARLINGTON.

ON JULY 1, 1984, OR ON ANY INTEREST PAYMENT DATE THEREAFTER, the outstanding bonds of this Series may be redeemed prior to their scheduled maturities, at the option of said Board, IN WHOLE, OR IN PART, for the principal amount thereof and accrued interest thereon to the date fixed for redemption, plus a premium

on the principal amount of each such bond as follows:

3% if redeemed July 1, 1984 through January 1, 1987;  
2% if redeemed July 1, 1987 through January 1, 1990;  
1% if redeemed July 1, 1990 through January 1, 1994;  
0% if redeemed July 1, 1994, or thereafter.

At least thirty days prior to the date fixed for any such redemption said Board shall cause a written notice of such redemption to be published at least once in a financial publication published in the City of New York, New York, or in the City of Austin, Texas. By the date fixed for any such redemption due provision shall be made with the "Paying Agent" for the payment of the required redemption price. If such written notice of redemption is published and if due provision for such payment is made, all as provided above, the bonds which are to be so redeemed thereby automatically shall be redeemed prior to their scheduled maturities, and they shall not bear interest after the date fixed for redemption, and they shall not be regarded as being outstanding except for the purpose of being paid by the "Paying Agent" with the funds so provided for such payment.

IT IS HEREBY certified, recited, and covenanted that this bond has been duly and validly issued and delivered; that all acts, conditions, and things required or proper to be performed, exist, and be done precedent to or in the issuance and delivery of this bond have been performed, existed, and been done in accordance with law; and that the interest on and principal of this bond and the Series of which it is a part, together with other outstanding revenue bonds, are secured by and payable from an irrevocable first lien on and pledge of certain student tuition fees, student general use fees, an interest subsidy, and other revenues, collectively defined as "Pledged Revenues" and specifically described in the Resolution authorizing this Series of bonds.

SAID BOARD has reserved the right, subject to the restrictions stated in said Resolution authorizing this Series of bonds, to issue additional parity revenue bonds which also may be secured by and made payable from an irrevocable first lien on and pledge of the aforesaid Pledged Revenues.

THE HOLDER hereof shall never have the right to demand payment of this obligation out of any funds raised or to be raised by taxation.

IN WITNESS WHEREOF, this bond and the interest coupons appertaining hereto have been signed with the facsimile signature of the Chairman of said Board and countersigned with the facsimile signature of the Secretary of said Board, and the official seal of said Board has been duly impressed, or placed in facsimile, on this bond.

XXXXXXXXXX  
\_\_\_\_\_  
Secretary, Board of Regents,  
The University of Texas System

XXXXXXXXXX  
\_\_\_\_\_  
Chairman, Board of Regents,  
The University of Texas System

FORM OF REGISTRATION CERTIFICATE:

COMPTROLLER'S REGISTRATION CERTIFICATE: REGISTER NO.

I hereby certify that this bond has been examined, certified as to validity, and approved by the Attorney General

of the State of Texas, and that this bond has been registered by the Comptroller of Public Accounts of the State of Texas.

Witness my signature and seal this

XXXXXXXXX  
Comptroller of Public Accounts of  
the State of Texas.

FORM OF INTEREST COUPON:

NO. \_\_\_\_\_ \$ \_\_\_\_\_

ON \_\_\_\_\_ 1, \_\_\_\_\_

THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, for and on behalf of THE UNIVERSITY OF TEXAS AT ARLINGTON, promises to pay to bearer the amount shown on this interest coupon, in lawful money of the United States of America, without exchange or collection charges to the bearer, unless due provision has been made for the redemption prior to maturity of the bond to which this interest coupon appertains, upon presentation and surrender of this interest coupon, at the

\_\_\_\_\_, TEXAS  
OR, AT THE OPTION OF THE BEARER, AT

\_\_\_\_\_, NEW YORK, NEW YORK,  
said amount being interest due that day on the bond, bearing the number hereinafter designated, of that issue of BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, THE UNIVERSITY OF TEXAS AT ARLINGTON, COMBINED FEE REVENUE BONDS, SERIES 1973-A, DATED OCTOBER 1, 1973. The holder hereof shall never have the right to demand payment of this obligation out of any funds raised or to be raised by taxation. Bond No. \_\_\_\_\_.

XXXXXXXXX  
Secretary, Board of Regents,  
The University of Texas System

XXXXXXXXX  
Chairman, Board of Regents,  
The University of Texas System

Section 6. That as hereinafter used in this Resolution the following terms shall have the meanings set forth below, unless the text hereof specifically indicates otherwise:

The term "Board" shall mean the Board of Regents of The University of Texas System.

The term "University" shall mean The University of Texas at Arlington, Arlington, Texas.

The term "Bonds" shall mean collectively the Board of Regents of The University of Texas System, The University of Texas at Arlington, Combined Fee Revenue Bonds, Series 1971, authorized by Resolution of the Board on December 4, 1970, (the "Series 1971 Bonds"), the Board of Regents of The University of Texas System, The University of Texas at Arlington, Combined Fee Revenue Bonds, Series 1971-A, authorized by Resolution of the Board on March 12, 1971, (the Series 1971-A Bonds"), the Board of Regents of The University of Texas System, The University of Texas at Arlington, Combined Fee Revenue Bonds, Series 1973, authorized by Resolution of the Board on January 26, 1973, (the "Series 1973 Bonds"), and the Board of Regents of The University of Texas System, The University of Texas at Arlington, Combined Fee Revenue Bonds, Series 1973-A, authorized by this Resolution (the "Series 1973-A Bonds").

The term "Building Use Fee" shall mean the gross collections of the building use fee to be fixed, charged, and collected from all tuition paying students regularly enrolled

at the University, out of and as a part of the regular student tuition fees at the University, in the manner and to the extent provided in this Resolution, and pledged to the payment of the Bonds and Additional Bonds in accordance with Chapter 55, Texas Education Code.

The term "General Fee" shall mean the gross collections of the general fee to be fixed, charged, and collected from all students regularly enrolled at the University, for the general use and availability of The University of Texas at Arlington, in the manner and to the extent provided in this Resolution, and pledged to the payment of the Bonds and any Additional Bonds, in accordance with Chapter 55, Texas Education Code.

The term "Interest Subsidy" shall mean all of the annual interest subsidy grants which are received by the Board from the United States Government with respect to the Bonds.

The term "Pledged Revenues" shall mean collectively the Building Use Fee, the General Fee, and the Interest Subsidy, together with any additional revenues, income, receipts, or other resources, including, without limitation, any grants, donations, or income received or to be received from the United States Government, or any other public or private source, whether pursuant to an agreement or otherwise, which hereafter may be pledged to the payment of the Bonds or the Additional Bonds.

The term "Additional Bonds" shall mean the additional parity revenue bonds permitted to be authorized in this Resolution.

Section 7. (a) That the Board of Regents of The University of Texas System, The University of Texas at Arlington, Combined Fee Revenue Bonds, Series 1973-A, authorized by this Resolution, are "Additional Bonds" as permitted by Sections 18, 19, and 20, of the Resolutions authorizing the issuance of the Series 1971 Bonds, the Series 1971-A Bonds, and the Series 1973 Bonds, respectively, and it is hereby determined, declared, and resolved that all of the Bonds are and shall be secured and payable equally and ratably on a parity, and that Sections 7 through 22 of this Resolution are cumulative of Sections 7 through 22 of said Resolutions authorizing the issuance of the Series 1971 Bonds, the Series 1971-A Bonds, and the Series 1973 Bonds, respectively, with said Sections being equally applicable to all of the Bonds.

(b) That the Bonds and any Additional Bonds, and the interest thereon, are and shall be secured by and payable from an irrevocable first lien on and pledge of the Pledged Revenues.

Section 8. That the Bonds and any Additional Bonds and interest coupons appertaining thereto shall constitute special obligations of the Board, payable solely from the Pledged Revenues, and such obligations shall not constitute a prohibited indebtedness of the University, the Board, nor the State of Texas, and the holders of the Bonds and Additional Bonds and the coupons attached thereto shall never have the right to demand payment out of funds raised or to be raised by taxation.

Section 9. That effective and commencing with the regular 1971 spring semester, the Building Use Fee was fixed and is hereby confirmed and shall be levied, charged, and collected from each tuition paying student regularly enrolled at the University, as follows:

- (a) \$5.00 per regular semester and summer session for each student enrolled for 12 or more Semester Credit Hours;



- (b) \$0.42 per Semester Credit Hour per regular semester and summer session for each student enrolled for less than 12 Semester Credit Hours;

and said Building Use Fee shall be so levied, charged, and collected in such amounts, and shall not be reduced, so long as any Bonds or Additional Bonds are outstanding. All collections of the Building Use Fee shall be deposited directly to the credit of the "Interest and Sinking Fund" hereinafter created.

Section 10. (a) That the Board covenants and agrees to fix, levy, charge, and collect the General Fee from each student regularly enrolled in the University at each regular fall and spring semester and at each term of each summer session, for the general use and availability of the University, in such amounts, without any limitation whatsoever, as will be at least sufficient at all times to provide, together with other Pledged Revenues, the money for making all deposits required to be made to the credit of the Interest and Sinking Fund in connection with the Bonds and any Additional Bonds.

(b) That it is hereby declared and confirmed that on July 27, 1973, the Board revised the General Fee, effective at the regular 1973 fall semester of the University, and that such General Fee has been and is hereby fixed and is, and was collected and effective at the regular 1973 fall semester of the University and is being and will be credited to the Revenue Fund, as follows:

the General Fee for the general use and availability of the University facilities is hereby fixed and shall be collected from each student regularly enrolled at The University of Texas at Arlington, as follows:

\$4.50 per semester credit hour for each of  
the regular fall and spring semesters,  
and for each term of each summer session.

(c) That the General Fee shall be increased if and when required by this Section, and may be decreased so long as all Pledged Revenues are sufficient to provide the money for making all deposits required to be made to the credit of the Interest and Sinking Fund in connection with the Bonds and any Additional Bonds. All changes in such General Fee shall be made by resolution of the Board, but such procedure shall not constitute or be regarded as an amendment of this Resolution, but merely the carrying out of the provisions hereof.

Section 11. That there is hereby created and shall be established on the books of the Board a separate account to be entitled the "General Fee Revenue Fund" (hereinafter called the "Revenue Fund"). All collections of the General Fee and any other Pledged Revenues, except the Building Use Fee, shall be credited to the Revenue Fund.

Section 12. That to pay the principal of and interest on all outstanding Bonds and any Additional Bonds, as the same come due, there is hereby created and shall be established at an official depository of the Board (which must be a member of the Federal Deposit Insurance Corporation) a separate fund to be entitled the "Combined Fee Revenue Bonds Interest and Sinking Fund" (hereinafter sometimes called the "Interest and Sinking Fund"); and there is hereby created and ordered to be established within the Interest and Sinking Fund a debt service reserve which shall be used finally in retiring the last of the outstanding Bonds and any Additional Bonds, or for paying principal of and interest on any outstanding Bonds and Additional Bonds, when and to the extent the amount in the Interest and Sinking Fund is otherwise insufficient for such purpose. All money and investments in the Interest and Sinking Fund in excess of the principal and interest requirements, during the then current fiscal year, on the Bonds and any Additional Bonds, shall constitute the debt service reserve.

Section 13. Money in any Fund established pursuant to this Resolution may, at the option of the Board, be placed in time deposits or invested in direct obligations of, or obligations the principal of and interest on which are guaranteed by, the United States of America, and evidences of indebtedness of the Federal Land Banks, Federal Intermediate Credit Banks, Banks for Cooperatives, Federal Home Loan Banks, or Federal National Mortgage Association; provided that all such deposits and investments shall be made in such manner that the money required to be expended from any Fund will be available at the proper time or times. Such investments shall be valued in terms of current market value as of the last day of February and August of each year. Interest and income derived from such deposits and investments shall be credited to the Fund from which the deposit or investment was made. Such investments shall be sold promptly when necessary to prevent any default in connection with the Bonds or Additional Bonds.

Section 14. That all money in all Funds created by this Resolution, to the extent not invested, shall be secured in the manner prescribed by law for securing funds of the University, in principal amounts at all times not less than the amounts of money credited to such Funds, respectively.

Section 15. All accrued interest from the Sale of the Series 1973-A Bonds shall be deposited into the Interest and Sinking Fund, and on or before December 25, 1973, and semi-annually on or before each June 25th and December 25th thereafter, the Board shall transfer from the Revenue Fund and deposit to the credit of the Interest and Sinking Fund the amounts as follows:

(1) an amount which will be sufficient, together with other monies then on hand therein and available for such purpose, to pay the interest scheduled to come due on the Bonds on the next succeeding interest payment date; and

(2) an amount which will be sufficient, together with other monies then on hand therein and available for such purpose, to pay one-half of all principal scheduled to mature and come due on the Bonds on the next succeeding July 1; and

(3) an amount equal to 1/10th of the average annual principal and interest requirements of the Bonds; provided, however, that when the money and investments in the debt service reserve are at least equal in market value to the amount of the average annual principal and interest requirements of the Bonds, then such deposits may be discontinued, unless and until the debt service reserve should be depleted to less than said amount in market value, in which case said deposits shall be resumed and continued until the debt service reserve is restored to said amount.

Section 16. (a) That if on any occasion there shall not be sufficient Pledged Revenues to make the required deposits into the Interest and Sinking Fund, then such deficiency shall be made up as soon as possible from the next available Pledged Revenues, or from any other sources available for such purpose.

(b) Subject to making all deposits to the credit of the Interest and Sinking Fund, including the debt service reserve therein, as required by this Resolution, or any resolution authorizing the issuance of Additional Bonds, the surplus Pledged Revenues may be used by the Board for any lawful purpose.

Section 17. That whenever the total amount in the Interest and Sinking Fund, including the debt service reserve therein, shall be equivalent to (1) the aggregate principal amount of Bonds and Additional Bonds, if any, outstanding, plus (2) the aggregate amount of all unpaid interest coupons thereto appertaining unmatured and matured, no further payment need be made into the Interest and Sinking Fund. In determining the amount of Bonds or Additional Bonds outstanding, there shall be subtracted the amount of any Bonds or Additional Bonds which shall have been duly called for redemption and for which funds shall have been deposited with the paying agents sufficient for such redemption.

Section 18. That the Board shall have the right and power at any time and from time to time, and in one or more Series or issues, to authorize, issue, and deliver additional parity revenue bonds (herein called "Additional Bonds") in any amounts, for any lawful purpose. Such Additional Bonds, if and when authorized, issued, and delivered in accordance with this Resolution, shall be secured and payable equally and ratably on a parity with the Bonds, and all other outstanding Additional Bonds, by an irrevocable first lien on and pledge of the Pledged Revenues.

Section 19. (a) Each resolution under which Additional Bonds are issued shall provide that the Interest and Sinking Fund established by this Resolution shall secure and be used to pay all Additional Bonds as well as the Bonds. However, each resolution under which Additional Bonds are issued shall specifically provide and require that, in addition to the amounts required by the provisions of this Resolution and the provisions of any other resolution or resolutions authorizing Additional Bonds to be deposited to the credit of the Interest and Sinking Fund, the Board shall transfer from the Pledged Revenues and deposit to the credit of the Interest and Sinking Fund at least such amounts as are required for the payment of all principal of and interest on said Additional Bonds then being issued, as the same comes due, and that the Board shall transfer from said Pledged Revenues and deposit to the credit of the debt service reserve in the Interest and Sinking Fund at least such amounts as will, together with any other amounts already required to be deposited in the debt service reserve in connection with the Bonds and any other outstanding Additional Bonds, be sufficient to cause the debt service reserve to accumulate and contain within a period of not to exceed five fiscal years after the date of said Additional Bonds then being issued, a total amount of money and investments at least equal in market value to the average annual principal and interest requirements of such proposed Additional Bonds, the then outstanding Bonds, and any then outstanding Additional Bonds.

(b) The principal of all Additional Bonds must be scheduled to be paid or mature on July 1 of the years in which such principal is scheduled to be paid or mature; and all interest thereon must be payable on January 1 and July 1.

Section 20. Additional Bonds shall be issued only in accordance with this Resolution, but notwithstanding any provisions of this Resolution to the contrary, no installment, Series, or issue of Additional Bonds shall be issued or delivered unless:

(a) The senior financial officer of the University signs a written certificate to the effect that the Board is not in default as to any covenant, condition, or obligation in connection with all outstanding Bonds and Additional Bonds, and the resolutions authorizing same, and that the Interest and Sinking Fund contains the amount then required to be therein.

(b) The State Auditor of the State of Texas, or a certified public accountant, signs a written certificate to the effect that, during either the University's fiscal year, or the twelve calendar month period, next preceding the date of execution of such certificate, the Pledged Revenues actually received were at least equal to 1.25 times the average annual principal and interest requirements of all Bonds and Additional Bonds then outstanding.

(c) The senior financial officer of the University signs a written certificate to the effect that during each University fiscal year while any Bonds or Additional Bonds, including the proposed Additional Bonds, are scheduled to be outstanding, beginning with the fiscal year next following the date of the then proposed Additional Bonds, the Pledged Revenues estimated to be received during each of said fiscal years, respectively, will be at least equal to 1.25 times the principal and interest requirements of all then outstanding Bonds and Additional Bonds, and the then proposed Additional Bonds, during each of said fiscal years, respectively.

Section 21. On or before the first day of January, 1974, and on or before the first day of each July and of each January thereafter while any of the Bonds and Additional Bonds, if any, are outstanding and unpaid, there shall be made available to the paying agents therefor, out of the Interest and Sinking Fund, money sufficient to pay such interest on and such principal of the Bonds and Additional Bonds, if any, as will accrue or mature on such January 1 or July 1. The paying agents shall totally destroy all paid Bonds and Additional Bonds, if any, and the coupons appertaining thereto, and shall furnish the Board with an appropriate certificate of destruction.

Section 22. The Board covenants and agrees that:

(a) It will faithfully perform at all times any and all covenants, undertakings, stipulations, and provisions contained in this Resolution and in each and every Bond and Additional Bond; that it will promptly pay or cause to be paid from the Pledged Revenues the principal of and interest on every Bond and Additional Bond, on the dates and in the places and manner prescribed in such Bonds or Additional Bonds; and that it will, at the times and in the manner prescribed herein, deposit or cause to be deposited, from the Pledged Revenues, the amounts of money specified herein.

(b) It is duly authorized under the laws of the State of Texas to create and issue the Bonds; that all action on its part for the creation and issuance of the Bonds has been duly and effectively taken, and that the Bonds in the hands of the holders and owners thereof are and will be valid and enforceable special obligations of the Board in accordance with their terms.

(c) It lawfully owns and is lawfully possessed of the lands upon which the existing campus, buildings, and facilities constituting the University are located, and has a good and indefeasible estate in such lands in fee simple, that it warrants that it has, and will defend, the title to all the aforesaid lands, and every part thereof and improvements thereon, for the benefit of the holders and owners of the Bonds and Additional Bonds against the claims and demands of all persons whomsoever, that it is lawfully qualified to pledge the Pledged Revenues to the payment of the Bonds and Additional Bonds in the manner prescribed herein, and has lawfully exercised such rights.

(d) It will from time to time and before the same become delinquent pay and discharge all taxes, assessments, and governmental charges, if any, which shall be lawfully imposed upon it, or the campus, buildings, and facilities of the University, that it will pay all lawful claims for rents, royalties, labor, materials, and supplies which if unpaid might by law become a lien or charge thereon, the lien of which would be prior to or interfere with the liens hereof, so that the priority of the liens granted hereunder shall be fully preserved in the manner provided herein, and that it will not create or suffer to be created any mechanic's, laborer's, materialman's or other lien or charge which might or could be prior to the liens hereof, or do or suffer any matter or thing whereby the liens hereof might or could be impaired; provided, however, that no such tax, assessment, or charge, and that no such claims which might be used as the basis of a mechanic's, laborer's, materialman's or other lien or charge, shall be required to be paid so long as the validity of the same shall be contested in good faith by the Board.

(e) That it will continuously and efficiently operate and maintain in good condition, and at a reasonable cost, the University and the facilities and services thereof, so long as any Bonds or Additional Bonds are outstanding.

(f) That while the Bonds or any Additional Bonds are outstanding and unpaid, the Board shall not additionally encumber the Pledged Revenues in any manner, except as permitted in this Resolution in connection with Additional Bonds, unless said encumbrance is made junior and subordinate in all respects to the liens, pledges, covenants, and agreements of this Resolution.

(g) Proper books of record and account will be kept in which full, true, and correct entries will be made of all dealings, activities, and transactions relating to the Pledged Revenues, and all books, documents, and vouchers relating thereto shall at all reasonable times be made available for inspection upon request of any bondholder.

(h) That each year while any of the Bonds or Additional Bonds are outstanding, an audit will be made of its books and accounts relating to the Pledged Revenues by the State Auditor of the State of Texas, or a certified public accountant, such audit to be based on the fiscal year of the University beginning on September 1 of each year and ending on August 31 of each year. As soon as practicable after the close of each such fiscal year, and when said audit has been completed and made available to the Board, a copy of such audit for the preceding fiscal year shall be mailed to the original holders, of the Bonds, and to all other bondholders who shall so request in writing. Such annual audit reports shall be open to the inspection of the bondholders and their agents and representatives at all reasonable times.

(i) That the Board covenants that it will not permit to be deposited to the credit of any of the Funds created by this Resolution, or applied to the payment of the principal of or interest on the Bonds or any Additional Bonds, any proceeds from any grant, subsidy, donation, or income received from the United States Government, whether pursuant to agreement or otherwise, if such deposit or application would result in interest payable on the Bonds or Additional Bonds being includable in whole or in part in gross income for Federal income tax purposes.

(j) That the Board covenants that it will comply with all of the terms and conditions of any and all grant or subsidy agreements applicable to the Bonds or Additional Bonds entered into between the Board and any governmental agency in connection with any grant or debt service subsidy; and the Board will take all action necessary to enforce said terms and conditions.

(k) That the Board covenants to and with the purchaser of the Bonds that it will make no use of the proceeds of the Bonds at any time throughout the term of this issue of Bonds which, if such use had been reasonably expected on the date of delivery of the Bonds to and payment for the Bonds by the purchasers, would have caused the Bonds to be arbitrage bonds within the meaning of Section 103(d) of the Internal Revenue Code of 1954, as amended, or any regulations or rulings pertaining thereto; and by this covenant the Board is obligated to comply with the requirements of the aforesaid Section 103(d) and all applicable and pertinent Department of the Treasury regulations relating to arbitrage bonds. The Board further covenants that the proceeds of the Bonds will not otherwise be used directly or indirectly so as to cause all or any part of the Bonds to be or become arbitrage bonds within the meaning of the aforesaid Section 103(d), or any regulations or rulings pertaining thereto.

Section 23. That the Chairman of the Board is hereby authorized to have control of the Series 1973-A Bonds and all necessary records and proceedings pertaining thereto pending their delivery and their investigation, examination, and approval by the Attorney General of the State of Texas, and their registration by the Comptroller of Public Accounts of the State of Texas. Upon registration of the Series 1973-A Bonds, said Comptroller of Public Accounts (or a deputy designated in writing to act for said Comptroller) shall manually sign the Comptroller's Registration Certificate printed and endorsed on each of the Series 1973-A Bonds, and the seal of said Comptroller shall be impressed, or placed in facsimile, on each of the Series 1973-A Bonds.

Section 24. That it is hereby officially found and determined: that a case of emergency or urgent public necessity exists which requires the holding of the meeting at which this Resolution is adopted, such emergency or urgent public necessity being that the proceeds from the sale of the Series 1973-A Bonds are required as soon as possible and without delay for necessary and urgently needed public improvements; and that said meeting was open to the public, and public notice of the time, place, and purpose of said meeting was given, all as required by Vernon's Ann. Civ. St. Article 6252-17.

Section 25. That the Series 1973-A Bonds are hereby sold and shall be delivered to \_\_\_\_\_ for the amount of \$ \_\_\_\_\_, plus accrued interest to date of delivery.

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2. U. T. AUSTIN: RESOLUTION AUTHORIZING ISSUANCE AND AWARDED SALE OF BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, THE UNIVERSITY OF TEXAS AT AUSTIN, COMBINED FEE REVENUE BONDS, SERIES 1973, \$34,000,000; DESIGNATION OF PAYING AGENTS, AND AWARD OF CONTRACT FOR PRINTING BONDS (Pages 15 - 22 ). --

RESOLUTION AUTHORIZING THE ISSUANCE OF BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, THE UNIVERSITY OF TEXAS AT AUSTIN, COMBINED FEE REVENUE BONDS, SERIES 1973, \$34,000,000

WHEREAS, the Board of Regents of The University of Texas System is authorized to issue the bonds hereinafter authorized pursuant to Chapter 55, Texas Education Code.

THEREFORE, BE IT RESOLVED BY THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM:

Section 1. That said Board's negotiable, serial, coupon bonds to be designated "BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, THE UNIVERSITY OF TEXAS AT AUSTIN, COMBINED FEE REVENUE BONDS, SERIES 1973" (hereinafter sometimes called the "Series 1973 Bonds"), are hereby authorized to be issued, sold, and delivered in the principal amount of \$34,000,000, FOR THE PURPOSE OF PROVIDING FUNDS TO ACQUIRE, PURCHASE, CONSTRUCT, IMPROVE, ENLARGE, AND/OR EQUIP PROPERTY, BUILDINGS, STRUCTURES, OR OTHER FACILITIES, FOR AND ON BEHALF OF THE UNIVERSITY OF TEXAS AT AUSTIN.

Section 2. That said Series 1973 Bonds shall be dated OCTOBER 1, 1973, shall be numbered consecutively from 1 THROUGH 6800, shall mature and become due and payable serially on JUNE 1 in each of the years, and in the amounts, respectively, as set forth in the following schedule:

<u>YEARS</u>	<u>AMOUNTS</u>	<u>YEARS</u>	<u>AMOUNTS</u>
1974	\$325,000	1990	\$ 850,000
1975	350,000	1991	905,000
1976	370,000	1992	960,000
1977	395,000	1993	1,010,000
1978	420,000	1994	1,075,000
1979	445,000	1995	1,135,000
1980	470,000	1996	1,215,000
1981	500,000	1997	1,280,000
1982	530,000	1998	1,350,000
1983	565,000	1999	1,440,000
1984	600,000	2000	1,520,000
1985	640,000	2001	2,285,000
1986	680,000	2002	3,000,000
1987	720,000	2003	3,600,000
1988	760,000	2004	3,800,000
1989	805,000		

Said Series 1973 Bonds may be redeemed prior to their scheduled maturities, at the option of said Board, on the dates stated, and in the manner provided, in the FORM OF BOND set forth in this Resolution.

Section 3. That said Series 1973 Bonds scheduled to mature during the years, respectively, set forth below shall bear interest at the following rates per annum:

maturities 1974 through	_____	,	_____	%
maturities _____ through	_____	,	_____	%
maturities _____ through	_____	,	_____	%
maturities _____ through	_____	,	_____	%
maturities _____ through	_____	,	_____	%
maturities _____ through	_____	,	_____	%
maturities _____ through	_____	,	_____	%
maturities _____ through	_____	,	_____	%

Said interest shall be evidenced by interest coupons which shall appertain to said Series 1973 Bonds, and which shall be payable on the dates stated in the FORM OF BOND set forth in this Resolution.

Section 4. That said Series 1973 Bonds, and the interest coupons appertaining thereto, shall be payable, shall have the characteristics, and shall be signed and executed (and said Bonds shall be sealed), all as provided, and in the manner indicated, in the FORM OF BOND set forth in this Resolution.

Section 5. That the form of said Series 1973 Bonds, including the form of Registration Certificate of the Comptroller of Public Accounts of the State of Texas to be printed and endorsed on each of said Bonds, and the form of the aforesaid interest coupons which shall appertain and be attached initially to each of said Bonds, shall be, respectively, substantially as follows:

FORM OF BOND:

NO. \_\_\_\_\_ \$5,000

UNITED STATES OF AMERICA  
STATE OF TEXAS  
BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM  
THE UNIVERSITY OF TEXAS AT AUSTIN  
COMBINED FEE REVENUE BOND  
SERIES 1973

ON JUNE 1, \_\_\_\_\_, the BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, for and on behalf of THE UNIVERSITY OF TEXAS AT AUSTIN, promises to pay to bearer the principal amount of

FIVE THOUSAND DOLLARS

and to pay interest thereon, from the date hereof, at the rate of \_\_\_\_\_% per annum, evidenced by interest coupons payable DECEMBER 1, 1973, and semi-annually thereafter on each JUNE 1 and DECEMBER 1 while this bond is outstanding.

THE PRINCIPAL of this bond and the interest coupons appertaining hereto shall be payable to bearer, in lawful money of the United States of America, without exchange or collection charges to the bearer, upon presentation and surrender of this bond or proper interest coupon, at the following, which shall constitute and be defined as the "Paying Agent" for this Series of Bonds:

\_\_\_\_\_, TEXAS,  
OR, AT THE OPTION OF THE BEARER, AT  
\_\_\_\_\_, NEW YORK, NEW YORK.

THIS BOND is one of a Series of negotiable, serial, coupon bonds, dated OCTOBER 1, 1973, issued in the principal amount of \$34,000,000, FOR THE PURPOSE OF PROVIDING FUNDS TO ACQUIRE, PURCHASE, CONSTRUCT, IMPROVE, ENLARGE, AND/OR EQUIP PROPERTY, BUILDINGS, STRUCTURES, OR OTHER FACILITIES, FOR AND ON BEHALF OF THE UNIVERSITY OF TEXAS AT AUSTIN.

ON JUNE 1, 1984, OR ON ANY INTEREST PAYMENT DATE THEREAFTER, the outstanding bonds of this Series may be redeemed prior to their scheduled maturities, at the option of said



Board, IN WHOLE, OR IN PART, for the principal amount thereof and accrued interest thereon to the date fixed for redemption, plus a premium on the principal amount of each such bond as follows:

- 3% if redeemed June 1, 1984 through December 1, 1987;
- 2% if redeemed June 1, 1988 through December 1, 1990;
- 1% if redeemed June 1, 1991 through December 1, 1993;
- 0% if redeemed June 1, 1994, or thereafter.

At least thirty days prior to the date fixed for any such redemption said Board shall cause a written notice of such redemption to be published at least once in a financial publication published in the City of New York, New York, or in the City of Austin, Texas. By the date fixed for any such redemption due provision shall be made with the "Paying Agent" for the payment of the required redemption price. If such written notice of redemption is published and if due provision for such payment is made, all as provided above, the bonds which are to be so redeemed thereby automatically shall be redeemed prior to their scheduled maturities, and they shall not bear interest after the date fixed for redemption, and they shall not be regarded as being outstanding except for the purpose of being paid by the "Paying Agent" with the funds so provided for such payment.

IT IS HEREBY certified, recited, and covenanted that this bond has been duly and validly issued and delivered; that all acts, conditions, and things required or proper to be performed, exist, and be done precedent to or in the issuance and delivery of this bond have been performed, existed, and been done in accordance with law; and that the interest on and principal of this bond and the Series of which it is a part, together with other outstanding revenue bonds, are equally and ratably secured by and payable from a first lien on and pledge of the "Pledged Revenues" (as described, defined, and referred to in the Resolution authorizing this Series of Bonds), including the Building Use Fee charged all tuition paying students attending The University of Texas at Austin, the General Fee charged all regularly enrolled students for the general use and availability of the property, buildings, structures, and other facilities of The University of Texas at Austin, and federal interest grants.

SAID BOARD has reserved the right, subject to the restrictions referred to in said Resolution authorizing this Series of bonds, to issue additional parity revenue bonds which also may be secured by and made payable from an irrevocable first lien on and pledge of the aforesaid Pledged Revenues.

THE HOLDER hereof shall never have the right to demand payment of this obligation out of any funds raised or to be raised by taxation.

IN WITNESS WHEREOF, this bond and the interest coupons appertaining hereto have been signed with the facsimile signature of the Chairman of said Board and countersigned with the facsimile signature of the Secretary of said Board, and the official seal of said Board has been duly impressed, or placed in facsimile, on this bond.

XXXXXXXXXX  
\_\_\_\_\_  
Secretary, Board of Regents,  
The University of Texas System

XXXXXXXXXX  
\_\_\_\_\_  
Chairman, Board of Regents,  
The University of Texas System.

FORM OF REGISTRATION CERTIFICATE:

COMPTROLLER'S REGISTRATION CERTIFICATE: REGISTER NO.

I hereby certify that this bond has been examined, certified as to validity, and approved by the Attorney General of the State of Texas, and that this bond has been registered by the Comptroller of Public Accounts of the State of Texas.

Witness my signature and seal this

XXXXXXXXXX  
Comptroller of Public Accounts of  
the State of Texas.

FORM OF INTEREST COUPON:

NO. \_\_\_\_\_ \$ \_\_\_\_\_

ON \_\_\_\_\_ 1, \_\_\_\_\_

THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, for and on behalf of THE UNIVERSITY OF TEXAS AT AUSTIN, promises to pay to bearer the amount shown on this interest coupon, in lawful money of the United States of America, without exchange or collection charges to the bearer, unless due provision has been made for the redemption prior to maturity of the bond to which this interest coupon appertains, upon presentation and surrender of this interest coupon, at the

\_\_\_\_\_, TEXAS,  
OR, AT THE OPTION OF THE BEARER, AT  
\_\_\_\_\_, NEW YORK, NEW YORK,

said amount being interest due that day on the bond, bearing the number hereinafter designated, of that issue of BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, THE UNIVERSITY OF TEXAS AT AUSTIN, COMBINED FEE REVENUE BONDS, SERIES 1973, DATED OCTOBER 1, 1973. The holder hereof shall never have the right to demand payment of this obligation out of any funds raised or to be raised by taxation. Bond No. \_\_\_\_\_.

XXXXXXXXXX  
Secretary, Board of Regents

XXXXXXXXXX  
Chairman, Board of Regents

Section 6. That as hereinafter used in this Resolution the following terms shall have the meanings set forth below, unless the text hereof specifically indicates otherwise:

The term "Board" shall mean the Board of Regents of The University of Texas System.

The term "University" shall mean The University of Texas at Austin, Austin, Texas.

The term "Bonds" shall mean collectively the Board of Regents of The University of Texas System, The University of Texas at Austin, Combined Fee Revenue Bonds, Series 1970, authorized by resolution of the Board on May 29, 1970, (the "Series 1970 Bonds"), the Board of Regents of The University of Texas System, The University of Texas at Austin, Combined Fee Revenue Bonds, Series 1971, authorized by resolution of the Board on January 29, 1971, (the "Series 1971 Bonds"), the Board of Regents of The University of Texas System, The

University of Texas at Austin, Combined Fee Revenue Bonds, Series 1972, authorized by resolution of the Board on October 20, 1972, (the "Series 1972 Bonds"), and the Board of Regents of The University of Texas System, The University of Texas at Austin, Combined Fee Revenue Bonds, Series 1973, authorized by this Resolution.

Section 7. That the Series 1973 Bonds are "Additional Bonds" as permitted by Section 8 of the resolution adopted by the Board on May 29, 1970, authorizing the issuance of the Series 1970 Bonds, and it is hereby determined, declared, and resolved that all of the Series 1970 Bonds, the Series 1971 Bonds, the Series 1972 Bonds, and the Series 1973 Bonds (hereinafter sometimes collectively called the "Bonds") are and shall be secured and payable equally and ratably on a parity, and that the Bonds and any Additional Bonds, and the interest thereon, are and shall be secured by and payable from an irrevocable first lien on and pledge of the Pledged Revenues, as defined in the aforesaid resolution authorizing the Series 1970 Bonds, and further including all interest grants received or to be received from the United States Government in connection with the Series 1970 Bonds, the Series 1971 Bonds, the Series 1972 Bonds, and the Series 1973 Bonds, which interest grants are hereby pledged and shall constitute part of the Pledged Revenues, and shall, upon receipt, be credited to the Revenue Fund, as provided and permitted in the aforesaid resolution authorizing the Series 1970 Bonds.

Section 8. That the Bonds and any Additional Bonds and interest coupons appertaining thereto constitute special obligations of the Board payable solely from the Pledged Revenues, and such obligations shall not constitute a prohibited indebtedness of the University, the Board, or the State of Texas, and the holders of the Bonds and Additional Bonds and the coupons appertaining thereto shall never have the right to demand payment out of funds raised or to be raised by taxation.

Section 9. That Sections 5 through 11 of the aforesaid resolution adopted on May 29, 1970, authorizing the issuance of the Series 1970 Bonds are hereby adopted by reference and shall be applicable to the Series 1973 Bonds for all purposes, except to the extent herein specifically modified and supplemented; and the Interest and Sinking Fund, including the debt service reserve therein, created by the aforesaid resolution authorizing the Series 1970 Bonds shall be used to pay and secure the Series 1970 Bonds, the Series 1971 Bonds, the Series 1972 Bonds, and the Series 1973 Bonds, equally and ratably, on a parity. Also, the resolution adopted by the Board on May 29, 1970, fixing rates in connection with the Series 1970 Bonds, and in particular establishing the Building Use Fee and the General Fee, is hereby adopted by reference and shall be applicable to the Series 1970 Bonds, the Series 1971 Bonds, the Series 1972 Bonds, and the Series 1973 Bonds equally and ratably, on a parity, for all purposes.

Section 10. That it is hereby declared and confirmed that on July 27, 1973, the Board revised the General Fee, effective at the regular 1973 fall semester of the University, and that such General Fee has been and is hereby fixed and is, and was collected effective at the regular 1973 fall semester of the University and is being and will be credited to the Revenue Fund, as follows:

for the general use and availability of the property, buildings, structures, and other facilities of The University of Texas at Austin the General Fee shall be collected from each student regularly enrolled at The University of Texas at Austin, in the following amounts:

\$5.46 per semester credit hour for each of the regular fall and spring semesters, and for each term of each summer session.

Section 11. (a) That all accrued interest received as part of the proceeds from the sale and delivery of the Series 1973 Bonds shall be deposited to the credit of the Interest and Sinking Fund; and on or before November 25, 1973, and semi-annually on or before each May 25th and November 25th thereafter, the Board shall transfer from the Revenue Fund and deposit to the credit of the Interest and Sinking Fund the amounts as follows:

(1) an amount which will be sufficient, together with other monies then on hand therein and available for such purpose, to pay the interest scheduled to come due on the Bonds on the next succeeding interest payment date; and

(2) an amount which will be sufficient, together with other monies then on hand therein and available for such purpose, to pay one-half of all principal scheduled to mature and come due on the Bonds on the next succeeding June 1; and

(3) an amount equal to 1/10th of the average annual principal and interest requirements of the Bonds; provided, however, that when the money and investments in the debt service reserve are at least equal in market value to the amount of the average annual principal and interest requirements of the Bonds, then such deposits may be discontinued, unless and until the debt service reserve should be depleted to less than said amount in market value, in which case said deposits shall be resumed and continued until the debt service reserve is restored to said amount.

(b) That this Section is cumulative, and states all deposits required to be made to the credit of the Interest and Sinking Fund from the Revenue Fund in connection with all of the Bonds. All gross collections of the Building Use Fee shall continue to be deposited as received directly to the credit of the Interest and Sinking Fund, as required by Section 7.03 of the resolution authorizing the Series 1970 Bonds.

Section 12. On or before the last day of November, 1973, and on or before the last day of each May and of each November thereafter while any of the Bonds and Additional Bonds, if any, are outstanding and unpaid, there shall be made available to the paying agents therefor, out of the Interest and Sinking Fund, money sufficient to pay such interest on and such principal of the Bonds and Additional Bonds, if any, as will accrue

or mature on the first day of the month immediately following. The paying agents shall totally destroy all paid Bonds and Additional Bonds, if any, and the coupons appertaining thereto, and shall furnish the Board with an appropriate certificate of destruction.

Section 13. That while the Bonds or any Additional Bonds are outstanding and unpaid, the Board covenants and agrees that it will not additionally encumber the Pledged Revenues in any manner, except as permitted in the resolution authorizing the Series 1970 Bonds in connection with Additional Bonds, unless said encumbrance is made junior and subordinate in all respects to the liens, pledges, covenants, and agreements of the resolutions authorizing the Bonds.

Section 14. That the Board covenants and agrees that it and the University will comply with all of the terms and conditions of all interest grants agreements entered into between the Board or the University and the United States Government in connection with the Bonds and the purposes for which they are issued; and that all action necessary will be taken to enforce said terms and conditions.

Section 15. That the Board covenants that it will not permit to be deposited to the credit of the Interest and Sinking Fund, or applied to the payment of the principal or interest on the Bonds or any Additional Bonds, any proceeds from any applicable grant, donation, or income received from the United States Government, whether pursuant to an agreement or otherwise, if such deposit or application would result in interest payable on the Bonds or Additional Bonds being includable in whole or in part in gross income for Federal income tax purposes.

Section 16. That the Board covenants to and with the purchaser of the Series 1973 Bonds that it will make no use of the proceeds of the Series 1973 Bonds at any time throughout the term of this issue of Series 1973 Bonds which, if such use had been reasonably expected on the date of delivery of the Series 1973 Bonds to and payment for the Series 1973 Bonds by the purchasers, would have caused the Series 1973 Bonds to be arbitrage bonds within the meaning of Section 103(d) of the Internal Revenue Code of 1954, as amended, or any regulations or rulings pertaining thereto; and by this covenant the Board is obligated to comply with the requirements of the aforesaid Section 103(d) and all applicable and pertinent Department of the Treasury regulations relating to arbitrage bonds. The Board further covenants that the proceeds of the Series 1973 Bonds will not otherwise be used directly or indirectly so as to cause all or any part of the Series 1973 Bonds to be or become arbitrage bonds within the meaning of the aforesaid Section 103(d), or any regulations or rulings pertaining thereto.

Section 17. That the Chairman of the Board is hereby authorized to have control of the Series 1973 Bonds and all necessary records and proceedings pertaining thereto pending their delivery and their investigation, examination, and approval by the Attorney General of the State of Texas, and their registration by the Comptroller of Public Accounts of the State of Texas. Upon registration of the Series 1973 Bonds, said Comptroller of Public Accounts (or a deputy designated in writing to act for said Comptroller) shall manually sign the Comptroller's Registration Certificate printed and endorsed on each of the Series 1973 Bonds, and the seal of said Comptroller shall be impressed, or placed in facsimile, on each of the Series 1973 Bonds.

Section 18. That it is hereby officially found and determined: that a case of emergency or urgent public necessity exists which requires the holding of the meeting at which this Resolution is adopted, such emergency or urgent public necessity being that the proceeds from the sale of the Series 1973 Bonds are required as soon as possible and without delay for necessary and urgently needed public improvements; and that said meeting was open to the public, and public notice of the time, place, and purpose of said meeting was given, all as required by Vernon's Ann. Civ. St. Article 6252-17.

Section 19. That the Series 1973 Bonds are hereby sold and shall be delivered to \_\_\_\_\_ for the amount of \$ \_\_\_\_\_, plus accrued interest to date of delivery.

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3. U. T. EL PASO: RESOLUTION AUTHORIZING ISSUANCE AND AWARDED SALE OF BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, THE UNIVERSITY OF TEXAS AT EL PASO, COMBINED FEE REVENUE BONDS, SERIES 1973, \$5,000,000; DESIGNATION OF PAYING AGENTS, AND AWARD OF CONTRACT FOR PRINTING BONDS (Pages 23 - 30). --

RESOLUTION AUTHORIZING THE ISSUANCE OF BOARD  
OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM,  
THE UNIVERSITY OF TEXAS AT EL PASO, COMBINED  
FEE REVENUE BONDS, SERIES 1973, \$5,000,000

WHEREAS, the Board of Regents of The University of Texas System is authorized to issue the bonds hereinafter authorized pursuant to Chapter 55, Texas Education Code.

THEREFORE, BE IT RESOLVED BY THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM:

Section 1. That said Board's negotiable, serial, coupon bonds to be designated "BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, THE UNIVERSITY OF TEXAS AT EL PASO, COMBINED FEE REVENUE BONDS, SERIES 1973", (hereinafter sometimes called the "Series 1973 Bonds"), are hereby authorized to be issued, sold, and delivered in the principal amount of \$5,000,000, FOR THE PURPOSE OF PROVIDING FUNDS TO ACQUIRE, PURCHASE, CONSTRUCT, IMPROVE, ENLARGE, AND/OR EQUIP PROPERTY, BUILDINGS, STRUCTURES, OR OTHER FACILITIES, FOR AND ON BEHALF OF THE UNIVERSITY OF TEXAS AT EL PASO.

Section 2. That said Series 1973 Bonds shall be dated OCTOBER 1, 1973, shall be numbered consecutively from 1 THROUGH 1000, shall mature and become due and payable serially on MAY 1 in each of the years, and in the amounts, respectively, as set forth in the following schedule:

<u>YEARS</u>	<u>AMOUNTS</u>	<u>YEARS</u>	<u>AMOUNTS</u>
1975	\$ 60,000	1990	\$150,000
1976	65,000	1991	160,000
1977	70,000	1992	170,000
1978	75,000	1993	180,000
1979	75,000	1994	190,000
1980	80,000	1995	205,000
1981	85,000	1996	215,000
1982	90,000	1997	230,000
1983	100,000	1998	245,000
1984	105,000	1999	260,000
1985	110,000	2000	275,000
1986	120,000	2001	295,000
1987	125,000	2002	310,000
1988	135,000	2003	330,000
1989	140,000	2004	350,000

Said Series 1973 Bonds may be redeemed prior to their scheduled maturities, at the option of said Board, on the dates stated, and in the manner provided, in the FORM OF BOND set forth in this Resolution.

Section 3. That said Series 1973 Bonds scheduled to mature during the years, respectively, set forth below shall bear interest at the following rates per annum:

maturities 1975 through	_____	,	_____	%
maturities _____ through	_____	,	_____	%
maturities _____ through	_____	,	_____	%
maturities _____ through	_____	,	_____	%
maturities _____ through	_____	,	_____	%
maturities _____ through	_____	,	_____	%
maturities _____ through	_____	,	_____	%

Said interest shall be evidenced by interest coupons which shall appertain to said Series 1973 Bonds, and which shall be payable on the dates stated in the FORM OF BOND set forth in this Resolution.

Section 4. That said Series 1973 Bonds, and the interest coupons appertaining thereto, shall be payable, shall have the characteristics, and shall be signed and executed (and said Bonds shall be sealed), all as provided, and in the manner indicated, in the FORM OF BOND set forth in this Resolution.

Section 5. That the form of said Series 1973 Bonds, including the form of Registration Certificate of the Comptroller of Public Accounts of the State of Texas to be printed and endorsed on each of said Bonds, and the form of the aforesaid interest coupons which shall appertain and be attached initially to each of said Bonds, shall be, respectively, substantially as follows:

FORM OF BOND:

NO. \_\_\_\_\_

\$5,000

UNITED STATES OF AMERICA  
STATE OF TEXAS  
BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM  
THE UNIVERSITY OF TEXAS AT EL PASO  
COMBINED FEE REVENUE BOND  
SERIES 1973

ON MAY 1, \_\_\_\_\_, the BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, for and on behalf of THE UNIVERSITY OF TEXAS AT EL PASO, promises to pay to bearer the principal amount of

FIVE THOUSAND DOLLARS

and to pay interest thereon, from the date hereof, at the rate of \_\_\_\_\_% per annum, evidenced by interest coupons payable MAY 1, 1974, and semi-annually thereafter on each NOVEMBER 1 and MAY 1 while this bond is outstanding.

THE PRINCIPAL of this bond and the interest coupons appertaining hereto shall be payable to bearer, in lawful money of the United States of America, without exchange or collection charges to the bearer, upon presentation and surrender of this bond or proper interest coupon, at the following, which shall constitute and be defined as the "Paying Agent" for this Series of Bonds:

\_\_\_\_\_, TEXAS,  
OR, AT THE OPTION OF THE BEARER, AT  
\_\_\_\_\_, NEW YORK, NEW YORK.

THIS BOND is one of a Series of negotiable, serial, coupon bonds, dated OCTOBER 1, 1973, issued in the principal amount of \$5,000,000, FOR THE PURPOSE OF PROVIDING FUNDS TO ACQUIRE, PURCHASE, CONSTRUCT, IMPROVE, ENLARGE, AND/OR EQUIP PROPERTY, BUILDINGS, STRUCTURES, OR OTHER FACILITIES, FOR AND ON BEHALF OF THE UNIVERSITY OF TEXAS AT EL PASO.

ON MAY 1, 1984, OR ON ANY INTEREST PAYMENT DATE THEREAFTER, the outstanding bonds of this Series may be redeemed prior to their scheduled maturities, at the option of said Board, IN WHOLE, OR IN PART, for the principal amount thereof and accrued interest thereon to the date fixed for redemption, plus a premium



on the principal amount of each such bond as follows:

- 3% if redeemed May 1, 1984 through November 1, 1987;
- 2% if redeemed May 1, 1988 through November 1, 1990;
- 1% if redeemed May 1, 1991 through November 1, 1993;
- 0% if redeemed May 1, 1994, or thereafter.

At least thirty days prior to the date fixed for any such redemption said Board shall cause a written notice of such redemption to be published at least once in a financial publication published in the City of New York, New York, or in the City of Austin, Texas. By the date fixed for any such redemption due provision shall be made with the "Paying Agent" for the payment of the required redemption price. If such written notice of redemption is published and if due provision for such payment is made, all as provided above, the bonds which are to be so redeemed thereby automatically shall be redeemed prior to their scheduled maturities, and they shall not bear interest after the date fixed for redemption, and they shall not be regarded as being outstanding except for the purpose of being paid by the "Paying Agent" with the funds so provided for such payment.

IT IS HEREBY certified, recited, and covenanted that this bond has been duly and validly issued and delivered; that all acts, conditions, and things required or proper to be performed, exist, and be done precedent to or in the issuance and delivery of this bond have been performed, existed, and been done in accordance with law; and that the interest on and principal of this bond and the Series of which it is a part, together with other outstanding revenue bonds, are secured by and payable from an irrevocable first lien on and pledge of certain student tuition fees designated as the "Building Use Fee", and certain student general use fees designated as the "General Fee", and certain interest grants, and other revenues, collectively defined as "Pledged Revenues" and specifically described and referred to in the Resolution authorizing this Series of bonds.

SAID BOARD has reserved the right, subject to the restrictions referred to in said Resolution authorizing this Series of bonds, to issue additional parity revenue bonds which also may be secured by and made payable from an irrevocable first lien on and pledge of the aforesaid Pledged Revenues.

THE HOLDER hereof shall never have the right to demand payment of this obligation out of any funds raised or to be raised by taxation.

IN WITNESS WHEREOF, this bond and the interest coupons appertaining hereto have been signed with the facsimile signature of the Chairman of said Board and countersigned with the facsimile signature of the Secretary of said Board, and the official seal of said Board has been duly impressed, or placed in facsimile, on this bond.

XXXXXXXXX  
Secretary, Board of Regents,  
The University of Texas System

XXXXXXXXX  
Chairman, Board of Regents,  
The University of Texas System.

FORM OF REGISTRATION CERTIFICATE:

COMPROLLER'S REGISTRATION CERTIFICATE: REGISTER NO.

I hereby certify that this bond has been examined, certified as to validity, and approved by the Attorney General

of the State of Texas, and that this bond has been registered by the Comptroller of Public Accounts of the State of Texas.

Witness my signature and seal this

XXXXXXXXX  
Comptroller of Public Accounts of  
the State of Texas.

FORM OF INTEREST COUPON:

NO. \_\_\_\_\_ \$ \_\_\_\_\_

ON \_\_\_\_\_ 1, \_\_\_\_\_

THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, for and on behalf of THE UNIVERSITY OF TEXAS AT EL PASO, promises to pay to bearer the amount shown on this interest coupon, in lawful money of the United States of America, without exchange or collection charges to the bearer, unless due provision has been made for the redemption prior to maturity of the bond to which this interest coupon appertains, upon presentation and surrender of this interest coupon, at the

\_\_\_\_\_, TEXAS,  
OR AT THE OPTION OF THE BEARER, AT

\_\_\_\_\_, NEW YORK, NEW YORK,  
said amount being interest due that day on the bond, bearing the number hereinafter designated, of that issue of BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, THE UNIVERSITY OF TEXAS AT EL PASO, COMBINED FEE REVENUE BONDS, SERIES 1973, DATED OCTOBER 1, 1973. The holder hereof shall never have the right to demand payment of this obligation out of any funds raised or to be raised by taxation. Bond No. \_\_\_\_\_.

XXXXXXXXX  
Secretary, Board of Regents

XXXXXXXXX  
Chairman, Board of Regents

Section 6. That as hereinafter used in this Resolution the following terms shall have the meanings set forth below, unless the text hereof specifically indicates otherwise:

The term "Board" shall mean the Board of Regents of The University of Texas System.

The term "University" shall mean The University of Texas at El Paso, El Paso, Texas.

The term "Bonds" shall mean collectively the Board of Regents of The University of Texas System, The University of Texas at El Paso, Combined Fee Revenue Bonds, Series 1970, authorized by resolution of the Board on April 17, 1970, (the "Series 1970 Bonds"), the Board of Regents of The University of Texas System, The University of Texas at El Paso, Combined Fee Revenue Bonds, Series 1971, authorized by resolution of the Board on October 22, 1971, (the "Series 1971 Bonds"), and the Board of Regents of The University of Texas System, The University of Texas at El Paso, Combined Fee Revenue Bonds, Series 1973, authorized by this Resolution (the "Series 1973 Bonds").

Section 7. That the Series 1973 Bonds are "Additional Bonds" as permitted by Section 8 of the resolution adopted by the Board on April 17, 1970, authorizing the issuance of the Series 1970 Bonds, and it is hereby determined, declared, and resolved that all of said Series 1970 Bonds, Series 1971 Bonds, and Series 1973 Bonds (hereinafter sometimes collectively called the "Bonds") are and shall be secured and payable equally and ratably on a

parity, and that the Bonds and any Additional Bonds, and the interest thereon, are and shall be secured by and payable from an irrevocable first lien on and pledge of the Pledged Revenues, as defined in the aforesaid resolution authorizing the Series 1970 Bonds, and further including all interest grants or subsidies received or to be received from the United States Government in connection with the Bonds, which interest grants are hereby pledged and shall constitute part of the Pledged Revenues, and shall, upon receipt, be credited to the Revenue Fund, as provided and permitted in the aforesaid resolution authorizing the Series 1970 Bonds.

Section 8. That the Bonds and any Additional Bonds and interest coupons appertaining thereto constitute special obligations of the Board payable solely from the Pledged Revenues, and such obligations shall not constitute a prohibited indebtedness of the University, the Board, or the State of Texas, and the holders of the Bonds and Additional Bonds and the coupons appertaining thereto shall never have the right to demand payment out of funds raised or to be raised by taxation.

Section 9. That Sections 5 through 11 of the aforesaid resolution adopted on April 17, 1970, authorizing the issuance of the Series 1970 Bonds are hereby adopted by reference and shall be applicable to the Series 1973 Bonds for all purposes, except to the extent herein specifically modified and supplemented; and the Interest and Sinking Fund, including the debt service reserve therein, created by the aforesaid resolution authorizing the Series 1970 Bonds shall be used to pay and secure the Series 1970 Bonds, the Series 1971 Bonds, and the Series 1973 Bonds, equally and ratably, on a parity. Also, the resolution adopted by the Board on April 17, 1970, fixing rates in connection with the Series 1970 Bonds, and in particular establishing the Building Use Fee and the General Fee, is hereby adopted by reference and shall be applicable to the Series 1970 Bonds, the Series 1971 Bonds, and the Series 1973 Bonds equally and ratably, on a parity, for all purposes.

Section 10. That it is hereby declared and confirmed that on July 27, 1973, the Board revised the General Fee, effective at the regular 1973 fall semester of the University, and that such General Fee has been and is hereby fixed and is, and was collected and effective at the regular 1973 fall semester of the University and is being and will be credited to the Revenue Fund, as follows:

the General Fee for the general use and availability of the University facilities is hereby fixed and shall be collected from each student regularly enrolled at The University of Texas at El Paso as follows:

\$4.26 per semester credit hour for each of  
the regular fall and spring semesters,  
and for each term of each summer session.

Section 11. (a) That all accrued interest received as part of the proceeds from the sale and delivery of the Series 1973 Bonds shall be deposited to the credit of the Interest and Sinking Fund; and on or before October 25, 1973, and semi-annually on or before each April 25th and October 25th thereafter, the Board shall transfer from the Revenue Fund and deposit to the credit of the Interest and Sinking Fund the amounts as follows:

(1) an amount which will be sufficient, together with other monies then on hand therein and available for such purpose, to pay the interest scheduled to come due on the Bonds on the next succeeding interest payment date; and

(2) an amount which will be sufficient, together with other monies then on hand therein and available for such purpose, to pay one-half of all principal scheduled to mature and come due on the Bonds on the next succeeding May 1; and

(3) an amount equal to 1/10th of the average annual principal and interest requirements of the Bonds; provided, however, that when the money and investments in the debt service reserve are at least equal in market value to the amount of the average annual principal and interest requirements of the Bonds, then such deposits may be discontinued, unless and until the debt service reserve should be depleted to less than said amount in market value, in which case said deposits shall be resumed and continued until the debt service reserve is restored to said amount.

(b) That this Section is cumulative, and states all deposits required to be made to the credit of the Interest and Sinking Fund from the Revenue Fund in connection with all of the Bonds. All gross collections of the Building Use Fee shall continue to be deposited as received directly to the credit of the Interest and Sinking Fund, as required by Section 7.03 of the resolution authorizing the Series 1970 Bonds.

Section 12. On or before the last day of October, 1973, and on or before the last day of each April and of each October thereafter while any of the Bonds and Additional Bonds, if any, are outstanding and unpaid, there shall be made available to the paying agents therefor, out of the Interest and Sinking Fund, money sufficient to pay such interest on and such principal of the Bonds and Additional Bonds, if any, as will accrue or mature on the first day of the month immediately following. The paying agents shall totally destroy all paid Bonds and Additional Bonds, if any, and the coupons appertaining thereto, and shall furnish the Board with an appropriate certificate of destruction.

Section 13. The Board covenants and agrees that:

(a) It will faithfully perform at all times any and all covenants, undertakings, stipulations, and provisions contained in this Resolution and in each and every Bond and Additional Bond; that it will promptly pay or cause to be paid from the Pledged Revenues the principal of and interest on every Bond and Additional Bond, on the dates and in the places and manner prescribed in such Bonds or Additional Bonds; and that it will, at the times and in the manner prescribed herein, deposit or cause to be deposited, in the Interest and Sinking Fund, from the Pledged Revenues, the amounts of money specified herein.

(b) It is duly authorized under the laws of the State of Texas to create and issue the Bonds; that all action on its part for the creation and issuance of the Bonds has been duly and effectively taken, and that the Bonds in the hands of the holders and owners thereof are and will be valid and enforceable special obligations of the Board in accordance with their terms and the terms of this Resolution.

(c) It lawfully owns and is lawfully possessed of the lands upon which the existing Campus, buildings, and facilities constituting the University are located, and has a good and indefeasible estate in such lands in fee simple, that it warrants that it has, and will defend, the title to all the aforesaid lands, and every part thereof and improvements thereon, for the benefit of the holders and owners of the Bonds and

Additional Bonds against the claims and demands of all persons whomsoever, that it is lawfully qualified to pledge the Pledged Revenues to the payment of the Bonds and Additional Bonds in the manner prescribed herein, and has lawfully exercised such rights.

(d) It will from time to time and before the same become delinquent pay and discharge all taxes, assessments, and governmental charges, if any, which shall be lawfully imposed upon it, or the Campus, buildings, and facilities of the University, that it will pay all lawful claims for rents, royalties, labor, materials, and supplies which if unpaid might by law become a lien or charge thereon, the lien of which would be prior to or interfere with the liens hereof, so that the priority of the liens granted hereunder shall be fully preserved in the manner provided herein, and that it will not create or suffer to be created any mechanic's, laborer's, materialman's or other lien or charge which might or could be prior to the liens hereof, or do or suffer any matter or thing whereby the liens hereof might or could be impaired; provided, however, that no such tax, assessment, or charge, and that no such claims which might be used as the basis of a mechanic's, laborer's, materialman's or other lien or charge, shall be required to be paid so long as the validity of the same shall be contested in good faith by the Board.

(e) That it will continuously and efficiently operate and maintain in good condition, and at a reasonable cost, the University and the facilities and services thereof, so long as any Bonds or Additional Bonds are outstanding.

(f) That while the Bonds or any Additional Bonds are outstanding and unpaid, the Board shall not additionally encumber the Pledged Revenues in any manner, except as permitted in the resolution authorizing the Series 1970 Bonds in connection with Additional Bonds, unless said encumbrance is made junior and subordinate in all respects to the liens, pledges, covenants, and agreements of the resolutions authorizing the Bonds.

(g) Proper books of record and account will be kept (separate and apart from all other records and accounts) in which full, true, and correct entries will be made of all dealings, activities, and transactions relating to the Pledged Revenues, and all books, documents, records, accounts, data, and vouchers relating thereto shall at all reasonable times be made available for inspection upon request of any bondholder.

(h) That each year while any of the Bonds or Additional Bonds are outstanding, an audit will be made of its books and accounts relating to the Pledged Revenues by the State Auditor of the State of Texas, or any certified public accountant, such audit to be based on the fiscal year of the University. As soon as practicable after the close of each University fiscal year, and when said audit has been completed and made available to the Board, a copy of such audit for the preceding fiscal year shall be mailed to all bondholders who shall so request in writing. Such annual audit reports shall be open to the inspection of the bondholders and their agents and representatives at all reasonable times.

Section 14. That the Board covenants and agrees that it and the University will comply with all of the terms and conditions of all interest grants agreements entered into between the Board or the University and the United States Government in connection with the Bonds and the purposes for which they are issued; and that all action necessary will be taken to enforce said terms and conditions.

Section 15. That the Board covenants that it will not permit to be deposited to the credit of the Interest and Sinking Fund, or applied to the payment of the principal of or interest on the Bonds or any Additional Bonds, any proceeds from any applicable grant, donation, or income received from the United States Government, whether pursuant to an agreement or otherwise, if such deposit or application would result in interest payable on the Bonds or Additional Bonds being includable in whole or in part in gross income for Federal income tax purposes.

Section 16. That the Chairman of the Board is hereby authorized to have control of the Series 1973 Bonds and all necessary records and proceedings pertaining thereto pending their delivery and their investigation, examination, and approval by the Attorney General of the State of Texas, and their registration by the Comptroller of Public Accounts of the State of Texas. Upon registration of the Series 1973 Bonds, said Comptroller of Public Accounts (or a deputy designated in writing to act for said Comptroller) shall manually sign the Comptroller's Registration Certificate printed and endorsed on each of the Series 1973 Bonds, and the seal of said Comptroller shall be impressed, or placed in facsimile, on each of the Series 1973 Bonds.

Section 17. That the Board covenants to and with the purchaser of the Series 1973 Bonds that it will make no use of the proceeds of the Series 1973 Bonds at any time throughout the term of this issue of Series 1973 Bonds which, if such use had been reasonably expected on the date of delivery of the Series 1973 Bonds to and payment for the Series 1973 Bonds by the purchasers, would have caused the Series 1973 Bonds to be arbitrage bonds within the meaning of Section 103(d) of the Internal Revenue Code of 1954, as amended, or any regulations or rulings pertaining thereto; and by this covenant the Board is obligated to comply with the requirements of the aforesaid Section 103(d) and all applicable and pertinent Department of the Treasury regulations relating to arbitrage bonds. The Board further covenants that the proceeds of the Series 1973 Bonds will not otherwise be used directly or indirectly so as to cause all or any part of the Series 1973 Bonds to be or become arbitrage bonds within the meaning of the aforesaid Section 103(d), or any regulations or rulings pertaining thereto.

Section 18. That it is hereby officially found and determined: that a case of emergency or urgent public necessity exists which requires the holding of the meeting at which this Resolution is adopted, such emergency or urgent public necessity being that the proceeds from the sale of the Series 1973 Bonds are required as soon as possible and without delay for necessary and urgently needed public improvements; and that said meeting was open to the public, and public notice of the time, place, and purpose of said meeting was given, all as required by Vernon's Ann. Civ. St. Article 6252-17.

Section 19. That the Series 1973 Bonds are hereby sold and shall be delivered to \_\_\_\_\_ for the amount of \$ \_\_\_\_\_, plus accrued interest to date of delivery.

-----  
D. RECESS\*

\_\_\_\_\_  
\*The agenda and documentation for the Meeting of the Board that will be held following the meetings of the Standing Committees and the Committee of the Whole are set out in the last section, Meeting of the Board, in this volume.

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM  
THE UNIVERSITY OF TEXAS AT AUSTIN COMBINED FEE REVENUE BONDS  
SERIES 1973 - \$34,000,000

SALE OF THE BONDS.--As authorized, bids were called for and received until 11:00 A.M., CDT, on September 13, 1973, and then publicly opened and tabulated. A copy of the tabulation is attached.

It is recommended by the Associate Deputy Chancellor for Investments, Trusts and Lands, joined by the Deputy Chancellor for Administration, that the Board of Regents adopt the resolution authorizing the issuance of the bonds and the sale to

①

FIRST NATIONAL BANK IN DALLAS AND  
ASSOCIATES

for the sum of par plus accrued interest to date of delivery and a premium of \$208.55

DESIGNATION OF PAYING AGENCY.--Attached is a tabulation of the bids received and publicly opened and tabulated at 10:00 A.M., CDT. on September 12, 1973, in accordance with specifications previously furnished the qualified bidders (Texas banks with assets in excess of \$100,000,000).

It is recommended by the Associate Deputy Chancellor for Investments, Trusts and Lands, joined by the Deputy Chancellor for Administration, that the bid of Texas Commerce Bank National Association, Houston, Texas, to serve as paying agent for this issue be accepted. The bank will make no charge for payment of bonds and coupons and will pay the Board of Regents the sum of \$75.00. The Co-paying Agent is Bankers Trust Company, New York, New York.

②

AWARD OF CONTRACT FOR PRINTING THE BONDS.--Attached is a tabulation of the bids received and publicly opened and tabulated at 10:00 A.M., CDT, on September 12, 1973, in accordance with specifications previously furnished companies bidding on University issues in recent years.

It is recommended by the Associate Deputy Chancellor for Investments, Trusts and Lands, joined by the Deputy Chancellor for Administration, that the bid of Steck-Warlick Company be accepted for printing bonds with lithographed borders, as set out in the specifications, for the sum of \$2,620.00, there being seven interest rates.

③

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM  
THE UNIVERSITY OF TEXAS AT ARLINGTON COMBINED FEE REVENUE BONDS  
SERIES 1973-A - \$7,500,000

SALE OF THE BONDS.--As authorized, bids were called for and received until 11:00 A.M., CDT, on September 13, 1973, and then publicly opened and tabulated. A copy of the tabulation is attached.

It is recommended by the Associate Deputy Chancellor for Investments, Trusts and Lands, joined by the Deputy Chancellor for Administration, that the Board of Regents adopt the resolution authorizing the issuance of the bonds and the sale to



FIRST NATIONAL BANK IN DALLAS AND  
ASSOCIATES

for the sum of par plus accrued interest to date of delivery and a premium of \$274.50

DESIGNATION OF PAYING AGENCY.--Attached is a tabulation of the bids received and publicly opened and tabulated at 10:00 A.M., CDT, on September 12, 1973, in accordance with specifications previously furnished the qualified bidders (Texas banks with assets in excess of \$100,000,000).

It is recommended by the Associate Deputy Chancellor for Investments, Trusts and Lands, joined by the Deputy Chancellor for Administration, that the bid of Texas Commerce Bank National Association, Houston, Texas, to serve as paying agent for this issue be accepted. The bank will make no charge for payment of bonds and coupons and will pay the Board of Regents the sum of \$15.00. The Co-paying Agent is Bankers Trust Company, New York, New York.

AWARD OF CONTRACT FOR PRINTING THE BONDS.--Attached is a tabulation of the bids received and publicly opened and tabulated at 10:00 A.M., CDT, on September 12, 1973, in accordance with specifications previously furnished companies bidding on University issues in recent years.

It is recommended by the Associate Deputy Chancellor for Investments, Trusts and Lands, joined by the Deputy Chancellor for Administration, that the bid of Steck-Warlick Company be accepted for printing bonds with lithographed borders, as set out in the specifications, for the sum of \$800.00, there being seven interest rates.



BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM  
THE UNIVERSITY OF TEXAS AT EL PASO COMBINED FEE REVENUE BONDS  
SERIES 1973 - \$5,000,000

SALE OF THE BONDS.--As authorized, bids were called for and received until 11:00 A.M., CDT, on September 13, 1973, and then publicly opened and tabulated. A copy of the tabulation is attached.

It is recommended by the Associate Deputy Chancellor for Investments, Trusts and Lands, joined by the Deputy Chancellor for Administration, that the Board of Regents adopt the resolution authorizing the issuance of the bonds and the sale to

FIRST NATIONAL BANK IN DALLAS AND  
ASSOCIATES

for the sum of par plus accrued interest to date of delivery and a premium of \$273.57

DESIGNATION OF PAYING AGENCY.--Attached is a tabulation of the bids received and publicly opened and tabulated at 10:00 A.M., CDT, on September 12, 1973, in accordance with specifications previously furnished the qualified bidders (Texas banks with assets in excess of \$100,000,000).

It is recommended by the Associate Deputy Chancellor for Investments, Trusts and Lands, joined by the Deputy Chancellor for Administration, that the bid of Texas Commerce Bank National Association, Houston, Texas, to serve as paying agent for this issue be accepted. The bank will make no charge for payment of bonds and coupons and will pay the Board of Regents the sum of \$10.00. The Co-paying Agent is Bankers Trust Company, New York, New York.

AWARD OF CONTRACT FOR PRINTING THE BONDS.--Attached is a tabulation of the bids received and publicly opened and tabulated at 10:00 A.M., CDT, on September 12, 1973, in accordance with specifications previously furnished companies bidding on University issues in recent years.

It is recommended by the Associate Deputy Chancellor for Investments, Trusts and Lands, joined by the Deputy Chancellor for Administration, that the bid of Steck-Warlick Company be accepted for printing bonds with lithographed borders, as set out in the specifications, for the sum of \$698.00, there being seven interest rates.

TABULATION OF BIDS  
 \$34,000,000  
 BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM  
 THE UNIVERSITY OF TEXAS AT AUSTIN  
 COMBINED FEE REVENUE BONDS, SERIES 1973  
 Bids Opened Thursday, September 13, 1973

ACCOUNT	COUPONS	INTEREST COST	EFFECTIVE RATE																					
FIRST NATIONAL BANK IN DALLAS, AND ASSOCIATES	<table style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 20%;"><u>1974</u></td><td style="width: 20%;"><u>to 1985</u></td><td style="width: 20%;"><u>6.5</u></td></tr> <tr><td><u>1986</u></td><td></td><td><u>6.0</u></td></tr> <tr><td><u>1987</u></td><td><u>1996</u></td><td><u>5.4</u></td></tr> <tr><td><u>1997</u></td><td><u>1998</u></td><td><u>5.5</u></td></tr> <tr><td><u>1999</u></td><td><u>2000</u></td><td><u>5.6</u></td></tr> <tr><td><u>2001</u></td><td><u>2003</u></td><td><u>5.7</u></td></tr> <tr><td><u>2004</u></td><td></td><td><u>5.0</u></td></tr> </table>	<u>1974</u>	<u>to 1985</u>	<u>6.5</u>	<u>1986</u>		<u>6.0</u>	<u>1987</u>	<u>1996</u>	<u>5.4</u>	<u>1997</u>	<u>1998</u>	<u>5.5</u>	<u>1999</u>	<u>2000</u>	<u>5.6</u>	<u>2001</u>	<u>2003</u>	<u>5.7</u>	<u>2004</u>		<u>5.0</u>	Gross: <u>40,780,758.55</u> Less Prem: <u>208.55</u> Net: <u>40,780,550</u>	5.5352
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W. H. MORTON & CO.	<table style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 20%;"><u>1974</u></td><td style="width: 20%;"><u>to 1987</u></td><td style="width: 20%;"><u>6.5</u></td></tr> <tr><td><u>1988</u></td><td></td><td><u>5.5</u></td></tr> <tr><td><u>1989</u></td><td><u>1994</u></td><td><u>5.4</u></td></tr> <tr><td><u>1995</u></td><td><u>1996</u></td><td><u>5.5</u></td></tr> <tr><td><u>1997</u></td><td><u>2000</u></td><td><u>5.6</u></td></tr> <tr><td><u>2001</u></td><td><u>2003</u></td><td><u>5.7</u></td></tr> <tr><td><u>2004</u></td><td></td><td><u>5.0</u></td></tr> </table>	<u>1974</u>	<u>to 1987</u>	<u>6.5</u>	<u>1988</u>		<u>5.5</u>	<u>1989</u>	<u>1994</u>	<u>5.4</u>	<u>1995</u>	<u>1996</u>	<u>5.5</u>	<u>1997</u>	<u>2000</u>	<u>5.6</u>	<u>2001</u>	<u>2003</u>	<u>5.7</u>	<u>2004</u>		<u>5.0</u>	Gross: <u>41,059,065</u> Less Prem: <u>-</u> Net: <u>41,059,065</u>	5.5730
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<u>2001</u>	<u>2003</u>	<u>5.7</u>																						
<u>2004</u>		<u>5.0</u>																						
FIRST NATIONAL CITY BANK OF NEW YORK	<table style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 20%;"><u>1974</u></td><td style="width: 20%;"><u>to 1988</u></td><td style="width: 20%;"><u>6.5</u></td></tr> <tr><td><u>1989</u></td><td></td><td><u>5.6</u></td></tr> <tr><td><u>1990</u></td><td><u>1994</u></td><td><u>5.4</u></td></tr> <tr><td><u>1995</u></td><td><u>1996</u></td><td><u>5.5</u></td></tr> <tr><td><u>1997</u></td><td><u>1999</u></td><td><u>5.6</u></td></tr> <tr><td><u>2000</u></td><td><u>2003</u></td><td><u>5.7</u></td></tr> <tr><td><u>2004</u></td><td></td><td><u>5.0</u></td></tr> </table>	<u>1974</u>	<u>to 1988</u>	<u>6.5</u>	<u>1989</u>		<u>5.6</u>	<u>1990</u>	<u>1994</u>	<u>5.4</u>	<u>1995</u>	<u>1996</u>	<u>5.5</u>	<u>1997</u>	<u>1999</u>	<u>5.6</u>	<u>2000</u>	<u>2003</u>	<u>5.7</u>	<u>2004</u>		<u>5.0</u>	Gross: <u>41,236,288.50</u> Less Prem: <u>-</u> Net: <u>41,236,288.50</u>	5.5971
<u>1974</u>	<u>to 1988</u>	<u>6.5</u>																						
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HALSEY STUART & CO., INC.	<table style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 20%;"><u>1974</u></td><td style="width: 20%;"><u>to 1988</u></td><td style="width: 20%;"><u>6.5</u></td></tr> <tr><td><u>1989</u></td><td></td><td><u>6.4</u></td></tr> <tr><td><u>1990</u></td><td><u>1996</u></td><td><u>5.5</u></td></tr> <tr><td><u>1997</u></td><td><u>2000</u></td><td><u>5.6</u></td></tr> <tr><td><u>2001</u></td><td><u>2003</u></td><td><u>5.7</u></td></tr> <tr><td><u>2004</u></td><td></td><td><u>5.0</u></td></tr> </table>	<u>1974</u>	<u>to 1988</u>	<u>6.5</u>	<u>1989</u>		<u>6.4</u>	<u>1990</u>	<u>1996</u>	<u>5.5</u>	<u>1997</u>	<u>2000</u>	<u>5.6</u>	<u>2001</u>	<u>2003</u>	<u>5.7</u>	<u>2004</u>		<u>5.0</u>	Gross: <u>41,386,803.33</u> Less Prem: <u>3,400</u> Net: <u>41,383,403.33</u>	5.6170			
<u>1974</u>	<u>to 1988</u>	<u>6.5</u>																						
<u>1989</u>		<u>6.4</u>																						
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<u>1974</u>	<u>to</u>	<u>5.0</u>																						
<u>1975</u>	<u>1988</u>	<u>6.5</u>																						
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<u>2004</u>		<u>5.0</u>																						
	<table style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 20%;"><u>19</u></td><td style="width: 20%;"><u>to</u></td><td style="width: 20%;"></td></tr> <tr><td><u>    </u></td><td><u>    </u></td><td><u>    </u></td></tr> <tr><td><u>    </u></td><td><u>    </u></td><td><u>    </u></td></tr> <tr><td><u>    </u></td><td><u>    </u></td><td><u>    </u></td></tr> <tr><td><u>    </u></td><td><u>    </u></td><td><u>    </u></td></tr> <tr><td><u>    </u></td><td><u>    </u></td><td><u>    </u></td></tr> <tr><td><u>    </u></td><td><u>    </u></td><td><u>    </u></td></tr> </table>	<u>19</u>	<u>to</u>		<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	<u>    </u>	Gross: <u>                    </u> Less Prem: <u>                    </u> Net: <u>                    </u>	
<u>19</u>	<u>to</u>																							
<u>    </u>	<u>    </u>	<u>    </u>																						
<u>    </u>	<u>    </u>	<u>    </u>																						
<u>    </u>	<u>    </u>	<u>    </u>																						
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<u>19</u>	<u>to</u>																							
<u>    </u>	<u>    </u>	<u>    </u>																						
<u>    </u>	<u>    </u>	<u>    </u>																						
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BIDS FOR PAYING AGENCY

\$34,000,000

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM  
 THE UNIVERSITY OF TEXAS AT AUSTIN  
 COMBINED FEE REVENUE BONDS, SERIES 1973

Tabulation of Bids Received  
 September 12, 1973 - 10:00 a.m., CDT

Bidder	New York Co-Paying Agent	Per Coupon Paid	Per Bond Paid
The First National Bank of Fort Worth	Manufacturers Hanover Trust Company	\$.10	\$1.00
The Fort Worth National Bank	Bankers Trust Company	.09	.90
Capital National Bank in Austin	Chemical Bank	.08	.75
The Citizens National Bank of Waco	Morgan Guaranty Trust Co.	.15	1.50
Houston Citizens Bank & Trust Co.	Bankers Trust Company	.15½	2.10
First City National Bank of Houston	Manufacturers Hanover Trust Company	.07	.90
Mercantile National Bank at Dallas	Chase Manhattan Bank, N. A.	.09	.90
Bank of the Southwest N. A., Houston	Manufacturers Hanover Trust Company	.07	.65
Republic National Bank of Dallas	First National City Bank of New York	.06	.65
Texas Commerce Bank National Association	Bankers Trust Company	Will Pay Board of Regents \$75.00	



TABULATION OF BIDS  
 \$7,500,000  
 BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM,  
 THE UNIVERSITY OF TEXAS AT ARLINGTON  
 COMBINED FEE REVENUE BONDS, SERIES 1973-A  
 Bids Opened Thursday, September 13, 1973

ACCOUNT	COUPONS	INTEREST COST	EFFECTIVE RATE																												
FIRST NATIONAL BANK IN DALLAS, AND ASSOCIATES	<table style="width: 100%; border-collapse: collapse;"> <tr><td style="border-bottom: 1px solid black;">1974</td><td style="border-bottom: 1px solid black;">to</td><td style="border-bottom: 1px solid black;">1988</td><td style="border-bottom: 1px solid black;">6.5</td></tr> <tr><td style="border-bottom: 1px solid black;">1989</td><td></td><td></td><td style="border-bottom: 1px solid black;">6.0</td></tr> <tr><td style="border-bottom: 1px solid black;">1990</td><td style="border-bottom: 1px solid black;">1996</td><td style="border-bottom: 1px solid black;">5.4</td><td></td></tr> <tr><td style="border-bottom: 1px solid black;">1997</td><td style="border-bottom: 1px solid black;">1998</td><td style="border-bottom: 1px solid black;">5.5</td><td></td></tr> <tr><td style="border-bottom: 1px solid black;">1999</td><td style="border-bottom: 1px solid black;">2000</td><td style="border-bottom: 1px solid black;">5.6</td><td></td></tr> <tr><td style="border-bottom: 1px solid black;">2001</td><td style="border-bottom: 1px solid black;">2003</td><td style="border-bottom: 1px solid black;">5.7</td><td></td></tr> <tr><td style="border-bottom: 1px solid black;">2004</td><td style="border-bottom: 1px solid black;"></td><td style="border-bottom: 1px solid black;">5.0</td><td></td></tr> </table>	1974	to	1988	6.5	1989			6.0	1990	1996	5.4		1997	1998	5.5		1999	2000	5.6		2001	2003	5.7		2004		5.0		Gross: <u>9,432,867.50</u> Less Prem: <u>274.50</u>  Net: <u>9,432,593</u>	5.55462
1974	to	1988	6.5																												
1989			6.0																												
1990	1996	5.4																													
1997	1998	5.5																													
1999	2000	5.6																													
2001	2003	5.7																													
2004		5.0																													
FIRST NATIONAL CITY BANK OF NEW YORK	<table style="width: 100%; border-collapse: collapse;"> <tr><td style="border-bottom: 1px solid black;">1974</td><td style="border-bottom: 1px solid black;">to</td><td style="border-bottom: 1px solid black;">1991</td><td style="border-bottom: 1px solid black;">6.5</td></tr> <tr><td style="border-bottom: 1px solid black;">1992</td><td></td><td style="border-bottom: 1px solid black;">1994</td><td style="border-bottom: 1px solid black;">5.4</td></tr> <tr><td style="border-bottom: 1px solid black;">1995</td><td style="border-bottom: 1px solid black;">1996</td><td style="border-bottom: 1px solid black;">5.5</td><td></td></tr> <tr><td style="border-bottom: 1px solid black;">1997</td><td style="border-bottom: 1px solid black;">1999</td><td style="border-bottom: 1px solid black;">5.6</td><td></td></tr> <tr><td style="border-bottom: 1px solid black;">2000</td><td style="border-bottom: 1px solid black;">2003</td><td style="border-bottom: 1px solid black;">5.7</td><td></td></tr> <tr><td style="border-bottom: 1px solid black;">2004</td><td style="border-bottom: 1px solid black;"></td><td style="border-bottom: 1px solid black;">5.0</td><td></td></tr> </table>	1974	to	1991	6.5	1992		1994	5.4	1995	1996	5.5		1997	1999	5.6		2000	2003	5.7		2004		5.0		Gross: <u>9,556,170</u> Less Prem: <u>-</u>  Net: <u>9,556,170</u>	5.6274				
1974	to	1991	6.5																												
1992		1994	5.4																												
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2004		5.0																													
HALSEY STUART & CO. INC.	<table style="width: 100%; border-collapse: collapse;"> <tr><td style="border-bottom: 1px solid black;">1974</td><td style="border-bottom: 1px solid black;">to</td><td style="border-bottom: 1px solid black;">1991</td><td style="border-bottom: 1px solid black;">6.5</td></tr> <tr><td style="border-bottom: 1px solid black;">1992</td><td></td><td style="border-bottom: 1px solid black;">6.3</td><td></td></tr> <tr><td style="border-bottom: 1px solid black;">1993</td><td style="border-bottom: 1px solid black;">1996</td><td style="border-bottom: 1px solid black;">5.5</td><td></td></tr> <tr><td style="border-bottom: 1px solid black;">1997</td><td style="border-bottom: 1px solid black;">2000</td><td style="border-bottom: 1px solid black;">5.6</td><td></td></tr> <tr><td style="border-bottom: 1px solid black;">2001</td><td style="border-bottom: 1px solid black;">2003</td><td style="border-bottom: 1px solid black;">5.7</td><td></td></tr> <tr><td style="border-bottom: 1px solid black;">2004</td><td style="border-bottom: 1px solid black;"></td><td style="border-bottom: 1px solid black;">5.0</td><td></td></tr> </table>	1974	to	1991	6.5	1992		6.3		1993	1996	5.5		1997	2000	5.6		2001	2003	5.7		2004		5.0		Gross: <u>9,592,130</u> Less Prem: <u>-</u>  Net: <u>9,592,130</u>	5.6485				
1974	to	1991	6.5																												
1992		6.3																													
1993	1996	5.5																													
1997	2000	5.6																													
2001	2003	5.7																													
2004		5.0																													
WHITE WELD & CO., INC.	<table style="width: 100%; border-collapse: collapse;"> <tr><td style="border-bottom: 1px solid black;">1974</td><td style="border-bottom: 1px solid black;">to</td><td style="border-bottom: 1px solid black;">5.0</td><td></td></tr> <tr><td style="border-bottom: 1px solid black;">1975</td><td style="border-bottom: 1px solid black;">1986</td><td style="border-bottom: 1px solid black;">6.5</td><td></td></tr> <tr><td style="border-bottom: 1px solid black;">1987</td><td></td><td style="border-bottom: 1px solid black;">5.6</td><td></td></tr> <tr><td style="border-bottom: 1px solid black;">1988</td><td style="border-bottom: 1px solid black;">1994</td><td style="border-bottom: 1px solid black;">5.4</td><td></td></tr> <tr><td style="border-bottom: 1px solid black;">1995</td><td style="border-bottom: 1px solid black;">1996</td><td style="border-bottom: 1px solid black;">5.5</td><td></td></tr> <tr><td style="border-bottom: 1px solid black;">1997</td><td style="border-bottom: 1px solid black;">1999</td><td style="border-bottom: 1px solid black;">5.6</td><td></td></tr> <tr><td style="border-bottom: 1px solid black;">2000</td><td style="border-bottom: 1px solid black;">2004</td><td style="border-bottom: 1px solid black;">5.7</td><td></td></tr> </table>	1974	to	5.0		1975	1986	6.5		1987		5.6		1988	1994	5.4		1995	1996	5.5		1997	1999	5.6		2000	2004	5.7		Gross: <u>9,630,082.50</u> Less Prem: <u>432.70</u>  Net: <u>9,629,649.80</u>	5.67067
1974	to	5.0																													
1975	1986	6.5																													
1987		5.6																													
1988	1994	5.4																													
1995	1996	5.5																													
1997	1999	5.6																													
2000	2004	5.7																													
	<table style="width: 100%; border-collapse: collapse;"> <tr><td style="border-bottom: 1px solid black;">19</td><td style="border-bottom: 1px solid black;">to</td><td style="border-bottom: 1px solid black;"></td><td></td></tr> <tr><td style="border-bottom: 1px solid black;"></td><td></td><td style="border-bottom: 1px solid black;"></td><td></td></tr> <tr><td style="border-bottom: 1px solid black;"></td><td></td><td style="border-bottom: 1px solid black;"></td><td></td></tr> <tr><td style="border-bottom: 1px solid black;"></td><td></td><td style="border-bottom: 1px solid black;"></td><td></td></tr> <tr><td style="border-bottom: 1px solid black;"></td><td></td><td style="border-bottom: 1px solid black;"></td><td></td></tr> <tr><td style="border-bottom: 1px solid black;"></td><td></td><td style="border-bottom: 1px solid black;"></td><td></td></tr> </table>	19	to																							Gross: _____ Less Prem: _____  Net: _____					
19	to																														
	<table style="width: 100%; border-collapse: collapse;"> <tr><td style="border-bottom: 1px solid black;">19</td><td style="border-bottom: 1px solid black;">to</td><td style="border-bottom: 1px solid black;"></td><td></td></tr> <tr><td style="border-bottom: 1px solid black;"></td><td></td><td style="border-bottom: 1px solid black;"></td><td></td></tr> <tr><td style="border-bottom: 1px solid black;"></td><td></td><td style="border-bottom: 1px solid black;"></td><td></td></tr> <tr><td style="border-bottom: 1px solid black;"></td><td></td><td style="border-bottom: 1px solid black;"></td><td></td></tr> <tr><td style="border-bottom: 1px solid black;"></td><td></td><td style="border-bottom: 1px solid black;"></td><td></td></tr> <tr><td style="border-bottom: 1px solid black;"></td><td></td><td style="border-bottom: 1px solid black;"></td><td></td></tr> </table>	19	to																							Gross: _____ Less Prem: _____  Net: _____					
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19	to																														

BIDS FOR PAYING AGENCY

\$7,500,000

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM,  
THE UNIVERSITY OF TEXAS AT ARLINGTON  
COMBINED FEE REVENUE BONDS, SERIES 1973-A

Tabulation of Bids Received  
September 12, 1973 - 10:00 a.m., CDT

Bidder	New York Co-Paying Agent	Per Coupon Paid	Per Bond Paid
The Fort Worth National Bank	Bankers Trust Company	\$.10	\$1.00
Capital National Bank in Austin	Chemical Bank	.09	.75
The First National Bank of Fort Worth	Manufacturers Hanover Trust Company	.12½	1.50
The Citizens National Bank of Waco	Morgan Guaranty Trust Co.	.15	1.50
Republic National Bank of Dallas	First National City Bank of New York	.07	.70
Mercantile National Bank at Dallas	Chase Manhattan Bank, N. A.	.09	.90
Bank of the Southwest, N. A., Houston	Manufacturers Hanover Trust Company	.07	.65
Houston Citizens Bank & Trust Co.	Bankers Trust Company	.15½	2.10
First City National Bank of Houston	Manufacturers Hanover Trust Company	.07	.90
Texas Commerce Bank National Association	Bankers Trust Company	Will Pay Board of Regents \$15.00	



TABULATION OF BIDS  
 \$5,000,000  
 BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM,  
 THE UNIVERSITY OF TEXAS AT EL PASO  
 COMBINED FEE REVENUE BONDS, SERIES 1973  
 Bids Opened Thursday, September 13, 1973

ACCOUNT	COUPONS	INTEREST COST	EFFECTIVE RATE
First National Bank in Dallas	1975 to 1984 6.5% 1985 1994 5.3% 1995 1996 5.4% 1997 1998 5.5% 1999 2000 5.6% 2001 2003 5.7% 2004 - 5.0%	Gross: <u>\$5,616,953.57</u> Less Prem: <u>273.57</u> Net: <u>\$5,616,680.00</u>	5.5080%
Malsey Stuart & Co., Inc.	1975 to 1986 6.5% 1987 - 6.2% 1988 1993 5.4% 1994 1996 5.0% 1997 2000 5.6% 2001 2003 5.7% 2004 - 5.0%	Gross: <u>\$5,710,338.33</u> Less Prem: <u>-</u> Net: <u>\$5,710,338.33</u>	5.5999%
First National City Bank of New York	1975 to 1986 6.5% 1987 - 6.3% 1988 1994 5.4% 1995 1996 5.0% 1997 1999 5.6% 2000 2003 5.70% 2004 - 5.0%	Gross: <u>\$5,715,436.00</u> Less Prem: <u>-</u> Net: <u>\$5,715,436.00</u>	5.6049%
White, Weld & Co., Inc.	1975 to 1988 6.4% 1989 1994 5.4% 1995 1996 5.5% 1997 1998 5.6% 1999 2000 5.7% 2001 2003 5.75% 2004 - 5.0%	Gross: <u>\$5,748,779.37</u> Less Prem: <u>2,599.65</u> Net: <u>\$5,746,179.72</u>	5.63507%
	19 _____ to _____ _____ _____ _____ _____ _____	Gross: _____ Less Prem: _____ Net: _____	
	19 _____ to _____ _____ _____ _____ _____ _____	Gross: _____ Less Prem: _____ Net: _____	
	19 _____ to _____ _____ _____ _____ _____ _____	Gross: _____ Less Prem: _____ Net: _____	



BIDS FOR PAYING AGENCY

\$5,000,000

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM,  
THE UNIVERSITY OF TEXAS AT EL PASO  
COMBINED FEE REVENUE BONDS, SERIES 1973

Tabulation of Bids Received  
September 12, 1973, - 10:00 a.m., CDT

Bidder	New York Co-Paying Agent	Per Coupon Paid	Per Bond Paid
The Fort Worth National Bank	Bankers Trust Company	\$.10	\$1.00
Mercantile National Bank at Dallas	Chase Manhattan Bank, N. A.	.09	.90
The First National Bank of Fort Worth	Manufacturers Hanover Trust Company	.10	1.10
Capital National Bank in Austin	Chemical Bank	.09	.75
The Citizens National Bank of Waco	Morgan Guaranty Trust Co.	.15	1.50
Republic National Bank of Dallas	First National City Bank of New York	.07	.70
First City National Bank of Houston	Manufacturers Hanover Trust Company	.07	.90
Bank of the Southwest N. A., Houston	Manufacturers Hanover Trust Company	.07	.65
Texas Commerce Bank National Association	Bankers Trust Company	Will Pay Board of Regents \$10.00	
Houston Citizens Bank & Trust Co.	Bankers Trust Company	.15½	2.10



**System Administration  
Committee**

**SYSTEM ADMINISTRATION COMMITTEE**  
Dan C. Williams, Chairman

Date: September 14, 1973

Time: Following meeting of the Board to Consider Sale of Bonds

Place: Chaparral Room, The Union  
U. T. El Paso  
El Paso, Texas

Page  
SAC

U. T. Arlington, U. T. Austin, Galveston Medical Branch (Galveston Medical School), San Antonio Health Science Center and University Cancer Center (M. D. Anderson): Amendments to the 1972-73 and 1973-74 Budgets

Below

---

**REPORT OF ITEMS SUBMITTED TO  
SYSTEM ADMINISTRATION COMMITTEE**

Since the last report of the System Administration Committee on July 27, 1973, the following recommendations of the Administration were circulated to the members of the System Administration Committee and no exceptions were registered. These recommendations are herewith submitted for formal approval by the System Administration Committee:

U. T. Arlington, U. T. Austin, Galveston Medical Branch (Galveston Medical School), San Antonio Health Science Center and University Cancer Center (M. D. Anderson): Amendments to the 1972-73 and 1973-74 Budgets (6-B and 7-B-73). --It is recommended by the appropriate institutional heads, concurred in by System Administration, that the following amendments to the 1972-73 and 1973-74 budgets as indicated below for The University of Texas at Arlington, The University of Texas at Austin, The University of Texas Medical Branch at Galveston (Galveston Medical School), The University of Texas Health Science Center at San Antonio and The University of Texas System Cancer Center (M. D. Anderson), be approved (Pages 2-7).

Unless otherwise indicated, the sources of funds for these amendments are departmental appropriations.

All rates are full time rates: salary rate indicates a 12 months' full time rate and academic rate indicates a 9 months' full time rate:

The University of Texas at Arlington  
1972-73

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
1.	Auxiliary Enterprises- Rent Properties Transfer of Funds	From: Rent Properties- Unappropriated Balance via Estimated Income	To: Rent Properties- Maintenance and Operation	
	Amount of Transfer	\$ 25,000	\$ 25,000	---
2.	Auxiliary Enterprises- Student Congress Transfer of Funds	From: Student Activi- ties Fees Unappropriated Balance via Estimated Income	To: Student Congress- Wages \$ 272.50 Maintenance & Operation 954.60 Travel 237.60 Capital Outlay 200.00	
	Amount of Transfer	\$1,664.70	<u>\$1,664.70</u>	---

The University of Texas at Austin  
1972-73

1.	Auxiliary Enterprises- Intercollegiate Athletics Transfer of Funds	From: Intercollegiate Athletics Unappropriated Balance via Realized Income	To: Intercollegiate Athletics - Other Expenses	
	Amount of Transfer	\$ 38,600	\$ 38,600*	---

\* To be used for:

- (a) Improvement and Rehabilitation of Facilities (\$20,000) - (1) lighting underneath the stadium; (2) installing gates to control people at the seventh level; (3) upgrading the facilities in the ticket office; and (4) painting the light poles on the east side of the stadium.
- (b) Furniture for Basketball Coaches' Office (\$3,100) - To refurbish a room in Gregory Gymnasium for a basketball coaches' office. The need for this action was brought about by an agreement between the Department of Intercollegiate Athletics and the Department of Physical Instruction to relinquish Coach Royal's office in order that it could be used as a departmental office for its chairman.

It was felt by Coach Black that it was highly desirable to have an office in the gymnasium where the coaches could

The University of Texas at Austin (Continued)  
1972-73

visit with prospective athletes and their parents since practices and home games take place in that building. A lounge had been used previously for that purpose, but since those furnishings were moved to Belmont Hall, it was desirable to refurbish the lounge for an office and of such quality as to be comparable with the facilities in Belmont Hall.

- (c) Baseball Playoff and College World Series (\$15,500) -  
 This is for the District VI Playoff and the College World Series: (1) Team Expenses - \$13,100; (2) Game Expenses - \$2,000; (3) Publicity Expenses - \$400.

<u>No.</u>	<u>Explanation</u>	<u>Present Status</u>	<u>Proposed Status</u>	<u>Effective Dates</u>
2.	Auxiliary Enterprises- Division of Housing & Food Service-Jester Center Halls			
	Transfer of Funds	From: Unappropriated Balance-Housing & Food Service	To: Jester Center Halls	
	Amount of Transfer	\$ 6,000	\$ 6,000	---
	To be used for:			
	(a) Convert Storeroom M-18-H in the basement of Jester East to a Television-Recreation room (\$2,300).			
	(b) Redecorate the Jester East Lobby (\$3,700).			
3.	Auxiliary Enterprises- Marine Science Institute			
	Transfer of Funds	From: Student Services Fees-Unappropriated Balance	To: Marine Science Institute	
	Amount of Transfer	\$ 10,500	\$ 10,500	---
4.	Auxiliary Enterprises - Intercollegiate Athletics			
	Transfer of Funds	From: Unappropriated Balance - Intercol- legiate Athletics via Realized Income	To: Intercollegiate Athletics - Other Expenses \$ 57,450 Wages <u>12,000</u>	
	Amount of Transfer	\$ 69,450	<u>\$ 69,450*</u>	---

\* Purposes listed on Page SAC - 4 .

The University of Texas at Austin (Continued)  
1972-73

Budget adjustments to be made are:

	<u>Original Budget</u>	<u>Adjustments</u>	<u>Adjusted Budget</u>
Football	\$344,300	-\$29,300	\$315,000
Baseball	43,200	3,300	46,500
Tennis	8,300	3,600	11,900
Golf	11,750	4,250	16,000
Swimming	17,300	3,400	20,700
Athletics Scholarships	287,000	29,000	316,000
Telephone and Telegraph	29,000	5,000	34,000
OASI, WCI, and UCI	23,000	2,000	25,000
Repairs and Maintenance	37,000	8,000	45,000
Travel, Scouting and Recruiting	93,800	<u>28,200</u>	122,000
		\$57,450	

The Intercollegiate Athletics - Wages account needs the following adjustments:

Wages	65,000	12,000	77,000
-------	--------	--------	--------

5. Auxiliary Enterprises -  
Texas Union

Transfer of Funds	From: Unappropriated Balance - Texas Union via Realized Income	To: Texas Union Dining Service - Law School Snack Bar
-------------------	--	---

Amount of Transfer	\$ 3,892	\$ 3,892	---
--------------------	----------	----------	-----

The University of Texas at Austin  
1973-74

1. TEXAS PETROLEUM RESEARCH COMMITTEE, 1973-74 BUDGET FOR THE UNIVERSITY OF TEXAS AT AUSTIN. --

The University of Texas at Austin and the Texas A&M University operate under an agreement with the Texas Petroleum Research Committee. Mr. Robert L. Whiting, Director of the Texas Petroleum Research Committee, recommends the following budget for the portion of the funds allocated to The University of Texas at Austin. (Pages 5-6)

The University of Texas at Austin (Continued)  
1973-74

THE UNIVERSITY OF TEXAS AT AUSTIN  
BUDGET OF THE UNIVERSITY DIVISION  
TEXAS PETROSEUM RESEARCH COMMITTEE  
Fiscal Year 1973-74  
(12 Months)

ESTIMATED INCOME:	<u>1972-73</u>	<u>1973-74</u>
One-half of State Appropriation to Oil and Gas Division of Railroad Commission of Texas	\$60,000	\$60,000
TOTAL ESTIMATED INCOME:	<u>\$60,000</u>	<u>\$60,000</u>

ESTIMATED EXPENDITURES:

Code No.	Appropriation Item	Mos.	Account Number	1972-73 Budget	1973-74 Budget
01	Administrative and Professional Salaries	12	14-7497-0139	\$ 20,000	\$ 21,200
3A	Classified Personnel	12	14-7497-0131	33,500	31,433
3B	Wages (Hourly)	12	14-7497-0132	1,700	3,567
4A	Maintenance and Operation	12	14-7497-0135	3,000	2,500
05	Travel	12	14-7497-0137	300	300
6A	Computer Rental and Purchased Service	12	14-7497-0138	1,500	1,000
	Total Appropriation			60,000*	60,000*

SALARY ROSTER

Supplemental Data	Item	1973-74		1972-73		1973-74	
1972-73	1973-74	No.	Title - Name - Code	Appointment Period	% Time Mos.	Adjusted Rate	1973-74 Amount
			DIRECTOR (Part-time)			(A)	(A)
			ASSISTANT DIRECTOR	1000			
		1.	I. H. Silberberg	9-01 8-31	100 12	\$ 20,000	\$ 21,200
			Total - Administrative and Professional Salaries				21,200*
			ADMINISTRATIVE SECRETARY	9040			
		2.	Judith A. Schluter	9-01 8-31	100 12	6,912	7,632
			RESEARCH ENGINEER ASSISTANT II	4281			
	\$ 4,429	3.	Classified Rate	9-01 8-31	53 100 12		4,429
---	8,436#						
	4,429	4.	R. H. Anderson	9-01 8-31	53 100 12		4,429
\$ 7,944	8,436#		Classified Rate				



The University of Texas at Austin (Continued)  
1973-74

SALARY ROSTER (Continued)

Supplemental Data		Item No.	Title - Name - Code	1973-74			1972-73 Adjusted Rate	1973-74 Amount
1972-73	1973-74			Appointment Period	% Time	Mos.		
			RESEARCH ENGINEER ASSISTANT I					
	\$ 4,170	5.	W. M. Kazmann	9-01	8-31	63		\$ 4,170
\$ 6,180#	6,672#		Classified Rate			100	12	
	4,170	6.	W. B. Fair	9-01	8-31	63		4,170
6,180#	6,672#		Classified Rate			100	12	
	4,170	7.	H. J. Payne	9-01	8-31	63		4,170
---	6,672#		Classified Rate			100	12	
	2,433	8.	_____	2-01	8-31	63		2,433
---	6,672#		Classified Rate			100	12	
Total - Classified Personnel								31,433*

(A) Paid from TPRC A&M Division

The University of Texas Medical Branch at Galveston (Galveston Medical School)  
1972-73

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
1.	Duane L. Larson (Tenure) Surgery	Professor	Professor	
	Salary Rate	\$ 29,500	\$ 33,000	8/1/73
	Source of Funds: Shrine Affiliation Agreement			

The University of Texas Health Science Center at San Antonio  
1972-73

1.	Auxiliary Enterprises- Bookstore			
	Transfer of Funds	From: Bookstore Un- appropriated Balance via Estimated Income	To: Bookstore - Pur- chases for Resale	
	Amount of Transfer	\$ 50,000	\$ 50,000	---

The University of Texas System Cancer Center (M. D. Anderson)  
1972-73

<u>Item No.</u>	<u>Explanation</u>	<u>Present Status</u>	<u>Proposed Status</u>	<u>Effective Dates</u>
1.	Corinne Norton Medical Records	Chief Medical Records Librarian	Chief Medical Records Librarian	
	Salary Rate	\$ 15,200	\$ 17,200	7/1/73
	Source of Funds: Reserve for Professional Salaries			

**Aca. & Dev.  
Affairs Com.**

ACADEMIC AND DEVELOPMENTAL AFFAIRS COMMITTEE  
Mrs. Lyndon B. Johnson, Chairman

Date: September 14, 1973

Time: Following the meeting of the System Administration Committee

Place: Chaparral Room, The Union  
U. T. El Paso  
El Paso, Texas

	<u>Page A&amp;D</u>
1. U. T System: Chancellor's Docket No. 66	2
2. U. T. Arlington: Recommended Appointment to the Amon G. Carter Chair of Art History	2
3. U. T. Austin: Recommendation to Establish Endowed Professorship in the School of Law	3
4. U. T. Austin: Recommended Lectureship in School of Law	12
5. U. T. Austin: Recommended Change of Stiles Professorship in Comparative Literature to Stiles Professorship in Humanities and Comparative Literature	14
6. U. T. Austin: Recommended Agreement with Travis County Legal Aid and Defender Society	15

6-11-73

1. U. T System: Chancellor's Docket No. 66. --In compliance with the Regents' Rules and Regulations, Part One, Chapter I, Sub-division 8.64, Chancellor's Docket No. 66 was mailed by the Secretary to each member of the Board of Regents on Monday, August 20, 1973. The ballots are due in the Secretary's Office at the close of business on September 4, 1973. The Docket will be formally considered by the Academic and Developmental Affairs Committee with any exceptions appropriately referred and given detailed consideration.
2. U. T. Arlington: Recommended Appointment to the Amon G. Carter Chair of Art History. --

Chancellor LeMaistre concurs in Acting President Nedderman's recommendation to appoint Dr. David Merrill to the Amon G. Carter Chair of Art History at U.T. Arlington for the 1973-1974 academic year.

Dr. Merrill has an A.B. degree in Architectural Sciences from Harvard College and the M.A. and Ph.D. degrees in Art History from Yale University. The position will carry tenure upon appointment.

Establishment of this Chair was approved by action of the Board of Regents on January 31, 1969.

**SECRETARY'S NOTE** (Information for Regents who were not members of the Board in 1969): The Amon G. Carter Chair of Art History was established at The University of Texas at Arlington to be funded by a total gift of \$500,000 from the Amon G. Carter Foundation. The first payment on this gift was made in December 1968.



The University of Texas at Arlington  
Arlington, Texas 76010

Office of the President

July 18, 1973

Dr. Charles A. LeMaistre  
Chancellor  
The University of Texas System  
601 Colorado Street  
Austin, Texas 78701

CHANCELLOR'S OFFICE U. of T.	
Acknowledged.....	File.....
JUL 20 1973	
To.....	From.....
By.....	Checked.....

Dear Dr. LeMaistre:

After our recent discussions relative to the vacant Amon G. Carter Chair of Art History at UT Arlington, I know you will be pleased to learn that Dr. David Merrill has accepted our offer for filling this Chair. His curriculum vita is attached hereto. You will note that he has an A. B. in Architectural Sciences from Harvard College and the M. A. and Ph. D. degrees in Art History from Yale University. Mrs. J. Lee Johnson and Dr. Richard Brown of the Kimbell Art Museum are both very enthusiastic about this appointment.

Mrs. Johnson is now spending several weeks at her summer hideaway in Roaring Gap, North Carolina. As soon as she gets back I hope to start proceedings for receiving the second \$250,000 payment from the Carter Foundation for support of this endowed chair. You will recall that the original provisions called for an endowment of \$500,000. The first \$250,000 payment was made at the time of the announcement. We have not as yet received the second payment.

Very truly yours,



W. H. Nedderman  
Acting President

WHN:kp  
enclosure

approved 7/23  
Charles Maistre

3. U. T. Austin: Recommendation to Establish Endowed Professorship in the School of Law (Pages 3 through 11).--

*note*

Chancellor LeMaistre concurs in the recommendation of President Spurr that the Joseph C. Hutcheson Professorship in Law at the Law School of The University of Texas at Austin be established.

Officials of the Law School Foundation have indicated that funds have been committed for the funding of this endowed professorship.

Following approval of this professorship, authorization is requested for the Chairman to execute the instrument set forth below, which details the establishment of the Joseph C. Hutcheson Fund and the endowed professorship.

**SECRETARY'S NOTE:** The policy with respect to Endowed Academic Professorships was revised at the meeting of the Board of Regents on January 26, 1973, and is reflected in the Minutes of that meeting on Pages 142-143.



THE UNIVERSITY OF TEXAS AT AUSTIN  
OFFICE OF THE PRESIDENT  
AUSTIN, TEXAS 78712

August 16, 1973

Charles A. LeMaistre, M.D.  
Chancellor  
The University of Texas System

Dear Dr. LeMaistre:

Enclosed are various documents and instruments that have been transmitted to me from the Law School Foundation through our Development Board which concern the establishment of the Joseph C. Hutcheson Fund in the School of Law. You will note that Mr. J. C. Hutcheson, III has further expressed his commitment to build this Fund up to \$100,000.00 in order to establish and maintain the Joseph C. Hutcheson Professorship in Law.

I recommend that the Board of Regents accept the contributions outlined in these attachments, that the Joseph C. Hutcheson Professorship in Law be approved, and that the enclosed instruments be executed by Chairman McNeese.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Robert D. Mitchell".

Stephen H. Spurr  
President

SHS:ls

Enclosures



THE UNIVERSITY OF TEXAS LAW SCHOOL FOUNDATION

2500 RED RIVER

AUSTIN, TEXAS 78705

(512) 471-1621

August 1, 1973

Mr. Graves W. Blanton  
University Development Board  
UT-Austin  
Littlefield Home  
Austin, Texas 78712

Re: Joseph C. Hutcheson  
Professorship in Law

Dear Graves:

Enclosed please find an original and two copies of the instrument establishing the Joseph C. Hutcheson Fund of our UT Law School Foundation. Also enclosed is an original and two copies of a letter from Mr. Joseph C. Hutcheson, III, Houston, Texas, wherein he expresses his desire to exercise his option to convert this fund to an endowed Professorship in Law.

Confirming our earlier conversations, communications and subsequent approval of this transaction by Dr. Spurr, we would be most grateful if you would place this item on the agenda for acceptance by the Board of Regents at their next meeting. After the instruments have been executed by the Chairman of the Board of Regents, please return one copy to Mr. Hutcheson and one copy to our office for file purposes.

Thank you for your assistance and advice in the conversion of this scholarship fund to an endowed academic position.

Cordially,

Wayne Stratton

cc: Mr. Tom Sealy  
Mr. Charles Duke

**OFFICERS**

TOM SEALY  
President  
P.O. Box 670  
Midland, Texas 79701

KRAFT W. EIDMAN  
Vice President  
Bank of Southwest Bldg.  
Houston, Texas 77002

WAYNE R. STRATTON  
Secretary-Treasurer  
2500 Red River  
Austin, Texas 78705

FRANCES ADKINS  
Assistant Secretary  
2500 Red River  
Austin, Texas 78705

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Corpus Christi

PRESTON SHIRLEY  
Galveston

**TRUSTEE EMERITUS**

ANGUS G. WYNNE  
Dallas



J. C. HUTCHESON, III

April 3, 1973

Dear Page:

Many thanks for your letter of March 20 with its enclosures regarding the contributions which have been made to the Law School Foundation in memory of my father. I assume that the total mentioned includes the contribution from Baker & Botts, although the list of contributors only shows individuals.

These contributions and their availability as a nucleus for an endowed scholarship fund have led me to two conclusions:

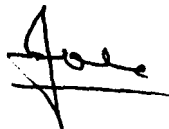
First, that by the end of this year my nieces and I should add enough to the total which you are then holding in escrow to fund one annual scholarship. This, I assume, could be done with a contribution from us of approximately \$10,000.

Second, I think I should now make a definite commitment to build the Joseph C. Hutcheson Fund up to \$100,000, so that the professorship referred to in the grant by which that Fund was set up, may be established. I expect within the next few days to make an additional gift to that Fund which would bring the total to about \$65,000. I would hope to complete the funding within four more years and I have already included a provision in my Will to ensure its completion in the event of my death.

I do not know whether this letter constitutes a sufficiently definite commitment to satisfy the requirements of the Trustees of the Law School Foundation and the Board of Regents. If not, please let me know what is required and I will be glad to furnish it.

I was distressed to learn recently that Madge had not been well and trust that the problem was found in ample time and that the treatment is proving effective. Please give her my regards and best wishes.

Sincerely,



Dean Page Keeton  
The University of Texas at Austin  
School of Law  
2500 Red River  
Austin, Texas 78705

THE STATE OF TEXAS:

: KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF HARRIS :

THAT Joseph C. Hutcheson, III, of Houston, Harris County, Texas (hereinafter called "Donor"), does hereby create irrevocably and forever a trust for the use and benefit of the University of Texas Law School Foundation (hereinafter called "Foundation").

I.

1.1 Grant. Donor hereby gives and transfers to the Foundation the following securities:

200 Shares of the Common Stock of Schlumberger Limited, evidenced by Certificates Nos. H 13883 and H 13884,

to be used for the furtherance in the University School of Law of legal education, legal research and the progress of the law, as hereinafter provided, thereby establishing The Joseph C. Hutcheson Fund. This grant is made in honor of the Father and Grandfather of Donor. It is contemplated that additional donations and contributions will be made to said Fund and any gift which either refers to this instrument or to The Joseph C. Hutcheson Fund, shall be subject to the terms and conditions hereof.

II.

2.1 Purposes of Grant. When and if the total amount of the donations to the Fund shall be sufficient to support a professorship in law at the University of Texas School of Law, the same shall be used to establish and maintain the Joseph C. Hutcheson Professorship in Law. Initially, and until such time as the donations are of a size sufficient to support a professorship, the net income from the Fund shall be used to provide one or more scholarships for students

attending the University of Texas School of Law.

Likewise, if at any time after the Fund is sufficient to support a Professorship, the income shall not be used for such purpose, either because of action by the Legislature or the University in contravention of the provisions of Section 5.1 hereof, or because there is no member of the Faculty of the Law School who meets the qualifications set forth in Section 5.2, such income shall again be employed to provide scholarships.

### III.

3.1 Investment of Grant. The Foundation shall invest the principal of the Fund in income producing securities, deposits or other income producing assets. The net income from said Fund, after payment therefrom of the reasonable cost of administering the same, shall be used for the purposes aforesaid. To this end, said Foundation, acting as Trustee, shall hold, manage, control, exchange, invest or reinvest the principal of said Fund, shall collect the income therefrom and, from time to time consistently with the purposes of this trust, shall pay out the income only, but not the corpus or principal.

3.2 Commingling Permitted. The principal of the Fund may be mingled with other similar funds being administered by the Foundation; provided that due allowance is given the Fund for income and investment gains and losses of the mingled funds by allotting to the Fund an undivided interest in the mingled funds which is equal to the Fund's proportionate contribution (as adjusted from time to time because of receipts and disbursements) to the mingled funds.

3.3 Books of Account. The Foundation shall keep books of account in accordance with currently accepted accounting principles applicable to trustees,

showing the investment of the principal of this Fund and the receipt and use of the income therefrom, which books shall be open for inspection at reasonable times by Donor. A statement of the financial transactions involving the Fund, including portfolio of income producing assets, shall be sent annually to Donor.

#### IV.

4.1 Use for Scholarships. During the time that the income from the Fund is being used to support and maintain scholarships, the following principles shall apply:

(a) The Dean of the Law School shall determine the number of scholarships to be awarded in each scholastic year; provided, however, that no grant of less than \$300 shall be made to any individual.

(b) In awarding scholarships, the Dean, or any committee to whom that task is delegated, shall consider, in addition to need, scholastic excellence and good moral character.

(c) Awards may be made to entering students as well as to those who have completed one or more years in the Law School and in the case of first-year students, college records as well as Law School admission tests may be considered in applying the criteria set forth above.

(d) Any student who receives a scholarship in one of his first two years in the Law School and who continues to display the scholastic excellence and good moral character which resulted in his original selection, shall be given preference in the award of scholarships for subsequent years.

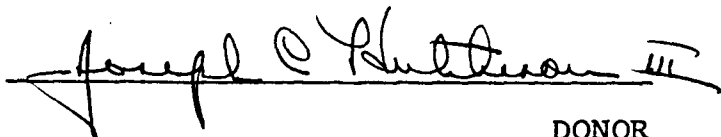
V.

5.1 Use for Professorship. If and when the donations contributed to this Fund are sufficient for the endowment of a professorship, its basic purpose will be to supplement the normal salary of the professor, and thus to enable the Law School to hold or secure a distinguished professor. This purpose would be defeated if, by any action of the Legislature or the University of Texas, the funds provided through this Fund should be so used or employed as to supplant in any way, rather than to supplement, State or other funds normally supplied for salary. In the event the Legislature or the University should act in the manner described above, the Foundation shall withhold further payments from the Fund to the University until the basic purpose is met and the principle stated above is complied with.

5.2 Appointment of Professor. It is the desire and intent of the Donor that The Joseph C. Hutcheson Professor shall be a person of generally conservative principles and outlook, high professional qualifications and a capacity for inspiring the student body and imparting to it a spirit of zeal and enthusiasm in the pursuit of the law and the maintenance of high principles in the legal profession. To this end, it is the desire of Donor that the person holding The Joseph C. Hutcheson Professorship not be granted this position for life or for tenure, but that the Dean of the Law School shall periodically and not less frequently than every five years, review the record and contributions of such professor, with a view to substituting a different professor should the basic purposes of the Fund so dictate. If, in the reasonable opinion of the Trustees of the University of Texas Law School Foundation, the person holding this professorship

is bringing any discredit to the name of the persons in whose honor this Fund is created, said Trustees shall have the right to require that a more suitable professor be substituted in this position. This right shall only be exercised after consultation with the Dean of the Law School and after reasonable efforts have been made to remedy the situation by other means.

EXECUTED this 18th day of December, 1969.



DONOR

The foregoing grant is hereby accepted in Trust, pursuant to the terms, conditions and limitations of this instrument.

Effective as of the 18th day of December, 1969.

UNIVERSITY OF TEXAS LAW SCHOOL FOUNDATION

By: 

ACCEPTED, this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 1973, upon the condition and understanding that the appointment of The Joseph C. Hutcheson Professor of Law shall be made annually by the Board of Regents of The University of Texas System from the faculty of The University of Texas at Austin School of Law, after receiving recommendations from the appropriate University officials.

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM

By \_\_\_\_\_

Chairman

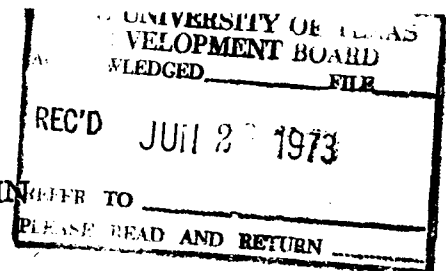
4. U. T. Austin: Recommended Lectureship in School of Law.--

Chancellor LeMaistre concurs in the request of President Spurr that a lectureship in the School of Law be established as follows: The Tom Sealy Lecture on Law and the Free Society.

Appropriate representatives of the Law School Foundation have certified that the required funds are available to the Foundation through donors who wish to remain anonymous.



THE UNIVERSITY OF TEXAS AT AUSTIN  
SCHOOL OF LAW  
2500 Red River  
AUSTIN, TEXAS 78705



Office of the Dean

June 19, 1973

Mr. W. Graves Blanton  
Acting Director  
University Development Board  
Littlefield Home  
Austin, Texas 78712

Dear Graves:

Attached for your information is a letter from Wayne Stratton, Secretary-Treasurer of our University of Texas Law School Foundation, concerning gifts to establish the Tom Sealy Lecture on Law and the Free Society. I understand that these gifts meet The University of Texas requirements for the endowment of a lectureship. Due to the fact that the donor has specifically requested to remain anonymous and since Mr. Sealy's letter of financial commitment discusses this initial gift, I prefer not to release copies of this correspondence unless it is absolutely necessary.

It would be difficult for me to think of a man more deserving of the honor of having this important lecture series named for him and I wholeheartedly endorse this proposal. Tom's contribution to The University of Texas has spanned a period of many years. He has served as Chairman of the UT System Board of Regents and the Development Board, as well as the Coordinating Board, Texas College and University System. He is a Life Member/Trustee of our Law School Foundation and has served as President for the past three years.

Please initiate appropriate action with President Spurr and the Board of Regents to see that all records will properly reflect the naming of this lecture series for a great friend of our institution.

Sincerely,

*Page Keeton*

Page Keeton  
Dean

PK:k1  
Attachment



THE UNIVERSITY OF TEXAS AT AUSTIN  
 OFFICE OF THE PRESIDENT  
 AUSTIN, TEXAS 78712

June 25, 1973

Charles A. LeMaistre, M.D.  
 Chancellor  
 The University of Texas System

CHANCELLOR'S OFFICE U. of T.  
 Acknowledged.....File.....  
 JUN 27 1973  
 To..... For Info and Return  
 To..... Please Advise Me  
 To..... Please Handle

Dear Dr. LeMaistre:

I am transmitting with my approval the attached request from Dean Keeton that the Regents approve the establishment of the Tom Sealy Lecture on Law and the Free Society and accept those gifts, one of which is from a donor who has requested anonymity, through the Law School Foundation to endow this lectureship.

Should more information than is provided in the accompanying documents be needed, please let us know.

Sincerely yours,

*Stephen H. Spurr*

Stephen H. Spurr  
 President

SHS:ls

Attachments



5. U. T. Austin: Recommended Change of Stiles Professorship in Comparative Literature to Stiles Professorship in Humanities and Comparative Literature. --

Chancellor LeMaistre concurs in the recommendation of President Spurr, and requests approval of a change of name from the Stiles Professorship in Comparative Literature to the Stiles Professorship in Humanities and Comparative Literature.

President Spurr's letter of explanation and recommendation is set forth below.

SECRETARY'S NOTE: The Stiles Professorship in Comparative Literature was established in September 1964 by the Board of Regents. This change in name will not in any manner alter the wishes of Hadley Alva Stiles whose trust provided, "I suggest, but do not direct, that the income from the J. V. and H. A. Stiles Foundation shall be applied, in the discretion of the Trustees to one or more of the following purposes:". None of the purposes specifically stated any name for a professorship.

THE UNIVERSITY OF TEXAS AT AUSTIN  
OFFICE OF THE PRESIDENT  
AUSTIN, TEXAS 78712

August 15, 1973

Charles A. LeMaistre, M.D.  
Chancellor  
The University of Texas System

Dear Dr. LeMaistre:

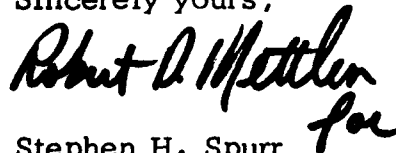
Following consultation with Mr. William Stewart and Professor James Kaufmann, Dean Stanley Werbow has recommended to me that Regental approval be obtained for changing the title of the "Stiles Professorship in Comparative Literature" to the "Stiles Professorship in Humanities and Comparative Literature." You will recall that on June 1, 1973, the Regents' approved our recommendation that Dr. Kaufmann be awarded this distinguished position.

In submitting this recommendation to me, Dean Werbow expressed the wish that the breadth of interdisciplinary endeavors within the Humanities that is contemplated in the expanded title would be characteristic of all future holders of this Stiles Professorship as it clearly is in the case of Dr. Kaufmann. I have been assured that such a title change would in no way alter the donor's original intentions and thus join in Dean Werbow's recommendation that all necessary approvals to this action be secured.

SHS:ls

cc: Dr. Stanley R. Ross  
Dean Stanley Werbow

Sincerely yours,



Stephen H. Spurr  
President

6. U. T. Austin: Recommended Agreement with Travis County Legal Aid and Defender Society. --

*Retained*

At the Board meeting of September 11, 1972, the Board of Regents extended for the 1972-1973 academic year an agreement for clinical experience for law students between the Board of Regents of The University of Texas System, for and on behalf of The University of Texas at Austin School of Law, and the Travis County Legal Aid and Defender Society. This extension was, in part, approved on the basis of a favorable evaluation by outside consultants and was conditioned upon a second outside evaluation to be completed during the period of the extended agreement.

This second outside evaluation has been completed and is set forth below, along with a letter from President Spurr which recommends on the basis of the evaluation the continuation of this agreement for clinical experience. The funds required by this contract are allocated in The University of Texas at Austin budget and were approved by the Board on July 27, 1973.

Since for two years this cooperative program between the School of Law and the Travis County Legal Aid and Defender Society has, in the opinion of President Spurr and the outside consultants, proved to be an effective adjunct to the law school curriculum, Chancellor LeMaistre recommends:

- (1) That the Board of Regents approve the agreement set forth below which in substance is identical to the previous one year agreements except (a) the requirement for an annual outside review has been eliminated and replaced by presidential review and (b) the term of the agreement is continuous from year to year unless dissolved by either party following appropriate notice;
- (2) That the presidential review take place prior to the submission of the annual operating budget to System Administration and that this review form the basis for the recommended budgetary allocation;
- (3) That it is understood that any funds required by this program shall be subject to the usual rules and regulations on budgetary matters.



THE UNIVERSITY OF TEXAS AT AUSTIN  
OFFICE OF THE PRESIDENT  
AUSTIN, TEXAS 78712

*President*

July 16, 1973

Charles A. LeMaistre, M.D.  
Chancellor  
The University of Texas System

Dear Dr. LeMaistre:

Pursuant to our agreement, reviewed and extended by the Board of Regents on September 11, 1972, with the Travis County Legal Aid and Defender Society, I have again asked Judge James Meyers, Mr. Lloyd Lochridge, and Dean John Neibel to undertake an evaluation of the quality of clinical experience provided to our law students through the LADS. Their report, dated July 6, 1973 and addressed to you, is enclosed.

On the basis of their review, and upon the request of Dean Page Keeton, I recommend that appropriate approvals be obtained to continue the established relationship between our School of Law and the Travis County Legal Aid and Defender Society.

Sincerely yours,

A handwritten signature in cursive script that reads "Stephen H. Spurr".

Stephen H. Spurr

SHS:hr



County of  
**TRAVIS**  
STATE OF TEXAS

JAMES R. MEYERS  
DISTRICT JUDGE  
126TH JUDICIAL DISTRICT

COUNTY  
COURTHOUSE  
AUSTIN, TEXAS

July 6, 1973

Dr. Charles LeMaistre, Chancellor  
The University of Texas  
Austin, Texas

Dear Dr. LeMaistre:

Pursuant to Dr. Stephen H. Spurr's request, Mr. Lloyd Lochridge, Dean John Neibel and Judge James R. Meyers reviewed the clinical experience provided the students attending The University of Texas at Austin, School of Law. The review was conducted pursuant to Paragraph IV of the contract between The University and the Travis County Legal Aid and Defender Society. We met with seven students selected at random who had completed at least one semester in the program. Several of the students had two and three semesters in the program. Present also during part of the interview was John J. Sampson and Cicily Simms, both of whom are employed by the law school in connection with the clinical education program.

The opinion we expressed following our review of last year is even stronger this year. We are fully satisfied that the clinical legal education program provides a valuable internship to the students participating in it.

We found that the supervision of the students was adequate and apparently better than last year. The students are not treated as law clerks, but are given responsibility and indeed are placed in situations in which they must assume responsibility.

There was still some complaint about inadequate space particularly in the location for the Domestic Relations office. However, there had been an effort made to schedule the students at the office which was occupied until May 1, 1973, so that there would not be a space problem. Almost uniformly the students spent more than the scheduled time, however, and some space problems did develop. We note that this particular office has now been re-located.

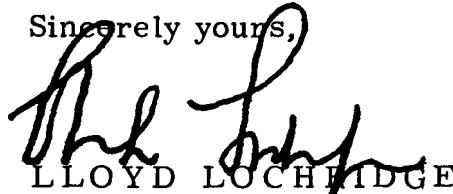
Dr. Charles LeMaistre  
Page Two  
July 6, 1973

One aspect of the clinical experience which for some reason we did not pick up in our evaluation last year is that the clinical training for many students renews and intensifies their interest in the substantive law. To many students, the law as taught in the classroom is abstract and lifeless. In the clinical experience, they have the opportunity to apply what they have learned in a substantive law course and see that it does get results. To their surprise, they find out that what they consider a rather dull classroom subject when applied to human problems achieve solutions and this spurs them on to learn more in the classroom.

While we did not undertake an analysis of the cost to The University of the program, we did satisfy ourselves that the cost was less than the cost of similar programs to other universities, and accordingly we believe the University is getting full value if not more for the money it spends.

In summary, we remain convinced that the program is successful and that the experience is valuable to the students and will better prepare them for the practice of law.

Sincerely yours,

  
LLOYD LOCHRIDGE

  
JOHN NEIBEL

  
JAMES R. MEYERS

/jl

THE STATE OF TEXAS    |  
                              |  
COUNTY OF TRAVIS     |

THIS MEMORANDUM AGREEMENT by and between the Board of Regents of The University of Texas System, for and on behalf of The University of Texas at Austin School of Law, hereinafter called University, and Travis County Legal Aid and Defender Society, hereinafter called LADS.

WITNESSETH:

WHEREAS, University recognizes that a law school of the first class should offer its students opportunities to obtain first-hand experience in handling legal problems of the public; and

WHEREAS, LADS represents that it can provide these services;

NOW, THEREFORE, for and in consideration of the mutual benefits and the covenants herein contained, the parties agree as follows:

I.

LADS agrees to furnish all services as may be required from time to time by the University for the purpose of providing clinical legal education and to perform such duties incidental to the clinical legal education program as are required for conforming to the policies and rules of the University. It is universally recognized that such a program provides a laboratory for students in the law school for the development of practice skills. It is further recognized that a good law school through the utilization of faculty and interested students must confront the problem of the poor and assist in bringing them into the world of the law and lawyers, thus providing an opportunity to contribute toward achieving the ancient and honored goal of the legal profession of equal justice for all.

LADS, therefore, agrees to render such services as required by the University so that these functions can be adequately performed.

II.

It is understood and agreed that LADS will conduct its programs and integrate its work in such a manner as to furnish the means by which legal education can be advanced and students better prepared for the practice of law, all of which is in the public interest and is an essential part of the law school function.

### III.

University agrees to pay LADS, subject to the approval of the Board of Regents through the Budgetary Process, a mutually agreed sum, which sum of money is to be paid to LADS upon invoices submitted to the University which shall be approved by the Dean of The University of Texas at Austin School of Law and the Vice-President for Business Affairs at The University of Texas at Austin. It is contemplated that such invoices shall be for services rendered--legal and secretarial--and invoices will be submitted, normally on a monthly basis, by LADS to the Dean of The University of Texas at Austin School of Law, who shall forward such invoices for final approval to the Vice-President for Business Affairs at The University of Texas at Austin.

### IV.

There shall be an annual review of "clinical" experience under the contract with LADS conducted by the President of The University of Texas at Austin, taking into consideration such issues as those raised concerning such programs as discussed in the article, "Supervising Students in Legal Clinics Outside the Law School," by Arthur N. Frakt, in the April, 1971, issue of Student Lawyer Journal, with a written report on the evaluation submitted to the Chancellor and the Board of Regents as a part of the material supporting the annual operating budget.

### V.

This agreement shall become effective immediately upon its execution and shall extend from year to year, except as it may be amended by mutual agreement of the parties, or may be terminated by either party upon giving ninety (90) days' written notice to the other.

EXECUTED THIS \_\_\_\_\_ day of \_\_\_\_\_, 1973

ATTEST:

BOARD OF REGENTS OF THE  
UNIVERSITY OF TEXAS SYSTEM

\_\_\_\_\_  
Secretary

By: \_\_\_\_\_  
Chairman

ATTEST:

TRAVIS COUNTY LEGAL AID  
AND DEFENDER SOCIETY

\_\_\_\_\_

By: \_\_\_\_\_

Approved as to form:

Approved as to content:

\_\_\_\_\_  
University Attorney

\_\_\_\_\_  
Vice-Chancellor for Academic  
Affairs

\_\_\_\_\_  
Deputy Chancellor for  
Administration

\_\_\_\_\_  
Vice-President for Business  
Affairs  
The University of Texas  
at Austin





THE UNIVERSITY OF TEXAS SYSTEM

Office of the Chancellor

601 COLORADO STREET, AUSTIN, TEXAS 78701

MSA.

September 5, 1973

MEMORANDUM

TO: Academic and Developmental Affairs Committee

Mrs. Johnson, Chairman  
Dr. Bauerle  
Mr. Clark  
Mr. Erwin  
Mr. Garrett  
Mr. McNeese  
Dr. Nelson  
Mr. Shivers  
Mr. Williams

FROM: Charles A. LeMaistre, M.D. *Cal*  
Chancellor

SUBJECT: Responses to Docket Exceptions, Chancellor's  
Docket No. 66

Attached herewith are my responses to the exceptions to the Chancellor's Docket No. 66 which will be considered at the September 14 meeting of the Board of Regents.

I hope that the early distribution of these responses will facilitate and expedite the Board's consideration of this matter.

CAL:mg

attachment

cc: → Miss Betty Anne Thedford  
Mr. E. D. Walker  
Dr. William H. Knisely  
Dr. James W. Wagener  
Mr. Arthur H. Dilly

RESPONSES TO DOCKET EXCEPTIONS

CHANCELLOR'S DOCKET NO. 66

U.T. ARLINGTON

Docket, Page AR-14, Items 45 and 46

Department of Health, Education and Welfare

45. Reappoint Khairati L. Sindwani (non-tenure), Visiting Professor at 75% with stipend of \$4750, 3 months; effective June 1, 1973. Funds are available from Grant Funds within the account. (RBC #525)

46. Reappoint Mohini Sindwani (non-tenure), Visiting Associate Professor at 50% with stipend of \$2667, 3 months; effective June 1, 1973. Funds are available from Grant Funds within the account. (RBC #526)

EXCEPTION COMMENT:

Are these two individuals related? If so, have we waived our nepotism rule?

RESPONSE:

Visiting Professor Khairati L. Sindwani (non-tenure) and Visiting Associate Professor Mohini Sindwani (non-tenure) are husband and wife. Their visiting appointments are in the Department of Sociology and their salaries are paid entirely from a Department of Public Welfare grant. These part-time, non-tenured, visiting appointments are not in conflict with the nepotism rule since neither position has any responsibility for or control over the other in regard to appointment, assignment to classes, supervision, pay, or advancement.

HOUSTON HEALTH SCIENCE CENTER

I. Docket, Page HH-10, (Houston Medical School), items 4-15

The appointment of twelve (12) Teaching Fellows to the Medical School Program in Anatomy for the period June 25, 1973 through August 18, 1973, at an annual salary rate of \$20,400, or an actual compensation of \$3027.02 for the eight (8) weeks of employment.

EXCEPTION COMMENT:

Please identify by degree and define individuals called "teaching fellows," in the number of 12, all in Anatomy for the summer period when we only have a freshman class of 48.

RESPONSE:

As some members of the Board may recall, a similar docket item for the October 20, 1972 meeting of the Board was excepted and subsequently withdrawn following satisfactory explanation.

Then, as in the current situation, the twelve Teaching Fellows (all with the M.D. or Ph.D. degree, or the British equivalent) were recruited in England for the eight week period to teach the intensive cooperative program in anatomy to 48 medical students, 35 graduate dental students, and 128 dental students. These "Fellows" were used to supplement the limited regular medical and dental school anatomy faculties, and Dean Smythe and Acting Dean McKinney report that the quality of teaching was excellent. Currently they hope to use the same technique in the 1974 summer period.

It should be noted that these twelve teaching fellows (who were actually of academically higher rank in England) cost approximately \$36,000, not much more than the amount that would be required to retain a single full-time senior faculty member on an annual basis.

HOUSTON HEALTH SCIENCE CENTER (continued)

II. Docket, Page HH-20, (Public Health School), items 1-4

Four (4) items related to the source of funds for Dean Stallones' total compensation for the fiscal year 1972-73.

EXCEPTION COMMENT:

It was my understanding that money was to be raised primarily in the Houston area for the Office of the Dean.

I notice in the four items that he has been removed from all sources of funds and his office moved to a new category called "Public Health Professional Salaries Trust Fund."

RESPONSE:

Since private funds were not available to meet the agreed upon salary in excess of the general revenue line item allocation, these docket items reflect the utilization of appropriate non-general revenue funds to pay the total compensation of Dean Stallones.

Set forth below is a summary of Dean Stallones' salary for the 1972-73 fiscal year by source of funds and amounts from each. The line item rate of \$28,500 for the Dean was, of course, used throughout the year, and the other sources of funds were used to achieve the approved annual rate of \$45,000.

Reuel A. Stallones

Sources of Salary:

<u>9/1/72-8/31/73</u> (Line item Appropriation Bill)	\$28,500
<u>9/1/72-12/31/72</u> Administrative changes to Trust Funds (Rate of \$4,500)	1,500
PHS Grant (Formula type general purposes-- Rate \$12,000)	4,000
<u>1/1/73-6/15/73</u> NIH Contract (Subcontract from Baylor Medical -- Rate \$4,500)	2,050
PHS Grant (General Purpose at rate of \$12,000)	5,467
<u>6/15/73-6/30/73</u> PHS Grant (General Purpose at rate of \$16,500)	733
<u>7/1/73-8/31/73</u> Administrative changes to Trust Fund at rate of \$16,500	<u>2,750</u>
Total Salary -- <u>twelve months</u>	\$45,000

HOUSTON HEALTH SCIENCE CENTER (Public Health School) continued

The second exception comment reflects a misunderstanding of the financial account titles. The account caption "Public Health School Professional Salaries" refers to the approved general budget line item, account number 510031, which includes the Dean and two other positions for the portion of their salaries paid from general funds. His office has not been moved to a new funding category.

Since the Dean is not line-itemed for 1973-74 his full compensation is paid from general funds.

**Buildings &  
Grounds Com.**

BUILDINGS AND GROUNDS COMMITTEE  
Frank C. Erwin, Jr., Chairman

Date: September 14, 1973  
Time: Following the meeting of the Academic and Developmental  
Affairs Committee  
Place: Chaparral Room, The Union  
U. T. El Paso  
El Paso, Texas

Page  
B & G

U. T. AUSTIN

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and for Appropriation Therefor 3
2. College of Fine Arts and Performing Arts Center - Drama  
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Preliminary Plans and Specifications 3
3. College of Fine Arts and Performing Arts Center - Art  
Building Addition and Remodeling of the Existing Building: Proposed  
Preliminary Plans and Specifications 3
4. Expansion of Electric Power: Request for Engineering  
Consultant to Study the Alternate Possibilities 4
5. East Campus Library Auditorium: Proposal to Name in  
Honor of Lyndon Baines Johnson. 4
6. Physics-Mathematics-Astronomy Building: Proposal to  
Name in Honor of Dr. Robert L. Moore 4
7. Robert A. Welch Hall: Request to Revise Scope of  
Addition and to Prepare Preliminary Plans Accordingly 5

U. T. EL PASO

8. Special Events Center: Proposed Preliminary Plans and  
Specifications 5

GALVESTON MEDICAL BRANCH

9. Galveston Hospitals: Approval of Final Plans and Specifi-  
cations for Facility to House Linear Accelerator and Authorization  
to Advertise for Bids 5
10. Galveston Medical School - Ashbel Smith Building (Referred  
to as Old Red): Recommended Project Architect for Rehabilitation;  
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mittee 6

**UNIVERSITY CANCER CENTER**

- 11. M. D. Anderson - Cancer Research Addition to 6th and 7th Floors of M. D. Anderson Hospital and Tumor Institute: Recommended Final Plans and Specifications with Authorization to Advertise for Bids 8**
- 12. M. D. Anderson - Environmental Science Park at Bastrop Sewage Treatment Facilities: Recommended Final Plans and Specifications with Authorization to Advertise for Bids 8**



September 5, 1973

Building and Grounds Agenda  
September 14, 1973 Regents Meeting  
List of Architects Proposed

Page · Southerland · Page	Austin, Texas
Kenneth E. Bentsen Associates	Houston, Texas
Jessen Associates, Inc.	Austin, Texas
Pitts, Phelps & White	Beaumont and Houston, Texas
Caudill, Rowlett & Scott	Houston, Texas

*Withdrawn*

## DOCUMENTATION

1. U.T. AUSTIN: ART MUSEUM (PROJECT NO. 102-275) - AUTHORIZATION FOR PROJECT AND PREPARATION OF PRELIMINARY PLANS; APPOINTMENT OF PROJECT ARCHITECT; AND APPROPRIATION THEREFOR.--One of the major needs at The University of Texas at Austin is an Art Museum to house general art collections. The scope of the project will include galleries and all support facilities at an estimated total project cost of \$7,500,000.00. This authorization will permit the development of a project concept and design to facilitate the solicitation of gift funds for project funding.

President Spurr and System Administration recommend that the Board:

- a. Authorize the project at an estimated total project cost of \$7,500,000.00, subject to final funding arrangements.
- b. Appoint a Project Architect from a list to be submitted at the meeting with authorization for the preparation of site studies, cost estimate and preliminary plans and specifications to be brought to the Board at a future meeting.
- c. Appropriate \$85,000.00 as an advance from Permanent University Fund Bond proceeds for necessary topographic and foundation surveys, miscellaneous expenses and fees through the preparation of preliminary plans and specifications.

2. U.T. AUSTIN: COLLEGE OF FINE ARTS AND PERFORMING ARTS CENTER - DRAMA BUILDING ADDITION AND REMODELING OF EXISTING BUILDING (PROJECT NO. 102-268) - APPROVAL OF PRELIMINARY PLANS AND SPECIFICATIONS; AUTHORIZATION TO PREPARE FINAL PLANS AND SPECIFICATIONS.--In accordance with the project authorization given at the Regents' Meeting held April 29, 1972, the preliminary plans and specifications for the construction of an addition to the Drama Building at The University of Texas at Austin have been prepared by the project Architect, Fisher and Spillman, Inc. This project is a portion of the complex of structures authorized for the College of Fine Arts. It includes new construction totaling 47,000 square feet consisting of a 500 seat proscenium theatre with adjacent support areas and new classrooms and offices for the Drama and Dance programs, plus remodeling in the existing Drama Building. The estimated total project cost is \$3,800,000.00 and has been appropriated.

President Spurr and System Administration recommend that the Board:

- a. Approve the preliminary plans and specifications for the Drama Building addition and remodeling of existing building.
- b. Authorize the Project Architect to prepare final plans and specifications for consideration by the Board at a future meeting.

3. U.T. AUSTIN: COLLEGE OF FINE ARTS AND PERFORMING ARTS CENTER - ART BUILDING ADDITION AND REMODELING OF THE EXISTING BUILDING (PROJECT NO. 102-264) - APPROVAL OF PRELIMINARY PLANS AND SPECIFICATIONS; AUTHORIZATION TO PREPARE FINAL PLANS AND SPECIFICATIONS.--In accordance with the project authorization given at the Regents' Meeting held April 29, 1972, the preliminary plans and specifications for the construction of an addition to the Art Building at The University of Texas at Austin have been prepared by the Project Architect, Fisher and Spillman, Inc. This project is a portion of the complex of structures authorized for the College of Fine Arts. It includes new construction totaling 49,000 square feet consisting of studios, classrooms and offices, plus outdoor work areas and remodeling in the existing Art Building. The estimated total project cost is \$1,937,650.00 which has been appropriated.

President Spurr and System Administration recommend that the Board:

- a. Approve the preliminary plans and specifications for the Art Building addition and remodeling of existing building.
- b. Authorize the Project Architect to prepare final plans and specifications for consideration by the Board at a future meeting.

4. U. T. AUSTIN: AUTHORIZATION FOR APPOINTMENT OF ENGINEERING CONSULTANT TO STUDY THE ALTERNATE POSSIBILITIES FOR EXPANDING THE ELECTRICAL CAPACITY ON THE U. T. AUSTIN CAMPUS AND RECOMMENDATIONS THEREFOR.--A study conducted by the Director of Physical Plant, U. T. Austin, and the Director of Office of Facilities Planning and Construction indicates that the firm electrical capacity on the Austin campus will probably be exceeded in late 1976. This study indicates that an increase of 30 megawatts capacity will be required. The new projects to be served on the campus include the Graduate School of Business, Addition to Robert A. Welch Hall, College of Education, Social Science and Humanities Library, Special Events Center, and the College of Fine Arts and Performing Arts Center.

In order to have the additional electrical capacity available in late 1976, it is necessary that economic surveys and engineering studies begin now. Approximately three years will be required for planning and construction of the facilities.

The present fuel shortage, the escalation in price of construction and equipment, possible increases in primary fuel cost, and the possibility of gas in kind to State agencies in lieu of gas payments present a complex picture in the decision making for providing additional electrical capacity at the U. T. Austin campus.

President Spurr recommends, and System Administration concurs, that System Administration be authorized to engage Stone and Webster to make a survey outlining alternatives and to recommend to the Administration the manner in which we should proceed with providing the additional requirements of electrical capacity. Funds have been appropriated for the expansion and the consulting fees will be paid from that source. After the study has been completed and recommendations received, the Administration will recommend to the Board the procedure to be followed in providing for the necessary additional power requirements.

5. U. T. AUSTIN: NAMING OF THE EAST CAMPUS LIBRARY AUDITORIUM IN HONOR OF LYNDON BAINES JOHNSON.--In accordance with a proposal recommended by a U. T. Austin Special Administrative Committee for the East Campus Library Auditorium at The University of Texas at Austin, President Spurr and System Administration concur that the facility be henceforth identified and named the Lyndon Baines Johnson Auditorium, in honor of the late President Lyndon Baines Johnson, 36th President of the United States.

6. U. T. AUSTIN: PHYSICS-MATHEMATICS-ASTRONOMY BUILDING - REQUEST TO NAME IN HONOR OF DR. ROBERT L. MOORE.--At the April 24, 1973 Regents' Meeting, authorization was given for the naming of the Mathematics Wing of the Physics-Mathematics-Astronomy Building in honor of Dr. Robert L. Moore, Professor Emeritus of Mathematics at The University of Texas at Austin. In further consideration by President Spurr and with the concurrence of Dean A. R. Schrank of the College of Natural Sciences, Dr. Harlan Smith, Chairman of the Department of Astronomy, and Dr. Frederik DeWette, Chairman of the Physics Department, it has been determined that a single designation for the total facility would be desirable.

It is, therefore, recommended by President Spurr and System Administration that the Physics-Mathematics-Astronomy Building be named the Robert L. Moore Building.

7. U. T. AUSTIN: ADDITION TO ROBERT A. WELCH HALL (PROJECT NO. 102-196) - AUTHORIZATION FOR PREPARATION OF REVISED SCOPE PRELIMINARY PLANS.--At the Regents' Meeting on March 16, 1972, an addition to the existing Chemistry Building was authorized to provide 165,000 gross square feet for needed expansion of the various Chemistry Department disciplines. Subsequently, in the process of development of the project, it became apparent that this expansion might also better utilize the available site by including the additional lecture facilities required. On May 11, 1973, Dr. Spurr outlined a program of lecture halls, classrooms, and other needed undergraduate teaching facilities. A study of the increased needs by Wyatt C. Hedrick, Architects and Engineers, affirmed the feasibility of the increase in the project to fully utilize the last available major building site on the original 40 acres.

President Spurr and System Administration recommend that the Board authorize the preparation of preliminary plans and outline specifications for the revised project scope, including the Chemistry addition and undergraduate lecture halls, classrooms and other facilities to provide approximately 255,000 square feet at an estimated total project of \$15,080,000.00, which has been appropriated. The plans and specifications will be submitted to the Board for approval at a future meeting.

8. U. T. EL PASO: SPECIAL EVENTS CENTER (PROJECT NO. 201-278) - APPROVAL OF PRELIMINARY PLANS AND SPECIFICATIONS.--In accordance with the project authorization given at the Regents' meeting held July 27, 1973, preliminary plans and specifications for the construction of the Special Events Center at The University of Texas at El Paso have been prepared by the Project Architect, B. W. Crain, Jr., Longview, Texas. The total project cost for the Special Events Center, the relocation of Sun Bowl Road and the installation of artificial turf in the Sun Bowl is estimated to be \$9,000,000.00.

President Templeton and System Administration recommend that the Board approve the preliminary plans and specifications for the Special Events Center with authorization for the Project Architect to prepare final plans and specifications for consideration of the Board of Regents at a future meeting.

9. GALVESTON MEDICAL BRANCH (GALVESTON HOSPITALS): APPROVAL OF FINAL PLANS AND SPECIFICATIONS FOR FACILITY TO HOUSE LINEAR ACCELERATOR AND AUTHORIZATION TO ADVERTISE FOR BIDS (PROJECT NO. 601-232): In accordance with authorization given at the Regents' Meeting held December 8, 1972, final plans and specifications have been prepared for the installation of a linear accelerator at the Galveston Medical Branch by the Project Architect, Louis Lloyd Oliver and Tibor Beerman. These plans and specifications provide for a building of approximately 1,300 gross square feet at an estimated total construction cost of \$277,750.00. The estimated cost for the procurement of the linear accelerator and the construction of the facility to house it was \$600,000.00.

At the Regents' Meeting held on March 5, 1973, a contract award was made in the amount of \$322,250.00 for acquisition of the linear accelerator. The estimated total project cost remains at \$600,000.00.

President Blocker and System Administration recommend that the Board:

- a. Approve the final plans and specifications for the construction of the facility for the linear accelerator at an estimated construction cost \$277,750.00, which has been previously appropriated.
- b. Authorize the Director of the Office of Facilities Planning and Construction to advertise for bids, subject to final review.

*And Resolut*

10. GALVESTON MEDICAL BRANCH (GALVESTON MEDICAL SCHOOL): APPOINTMENT OF PROJECT ARCHITECT FOR REHABILITATION OF ASHBEL SMITH BUILDING (REFERRED TO AS OLD RED) AND AUTHORIZATION TO PREPARE PRELIMINARY PLANS AND SPECIFICATIONS. --At the Regents Meeting held July 27, 1973, an appropriation of \$1,750,000.00 was made to cover the Rehabilitation of the Ashbel Smith Building at The University of Texas Medical Branch at Galveston. In order that plans for this rehabilitation can be started, it is recommended by President Blocker and System Administration that Wilson/Crain/Anderson of Houston, Texas, be appointed as Project Architect, since these architects have already carried out certain preliminary investigations relating to this project. It is further recommended that the Project Architect be authorized to prepare preliminary plans and specifications for the project within the appropriations made, these plans and specifications to be presented to the Board of Regents for approval at a later meeting.

Chairman McNeese has forwarded the following Resolution of Commendation from the Texas State Historical Survey Committee to be included in the Minutes of the Board of Regents:

RESOLUTION

WHEREAS, The Ashbel Smith Building, affectionately known for many years as "Old Red," is now the oldest medical college building in Texas and one of the five oldest such structures in the nation, having been constructed in 1890 as the first building of The University of Texas Medical Branch at Galveston; and

WHEREAS, "Old Red" is an edifice of splendid and inventive architectural quality, designed by the eminent architect Nicholas J. Clayton in the Romanesque Revival style; and

WHEREAS, the historical and architectural significance of this structure has been repeatedly noted and commented upon, with official recognition being twice accorded through the efforts of the Texas State Historical Survey Committee, first in 1962, when the building was declared a Recorded Texas Historic Landmark, and again in 1969, when it was entered upon the National Register of Historic Places; and

WHEREAS, "Old Red" has given unflagging, arduous, and lengthy service to students of the medical profession for more than four score years, and has, as a result, fallen into a seriously deteriorated condition, being threatened repeatedly with demolition; and

WHEREAS, in order to save this historical landmark and architectural masterpiece, returning it to productive use as an Institute for the Medical Humanities and a combined Medical Museum and Historical Repository, a sum of two million dollars will ultimately be required; and

WHEREAS, in May of 1973 a campaign to raise funds from various private and independent sources was vigorously launched by the office of Dr. T. G. Blocker, Jr., President of The University of Texas Medical Branch, with the amount of \$130,000 having been donated or pledged to date; and

WHEREAS, on June 1, 1973, The University of Texas Board of Regents approved, as a "challenge," the allocation of \$850,000 from the sale of Permanent University Fund Bonds, with the provision that a matching amount be raised from other sources; and

WHEREAS, the Texas State Historical Survey Committee is aiding this most worthwhile effort by having applied in July of 1973 for a federal grant-in-aid to supplement the above-mentioned monies;

NOW, THEREFORE, BE IT RESOLVED that the members of the Survey Committee reconfirm the resolution which they passed in 1966 supporting the preservation of "Old Red," and add to it at this time a wholehearted endorsement of the campaign being conducted by Dr. Blocker and a sincere commendation of the action of the Board of Regents.

BE IT FURTHER RESOLVED that this resolution be spread upon the Minutes of this meeting and that copies be forwarded to the offices of Dr. T. G. Blocker, Jr., and to the Board of Regents of The University of Texas.

/s/ Clifton Caldwell  
President

/s/ Mrs. F. M. Covert, III  
Secretary

ATTEST:

/s/ Truett Latimer  
Executive Director

DATE: July 13, 1973

(SEAL)

11. UNIVERSITY CANCER CENTER (M.D. ANDERSON) - CANCER RESEARCH ADDITION TO 6TH AND 7TH FLOORS OF M. D. ANDERSON HOSPITAL AND TUMOR INSTITUTE BUILDING (PROJECT NO. 703-76) - APPROVAL OF FINAL PLANS AND SPECIFICATIONS AND AUTHORIZATION TO ADVERTISE FOR BIDS.--In accordance with authorization given at the Regents' Meeting held April 24, 1973, final plans and specifications have been prepared for the Cancer Research Addition to the 6th and 7th Floors of M. D. Anderson Hospital and Tumor Institute building at Houston by Project Architects, MacKie and Kamrath. These plans and specifications provide for a building addition of approximately 104,000 gross square feet at an estimated total project cost of \$6,790,000.00. Provision will be made for additive alternates for additional desired items if funds are available at the time of contract award.

President Clark and System Administration recommend that the Board:

- a. Approve the final plans and specifications at an estimated total project cost of \$6,790,000.00 which has been appropriated.
- b. Authorize the Director of the Office of Facilities Planning and Construction to advertise for bids, subject to final review and all granting agency clearances.

12. UNIVERSITY CANCER CENTER (M. D. ANDERSON) - ENVIRONMENTAL SCIENCE PARK AT BASTROP SEWAGE TREATMENT FACILITIES (PROJECT NO. 703-218) - APPROVAL OF FINAL PLANS AND SPECIFICATIONS, AND AUTHORIZATION TO ADVERTISE FOR BIDS.--In accordance with authorization given at the Regents' Meeting held September 11, 1972, final plans and specifications have been prepared for the Sewage Treatment Facility at Environmental Science Park at Bastrop by the Project Engineers, Freese and Nichols. These plans and specifications provide for building a sewage system including a collection system and a 40,000 gallon per day treatment plant at an estimated total project cost of \$116,000.00. Future work to be accomplished by the M. D. Anderson Physical Plant staff will include a stand-by generator and irrigation system.

President Clark and System Administration recommend that the Board approve the final plans and specifications at an estimated total project cost of \$116,000.00 and authorize the Director of the Office of Facilities Planning and Construction to advertise for bids.

BUILDINGS AND GROUNDS COMMITTEE - EMERGENCY ITEMS

September 14, 1973

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13. U. T ARLINGTON: CENTRAL PLANT EXPANSION AND EXTENSION OF UTILITIES DISTRIBUTION (PROJECT 301-203) - AWARD OF CONTRACT TO EMPIRE MECHANICAL CONTRACTORS, INC.--In accordance with authorization given at the Regents' Meeting held July 27, 1973, bids were called for and were received, opened and tabulated on September 6, 1973, as shown below for the Central Plant Expansion and Extension of Utilities Distribution at The University of Texas at Arlington:

Bidder	Base Bid	Add Alternates		Bidder's Bond
		No. 1	No. 2	
Broyles and Broyles, Inc., Fort Worth, Texas	\$2,243,000	\$23,000	\$ 990	5%
Burden Brothers, Inc., Dallas, Texas	2,370,000	1,100	27,000	5%
Drake Company, Inc., Fort Worth, Texas	2,235,000	1,500	25,000	5%
Empire Mechanical Con- tractors, Inc., Fort Worth, Texas	2,179,900	1,500	23,700	5%
General Engineering Corpora- tion, Fort Worth, Texas	2,484,000	1,787	26,940	5%
Hallman and Hallman, Inc., and Dallas Air Condition- ing, Inc., a Joint Venture, Garland, Texas	2,514,000	3,100	25,440	5%
The McCally Company, Inc., Dallas, Texas	2,369,900	1,200	28,000	5%

A total project cost of \$2,995,000.00 was previously authorized for this project including the installation of two oil storage tanks for \$90,000.00, which is already under construction. This proposed award provides for new electric feeders from the Central Plant to the Fine Arts Building, Expansion of the Central Plant Building with additional chilling units, and construction of a utility tunnel from the plant to the Fine Arts Building.

Acting President Nedderman and System Administration recommend that the Board:

- a. Award the construction contract for the Central Plant Expansion and Extension of Utilities to the low bidder, Empire Mechanical Contractors, Inc., Fort Worth, Texas, as follows:

Base Bid	\$2,179,900.00
Add Alternates:	
No. 1 (Alterations to Fuel Lines)	1,500.00
No. 2 (Water Treatment System)	<u>23,700.00</u>
Total Recommended Contract Award	<u>\$2,205,100.00</u>

- b. Authorize a revised total project cost of \$2,555,000.00 to cover this recommended building contract award, previous contract award for installation of two fuel storage tanks, fees, and miscellaneous expenses.
- c. Reduce the previous project appropriation of \$2,995,000.00 from Combined Fee Bonds to \$2,555,000.00.

14. U. T. AUSTIN: ENGINEERING TEACHING CENTER I (PROJECT NO. 102-170) - AWARD OF CONTRACTS FOR FURNITURE AND FURNISHINGS TO ABEL CONTRACT FURNITURE AND EQUIPMENT COMPANY, INC., LIBRARY BUREAU, DIVISION OF REMINGTON RAND, SPERRY RAND CORPORATION, AND ROCKFORD FURNITURE ASSOCIATES.--Specifications for Furniture and Furnishings for the Engineering Teaching Center I at The University of Texas at Austin were prepared by the Office of Facilities Planning and Construction and bids called for. These bids were received, opened, and tabulated on September 6, 1973, as shown below:

Bidder	Base Bid "A"	Base Bid "B"	Base Bid "C"	Base Bid "D"	Time of Completion
Abel Contract Furniture and Equipment Company, Inc., Austin, Texas	\$408,426.21	\$22,853.46	\$8,046.14	No Bid	120 Days - "A" 150 Days - "B" 120 Days - "C"
Carpet Engineering Services Company, Dallas, Texas	No Bid	No Bid	No Bid	\$28,900.00	90 Days
Dallas Office Supply Company, Dallas, Texas	414,869.66	No Bid	No Bid	No Bid	150 Days
Library Bureau, Division of Remington Rand, Sperry Rand Corporation, Houston, Texas	No Bid	25,751.35	7,846.59	No Bid	75-120 Days
Rockford Furniture Associates, Austin, Texas	378,706.10	No Bid	8,731.38	26,201.60	210 Days - "A" 210 Days - "C" 180 Days - "D"

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

It is recommended by President Spurr and System Administration that awards of contracts be made to the low bidders, as follows:

Rockford Furniture Associates, Austin, Texas	
Base Bid "A" (General Furniture)	\$378,706.10
Base Bid "D" (Carpeting)	<u>26,201.60</u>
Total Recommended Award to Rockford Furniture Associates	\$404,907.70
Abel Contract Furniture and Equipment Company, Inc., Austin, Texas	
Base Bid "B" (Library Furniture)	22,853.46
Library Bureau, Division of Remington Rand, Sperry Rand Corporation, Houston, Texas	
Base Bid "C" (Steel Bookstacks)	<u>7,846.59</u>
Total Recommended Contract Awards	<u>\$435,607.75</u>

The funds necessary to cover these contract awards are available in the Furniture and Equipment account for the project.

15. U. T. EL PASO: BELL HALL - AWARD OF CONTRACTS TO ABEL CONTRACT FURNITURE AND EQUIPMENT COMPANY, INC., AND NORTON BROTHERS, INC., FOR FURNITURE AND FURNISHINGS FOR REMODELED BELL HALL. --Specifications for Furniture and Furnishings for Remodeled Bell Hall at the University of Texas at El Paso were prepared by the Office of Facilities Planning and Construction and bids called for. These bids were received, opened, and tabulated on August 29, 1973, as shown below:

Bidder	Base Bid "A"	Base Bid "B"	Base Bid "C"	Time of Completion
Abel Contract Furniture and Equipment Company, Inc., Austin, Texas	\$40,293.00	No Bid	\$2,674.44	120 Days
Dallas Office Supply Company, Dallas, Texas	41,225.80	No Bid	2,505.00	140 Days
Norton Brothers, Inc., El Paso, Texas	40,400.90	20,098.76	2,379.60	90-120 Days - "A" 60- 90 Days - "B" 90-120 Days - "C"
Rockford Furniture Associates, Austin, Texas	43,979.05	22,185.32	2,455.20	165 Days

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

It is recommended by President Templeton and System Administration that award of contracts be made to the low bidders as follows:

Base Bid "A" (General Furniture) Abel Contract Furniture and Equipment Company, Inc., Austin, Texas	\$40,293.00
Base Bid "B" (Carpet) Norton Brothers, Inc., El Paso, Texas	\$20,098.76
Base Bid "C" (Classroom Furniture) Norton Brothers, Inc., El Paso, Texas	<u>2,379.60</u>
Total Recommended Award to Norton Brothers	<u>22,478.36</u>
Total Recommended Contract Awards	<u>\$62,771.36</u>

The funds necessary to cover these contract awards are available in the Furniture and Equipment account for the project.

16. U. T. EL PASO: FINE ARTS BUILDING - AWARD OF CONTRACTS TO ABEL CONTRACT FURNITURE AND EQUIPMENT COMPANY, INC., BRODHEAD-GARRETT COMPANY, AND NORTON BROTHERS, INC., FOR FURNITURE AND FURNISHINGS. -- Specifications for Furniture and Furnishings for Fine Arts Buildings at The University of Texas at El Paso were prepared by the Office of Facilities Planning and Construction and bids called for. These bids were received, opened, and tabulated on September 6, 1973, as shown on the attached sheet.

It is recommended by President Templeton and System Administration that award of contracts be made to the low bidders as follows:

Brodhead-Garrett Company, Cleveland, Ohio		
Base Bid "A" (Special Shop Items)		\$39,942.50
Norton Brothers, Inc., El Paso, Texas		
Base Bid "B" (General Furniture)	\$163,069.69	
Base Bid "D" (Music Furniture and Risers)	33,160.25	
Base Bid "E" (Steel Bookstacks)	<u>7,573.50</u>	
Total Recommended Contract Award to Norton Brothers, Inc.		203,803.44
Abel Contract Furniture and Equipment Company, Inc., Austin, Texas		
Base Bid "C" (Library Furniture)		<u>4,664.93</u>
Total Recommended Contract Awards		<u>\$248,410.87</u>

The funds necessary to cover these contract awards are available in the Furniture and Equipment account for the project.

FURNITURE AND FURNISHINGS FOR FINE ARTS BUILDINGS, THE UNIVERSITY OF TEXAS AT EL PASO, EL PASO, TEXAS

Bids Received at 2:00 P. M., September 6, 1973, in the Office of Facilities Planning and Construction  
The University of Texas System, Austin, Texas

Bidder	Base Bid "A"	Base Bid "B"	Base Bid "C"	Base Bid "D"	Base Bid "E"	Bidder's Bond	Time of Completion
Abel Contract Furniture and Equip- ment Company, Inc., Austin, Texas	No Bid	\$166,736.30	\$4,664.93	No Bid	No Bid	5%	120 days - "B" 150 days - "C"
Brodhead-Garrett Company, Cleveland, Ohio	\$39,942.50	----	No Bid	No Bid	No Bid	\$2,550.00	30-90 days
Dallas Office Supply Company, Dallas, Texas	No Bid	164,241.50	No Bid	No Bid	No Bid	5%	125 days
Norton Brothers, Inc., El Paso, Texas	42,543.83	163,069.69	4,997.01	33,160.25	7,573.50	5%	90-150 days

17. DALLAS HEALTH SCIENCE CENTER (DALLAS MEDICAL SCHOOL): AUDITORIUM AND CAFETERIA - AWARD OF CONTRACT FOR CARPETING TO SUPERIOR CARPET SALES AND SERVICE COMPANY.--Specifications for Carpeting for the Auditorium and Cafeteria at the Dallas Medical School at The University of Texas Health Science Center at Dallas were prepared by the Office of Facilities Planning and Construction and bids called for. These bids were received, opened, and tabulated on September 5, 1973, as shown below:

Bidder	Base Bid "A"	Base Bid "B"	Bidder's Bond
Carpet Engineering Services Company, Dallas, Texas	\$33,100.00	\$21,100.00	5%
Rockford Furniture Associates, Austin, Texas	34,586.00	21,300.00	5%
Superior Carpet Sales and Service Company, Inc., Dallas, Texas	30,548.12	20,740.00	5%

It is recommended by President Sprague and System Administration that award of contract be made to the low bidder, as follows:

Superior Carpet Sales and Service Company,  
Inc., Dallas, Texas:

Base Bid "A" (Carpet No. 1)	\$30,548.12
Base Bid "B" (Carpet No. 2)	<u>20,740.00</u>
Total Recommended Contract Award	<u>\$51,288.12</u>

The funds needed to cover this recommended contract award are available in the Furniture and Equipment account for the project.

18. DALLAS HEALTH SCIENCE CENTER (DALLAS MEDICAL SCHOOL): AUDITORIUM AND CAFETERIA - AWARD OF CONTRACT TO ENVIRON, INC., FOR FURNITURE AND FURNISHINGS.--Specifications for Furniture and Furnishings for Auditorium and Cafeteria at the Dallas Medical School at The University of Texas Health Science Center at Dallas were prepared by the Office of Facilities Planning and Construction and bids called for. These bids were received, opened, and tabulated on September 6, 1973, as shown below:

Bidder	Base Bid "A"	Bidder's Bond Cashier's Check
Abel Contract Furniture and Equipment Company, Inc., Austin, Texas	\$59,569.99	B. B. 5%
Dallas Office Supply Company, Dallas, Texas	64,573.45	B. B. 5%
Environ, Inc., Dallas, Texas	56,712.25	C.C. \$2,835.62
Rockford Furniture Associates, Austin, Texas	63,523.46	B. B. 5%

It is recommended by President Sprague and System Administration that award of contract be made in the amount of \$56,712.25 to the low bidder, Environ, Inc., Dallas, Texas.

The funds necessary to cover this contract award are available in the Furniture and Equipment account for the project.

19. GALVESTON MEDICAL BRANCH: HIGH RISE PARKING FACILITY (PROJECT NO. 601-238) - AWARD OF CONTRACT TO JOHN GRAY COMPANY, INC.-- In accordance with authorization given at the Regents' Meeting held July 27, 1973, bids were called for and were received, opened and tabulated on September 6, 1973, as shown below for the High Rise Parking Facility at The University of Texas Medical Branch at Galveston:

Bidder	Base Bid	Add Alternates			Bidder's Bond
		No. 1	No. 2	No. 3	
John Gray Company, Inc., Galveston, Texas	\$872,000	\$21,526	\$21,526	\$21,325	5%
J. K. Ross Construction Company, Houston, Texas	884,000	22,000	23,000	30,000	5%
Southwestern Construction Company, Houston, Texas	948,800	25,000	25,000	26,000	5%
Tellepsen Construction Company, Houston, Texas	887,800	24,000	24,000	30,000	5%

This proposed award provides for a Parking Structure to accommodate 400 cars at a total project cost of \$1,000,000.00 which has been appropriated, and is funded from Medical Branch unexpended plant funds.

President Blocker and System Administration recommend that the Board award the construction contract for High Rise Parking Facility to the low bidder, John Gray Company, Inc., Galveston, Texas, as follows:

Base Bid	\$872,000.00
Add Alternates:	
No. 1 (Add East Elevator)	21,526.00
No. 2 (Add West Elevator)	<u>21,526.00</u>
Total Recommended Contract Award	<u>\$915,052.00</u>

20. SAN ANTONIO HEALTH SCIENCE CENTER (SAN ANTONIO MEDICAL SCHOOL): PHYSICAL PLANT BUILDING NO. 2 (PROJECT NO. 402-231) - AWARD OF CONTRACT TO D. J. RHEINER CONSTRUCTION COMPANY AND ADDITIONAL APPROPRIATION THEREFOR.--In accordance with a authorization given at the Regents' Meeting held June 1, 1973, bids were called for and were received, opened and tabulated on September 5, 1973, as shown below for the Physical Plant Building No. 2 of the San Antonio Medical School at The University of Texas Health Science Center at San Antonio.

Bidder	Base Bid	Add Alternates				Bidder's Bond
		No. 1	No. 2	No. 3	No. 4	
Wallace L. Boldt, General Contractor, Inc., San Antonio, Texas	\$266,863	\$5,500	\$10,500	\$5,000	\$5,000	5%
Walter Buchhorn, General Contractor, San Antonio, Texas	281,370	5,669	11,362	7,720	4,928	5%
J. W. Chandler Construction Company, Inc., San Antonio, Texas	274,702	5,333	9,213	6,780	4,676	5%
J. M. Lerma Construction Company and Sentinel Construction Company, a joint venture, San Antonio, Texas	288,888	5,622	7,692	1,792	4,069	5%
D. J. Rheiner Construction Company, San Antonio, Texas	263,000	5,100	9,600	7,400	4,300	5%
Scott and Jennison, San Antonio, Texas	283,000	5,500	6,150	8,250	5,000	5%
Trenkelbach and Son, Inc., San Antonio, Texas	278,000	6,000	9,700	7,000	5,000	5%

President Harrison and System Administration recommend that the Board:

- a. Award the construction contract for Physical Plant Building No. 2 to the low bidder, D. J. Rheiner Construction Company, San Antonio, Texas, as follows:

Base Bid	\$263,000.00
Add Alternates:	
No. 1 (Add Office Air Conditioning)	5,100.00
No. 2 (Add Masonry Wall and Driveway)	9,600.00
No. 3 (Add Mezzanine Stair and Chain Link Partitions)	7,400.00
No. 4 (Add Fans, Door Operator, and Fire Alarm)	<u>4,300.00</u>
Total Recommended Contract Award	<u>\$289,400.00</u>



- b. Authorize a total project cost of \$312,000.00 to cover the recommended building construction contract award, equipment, fees, and miscellaneous expenses.
- c. Appropriate additional funds in the amount of \$37,000.00 from Unexpended Plant Funds of the San Antonio Medical School to cover the total project cost, \$275,000.00 having been previously appropriated from the same source.

21. U. T. AUSTIN: CLARK FIELD BASEBALL FACILITY (PROJECT NO. 102-221) - AWARD OF CONTRACTS TO J. C. EVANS CONSTRUCTION COMPANY, INC., AND MONSANTO COMPANY AND ADDITIONAL APPROPRIATION THEREFOR.--In accordance with authorization given at the Regents' Meeting held July 27, 1973, bids were called for and were received, opened and tabulated on September 11, 1973, for the Clark Field Stadium and on September 4, 1973, for the Synthetic Turf as shown below for the Clark Field Baseball Facility at The University of Texas at Austin:

Bidder	Base Bid	Add Alternates		Bidder's Bond
		No. 1	No. 2	
J. C. Evans Construction Company, Inc., Austin, Texas	\$1,711,747	\$255,000	\$ 6,000	5%
Everhard Construction Company, Austin, Texas	1,863,000	275,000	9,394	5%
Robert C. Gray Construction Company, Austin, Texas	1,767,500	280,000	5,360	5%
B. L. McGee Construction Company and B. L. McGee, Inc., Joint Venture, Austin, Texas	2,014,000	239,000	11,000	5%
John J. Stokes dba/Stokes Construction Company, San Marcos, Texas	1,873,871	246,642	6,444	5%
Zapata Warrior Constructors, A Division of Zapata Constructors, Inc., Houston, Texas	1,768,000	300,000	10,000	5%

SYNTHETIC TURF

Bidder	Base Bid No. 1	Base Bid No. 2	Alternate Bid No. 1 to Base Bid 1 or 2	Bidder's Bond
Minnesota Mining and Manufacturing Com- pany, Saint Paul, Minnesota	\$597,884	No Bid	No Bid	5%
Monsanto Company, St. Louis, Missouri	413,954	430,924	No Bid	5%

This project provides for a covered stadium of 5000 seats with concession areas, dressing facilities and a lighted artificially surfaced playing field designed for multi-purpose activities. A total project cost of \$2,500,000.00 has been previously appropriated for the stadium facility and synthetic turf.

President Spurr and System Administration recommend that the Board:

- a. Award the construction contract for the Clark Field Baseball Facility to the low bidder, J. C. Evans Construction Company, Inc., Austin, Texas, as follows:

Base Bid	\$1,711,747.00
Add Alternate No. 1 (Add Sports Lights)	<u>255,000.00</u>
Total Recommended Contract Award	<u>\$1,966,747.00</u>

- b. Award the construction contract for the Synthetic Turf and wearing surfaces to the low bidder, Monsanto Company, St. Louis, Missouri, as follows:

Base Bid No. 2 (Knitted Turf)	\$430,924.00
Construction Contingency (Not included in Base Bid)	<u>10,000.00</u>
Total Recommended Contract Award	<u>\$440,924.00</u>

- c. Authorize a total project cost of \$2,577,562.00 to cover the two recommended construction contract awards, movable furnishings and equipment, fees, and miscellaneous expenses.

- d. Appropriate additional funds in the amount of \$77,562.00 from Interest on Proceeds to cover the total project cost, \$2,500,000.00 having been previously appropriated from this source.

22. DALLAS HEALTH SCIENCE CENTER (DALLAS MEDICAL SCHOOL): PHYSICAL PLANT EXPANSION (PROJECT NO. 303-104) - AWARD OF CONTRACT TO LEE-EMMERT, A CORPORATION, AND ADDITIONAL APPROPRIATION THEREFOR.--In accordance with authorization given at the Regents' Meeting held July 27, 1973, bids were called for and were received, opened, and tabulated on September 11, 1973, as shown below for the Physical Plant Expansion for the Dallas Medical School at The University of Texas Health Science Center at Dallas:

Bidder	Base Bid	Deduct Alternates				Bidder's Bond
		No. 1	No. 2	No. 3	No. 4	
Kugler-Morris, General Contractors, Inc., Dallas, Texas	\$436,400	\$1,600	\$4,900	\$ 600	\$3,000	5%
Lee-Emmert, A Corporation, Richardson, Texas	414,332	1,008	2,505	1,453	2,045	5%
Melnick Construction Corporation, Dallas, Texas	447,000	No chg.	3,600	1,400	3,300	5%

This proposed award provides a two-story addition consisting of offices, file storage and space for environmental monitoring equipment. A total project cost of \$326,000.00 has been previously estimated for the needed expansion space to support the Phase I construction program at the Medical School.

President Sprague and System Administration recommend that the Board:

- a. Award the construction contract for \$409,366.00 to the low bidder, Lee-Emmert, A Corporation, Richardson, Texas, as follows:

Base Bid		\$414,332.00
Deduct Alternates:		
No. 1 (Omit Gypsum Wall Board)	\$1,008.00	
No. 2 (Omit Wall Paneling)	2,505.00	
No. 3 (Omit Sound Blankets)	<u>1,453.00</u>	<u>4,966.00</u>
Total Recommended Contract Award		<u>\$409,366.00</u>

- b. Authorize a total project cost of \$442,100.00 to cover the recommended building construction contract award, air balancing, fees and miscellaneous expenses
- c. Appropriate additional funds in the amount of \$116,100.00 from Unappropriated Balance Plant Funds of Dallas Health Science Center to cover the total project cost, \$326,000.00 having been previously appropriated.

McDonald Observatory.--At the Board of Regents meeting on July 21, 1972, Ed L. Reed and Associates of Midland, Texas, was appointed consultant to make the necessary studies, evaluation and reports regarding water sources for the McDonald Observatory at Mount Locke.

The evaluation report filed in February of 1973, by Mr. Reed indicates that an alternate source of supply other than the existing well at the foot of Mt. Locke would have to be found, but it was his opinion that the current well would provide an adequate water supply for at least two years. However last month the water supply decreased by some 70% and has remained at that level. This has made it necessary to buy water and haul it by truck from Ft. Davis.

At a meeting held at McDonald Observatory on September 11th with members of the staff and Mr. Reed the following recommendation were arrived at for immediate implementation:

1. Ed L. Reed and Associates be employed to supervise the drilling and testing of an exploratory well to a depth of approximately 400 feet at a site to be agreed upon by the owner of the property (represented by Mr. Don McIvor) and Mr. Reed on the McIvor Ranch approximately 3 miles from the observatory.
2. Employ Frees, Nichols and Esmonds, Consulting Engineers and Surveyors of Odessa, Texas, to make an engineering study and cost estimate for routing, piping and pumping from the well site to the existing water system on Mt. Locke.

3. If the test well indicates an adequate supply of water to serve the needs of the Observatory the Administration be authorized to negotiate with property owners including the State Highway Department for the necessary right-of-way and easements to accommodate the piping from the well site to the Observatory as per the engineers' recommendations.

4. Employ Ed L. Reed and Associates to prepare recommendations for reworking the existing well at Mt. Locke with such work to be done after the new source of water has been developed and the necessary piping and tie-in to the existing distribution system on Mt. Locke has been completed.

5. Authorize the Deputy Chancellor for Administration to negotiate with Ed L. Reed and Associates and Frees Nichols and Esmond contracts for the work as outlined above and authorize the Chairman to execute such contracts after approval by a committee composed of President Spurr, Deputy Chancellor Walker, Regent Erwin, Regent Bauerle and Regent Shivers.

**Medical Affairs  
Committee**

MEDICAL AFFAIRS COMMITTEE  
Joe T. Nelson, M. D., Chairman

Date: September 14, 1973

Time: Following the meeting of the Buildings and Grounds Committee

Place: Chaparral Room, The Union  
U. T. El Paso  
El Paso, Texas

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2. Houston Health Science Center (Houston Medical School, Houston Dental Branch, Houston G. S. B. S. and Public Health School) and University Cancer Center (M. D. Anderson): Proposed Amendment to Library Operating Agreement with Houston Academy of Medicine, Baylor College of Medicine, Texas Woman's University and Texas Medical Center, Inc., for Library Services of Houston Academy of Medicine - Texas Medical Center Library	2
3. San Antonio Health Science Center (San Antonio Medical School): Request for Authorization to Transfer the "Isabella H. Brackenridge Scholarship Fund in the School of Medicine" from Galveston Medical Branch to San Antonio Medical School	4

1. Galveston Medical Branch (Galveston Allied Health Sciences School):  
Recommended Affiliation Agreement with Bexar County Hospital  
District for the Clinical Training of Allied Health Students.--

Chancellor LeMaistre concurs in the recommendation of President Blocker that the affiliation agreement for the clinical training of allied health students at The University of Texas Medical Branch at Galveston listed below be approved and that the Chairman be authorized to execute the agreement. The agreement is the same as the model agreement approved by the Board on March 6, 1970, and has received appropriate approval as to form and content by System Administration officials. This request for advance approval of this agreement conforms to the action taken by the Board of Regents on July 30, 1971, in amending the processing procedure previously approved on March 6, 1970.

<u>Clinical Facility</u>	<u>Location</u>	<u>Specialty</u>
Bexar County Hospital District	San Antonio	Physical Therapy

The academic justification for this agreement has been supplied by Dean Bing and is set forth below.

The addition of the Bexar County Hospital District to our Clinical Education Program will provide learning experiences in two well qualified teaching facilities, Bexar County Hospital and Robert B. Green Memorial Hospital. The educational endeavors of this facility receive excellent support from both the hospital administration and physical therapy staffs.

Additional quality clinical facilities in the San Antonio area follows our plan for regional development of clinical education programs and will help to meet our needs due to our increased student enrollment.

2. Houston Health Science Center (Houston Medical School, Houston Dental Branch, Houston G. S. B. S. and Public Health School) and University Cancer Center (M. D. Anderson): Proposed Amendment to Library Operating Agreement with Houston Academy of Medicine, Baylor College of Medicine, Texas Woman's University and Texas Medical Center, Inc., for Library Services of Houston Academy of Medicine - Texas Medical Center Library.--

At its October 23, 1970, meeting in Houston, the Board of Regents authorized an operating agreement with the Houston Academy of Medicine, Baylor College of Medicine, Texas Woman's University and Texas Medical Center, Inc. for library services.

The Texas Medical Center, Inc. has made application for federal funds which will be used for renovation work on the existing Jesse H. Jones Library Building as well as a library addition. In order to complete the application, an agency agreement between The University of Texas System, Baylor College of Medicine and Texas Medical Center, Inc. has been required by the federal government



authorizing the Texas Medical Center, Inc. to make such application. The parties also desire to give The University of Texas System and Baylor College of Medicine a majority of the members constituting the library board all of which require an amendment to the existing operating agreement.

System Administration concurs in the recommendation of Acting President Olson that the present operating library agreement be amended to authorize an agency agreement and a change in the membership of the library board. It is further recommended that the Chairman of the Board be authorized to execute an amended operating library agreement and to take all action necessary to complete the application for federal funds for the renovation of the Jesse H. Jones Library Building.



THE UNIVERSITY OF TEXAS  
HEALTH SCIENCE CENTER AT HOUSTON  
1100 HOLCOMBE BOULEVARD  
TEXAS MEDICAL CENTER

OFFICE OF THE PRESIDENT

August 2, 1973

P.O. Box 20036  
Houston, Texas 77025

CHANCELLOR'S OFFICE U. of T.

Acknowledged.....File.....

AUG 3 1973

Mr. E. D. Walker  
Deputy Chancellor for Administration  
The University of Texas System  
P. O. Drawer 7969  
Austin, Texas 78712

To.....For Info and Return  
To.....Please Advise Me- Discuss  
To.....Please Handle  
XC to B. Wackup  
J GULandrum (8.23)

Dear Don:

The enclosed letter from Dr. Eastwood to Dr. Merrill and me and the amended plan for obtaining a grant for the Library addition is for your information. The reason for the amended plan to obtain a grant is that the Government decided that the Texas Medical Center, Inc. was not a proper applicant for such a grant.

This will require a change in the library agreement (a document that should be forthcoming shortly) and, as such, will require Board of Regents approval at the September meeting.

The purpose of this letter is to alert you to the necessity of the September Board action.

Sincerely,

*JVO*  
John Victor Olson  
Acting President

JVO:jo

Enclosures

3. San Antonio Health Science Center (San Antonio Medical School):  
Request for Authorization to Transfer the "Isabella H. Brackenridge  
Scholarship Fund in the School of Medicine" from Galveston Medical  
Branch to San Antonio Medical School. --

*Handwritten signature*

On July 4, 1904, the Woman's Club of San Antonio, Texas, established the "Isabella H. Brackenridge Scholarship Fund in the School of Medicine at The University of Texas". These scholarships were to promote professional education among worthy and ambitious young women in the School of Medicine. On March 21, 1969, the Board of Regents approved a new agreement with the Woman's Club which modified the trust by removing certain limitations relative to the administration of the fund. This agreement provided, among other things, for the custody of the fund to be in the University rather than the State Treasury, to increase the annual award and to give first consideration in awarding the scholarships to qualified girls from Bexar County.

It is now recommended by the Women's Club of San Antonio that these scholarship funds be transferred from The University of Texas Medical Branch at Galveston to The University of Texas Medical School at San Antonio.

System Administration concurs in the recommendation of President Harrison and the Woman's Club of San Antonio, Texas, that these scholarships be transferred to The University of Texas Medical School at San Antonio pursuant to an appropriate agreement by and between the Board of Regents of The University of Texas System and the Woman's Club of San Antonio. It is further recommended that the Chairman of the Board of Regents be authorized to accept such agreement when same has been approved as to form and content by a University Attorney and the Deputy Chancellor for Administration and to take any further action deemed necessary to effect this transfer.

## MEDICAL AFFAIRS COMMITTEE

### ADDITIONAL DOCUMENTATION

Item No. 2, MED - 2. --On the following pages are proposed agreements with respect to the operation of the library at the Texas Medical Center that have just been received in this office of even date (September 12).

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The attached three agreements have been submitted to System Administration for review in order to achieve the purposes set forth in the Agenda item on Page 2 of the Medical Affairs Committee related to the Houston Medical Library.

Document "A" is an agreement between The Houston Academy of Medicine, Baylor College of Medicine, Texas Womens University, The University of Texas System, and Texas Medical Center, Inc., by which these entities agree to designate the Texas Medical Center as their agent to enforce conditions pursuant to the receipt of any Federal assistance for building the library addition. Document "B" is an amendment to the existing library operating agreement which, in order to comply with Federal requirements specifies that for a minimum of 20 years, Baylor College of Medicine and The University of Texas System shall jointly enjoy a majority representation on the Library Board. Document "C" is an agreement between Baylor College of Medicine, The University of Texas System and The Texas Medical Center, Inc., by which the two former entities ( Baylor and Texas) being the only entities eligible to receive Federal funds for medical library construction, assign this eligibility to The Texas Medical Center as their agent.

These three documents are presently under review by System Administration and will be approved as to form and content prior to being presented to the Chairman of the Board of Regents for his signature as specified in the Agenda item write-up.

Document A

TEXAS MEDICAL CENTER - LIBRARY BOARD AGREEMENT

This Agreement dated \_\_\_\_\_, 1973, executed and entered into between the Library Board, being such board created under and pursuant to that operating agreement dated December 2, 1970, by and among the Houston Academy of Medicine, Baylor College of Medicine ("Baylor"), Texas Woman's University, The University of Texas ("Texas") and Texas Medical Center, Inc. ("TMC"), and TMC, as agent for Baylor and Texas, which agency relationship is created by that certain agreement entered into by and among Baylor, Texas and TMC, dated \_\_\_\_\_, 1973.

W I T N E S S E T H:

WHEREAS, TMC, as agent for Baylor and Texas, has applied for federal assistance in connection with the construction of the ground, first and second floors of the proposed First Addition to the Jesse H. Jones Library Building and the renovation of the ground, first and second floors of the existing Jesse H. Jones Library Building; and

WHEREAS, TMC has agreed to cause to be constructed and renovated such space, and to expend available federal funds thereon; and

WHEREAS, as a condition to receiving the federal assistance, necessary assurances by TMC, as agent for Baylor and Texas, must be made with respect to, among other matters, the operations of the Library as may be required; and

WHEREAS, it is understood that the Library Board will receive a benefit from having such construction and renovation completed; and

WHEREAS, the Library Board desires to give TMC, as agent for Baylor and Texas, the power to give such assurances to any governmental body or department as may be required;

NOW THEREFORE, it is hereby agreed that:

TMC, as agent for Baylor and Texas is granted the power to enforce the conditions attached to the receipt of any federal assistance for building the proposed ground, first and second floors of the First Addition to the Jesse H. Jones Library Building and to renovating the ground, first and second floors of the existing Jesse H. Jones Library Building; and pursuant to the grant of such power, as may be held by the Library Board, TMC, as such agent, is given the power and right to give the necessary assurances required by any governmental body or department. It is understood that pursuant to the grant of this power and right, TMC, as such agent, agrees to exercise all due care in enforcing the conditions of such grant to the extent reasonably necessary.

LIBRARY BOARD

By \_\_\_\_\_

By \_\_\_\_\_

By \_\_\_\_\_

By \_\_\_\_\_

By \_\_\_\_\_

By \_\_\_\_\_

By \_\_\_\_\_

By \_\_\_\_\_

By \_\_\_\_\_

By \_\_\_\_\_

By \_\_\_\_\_

TEXAS MEDICAL CENTER, INC.

By \_\_\_\_\_

\_\_\_\_\_  
Secretary

AMENDMENT TO OPERATING AGREEMENT

This Amendment dated \_\_\_\_\_, 1973, is executed by and among the Houston Academy of Medicine (the "Academy"), Baylor College of Medicine ("Baylor"), Texas Woman's University, The University of Texas Institutions at Houston ("Texas"), and Texas Medical Center, Inc. ("TMC").

W I T N E S S E T H:

WHEREAS, an Operating Agreement was entered into and executed under date of December 2, 1970, between Baylor College of Medicine, Houston Academy of Medicine, Texas Medical Center, Inc., Texas Woman's University, and The University of Texas. The Operating Agreement in Article 13 prescribes and stipulates that TMC is designated as legal agent and representative of the Library Board in any application seeking funds for both operating and capital purposes from federal government sources, including, without limitation, the National Institutes of Health, the National Library of Medicine and any other appropriate agencies of the federal government. Acting pursuant to such Article 13 of the Operating Agreement, TMC submitted under date of June 15, 1972, to the National Institutes of Health, a Grant Application for federal funding support in connection with (i) the ground, first and second floors of the proposed First Addition to the Jesse H. Jones Library Building, and (ii) the renovation of the ground, first and second floors of the existing Jesse H. Jones Library Building. By letter dated September 7, 1972, TMC was advised that such Grant Application had been approved in the amount of Five Hundred Eighty-Eight Thousand Dollars (\$588,000).

WHEREAS, subsequent to the receipt of such letter dated September 7, 1972, TMC was advised by the National Institutes of Health that it was not an eligible institution to apply for such grant, but that Baylor and Texas would be eligible institutions; therefore, Baylor and Texas established TMC as their agent and representative for the purpose of obtaining federal assistance in connection with the construction of the ground, first and second floors of the proposed First Addition to the Jesse H. Jones Library Building and the renovation of the ground, first and second floors of the existing Jesse H. Jones Library Building.

WHEREAS, because of certain additional requirements imposed by the Health, Education & Welfare Department ("HEW") regarding the eligible applicants for such federal assistance, it is required that Baylor and Texas, as such applicants through the agency agreement with TMC shall have a majority representation on the Library Board during the period required by HEW.

NOW, THEREFORE, it is hereby agreed that Article 4 of that certain Operating Agreement be amended and that the following paragraph be added as the last paragraph in said Article 4 of that certain Operating Agreement:

Notwithstanding anything contained in this Article 4, for so long as required under Part B of Title VII of the Public Health Service Act for Construction of Teaching Facilities for Medical, Dental and other Health Personnel, 42 U.S.C.A. S 293 et. seq. (1971), it is hereby agreed that the Library Board shall be composed of three representatives from the Houston Academy of Medicine, three representatives from Baylor College of Medicine,

three representatives from The University of Texas, one representative from Texas Medical Center, Inc., and one representative from Texas Woman's University. It is further understood and agreed that questions concerning the representation of Participating Institutions on the Library Board and whether Participating Institutions should be added or dropped from representation on the Library Board shall not be affected by this amendment, except that (i) Baylor College of Medicine and The University of Texas shall at all times for the effective period of this amendment, together, have a majority in interest on the Library Board, and (ii) no currently Participating Institution shall in any manner discriminately be excluded from library services except when a majority in interest on the Library Board determines that the best interests of the library will be served by excluding any such institution.

LIBRARY BOARD

By \_\_\_\_\_

By \_\_\_\_\_

By \_\_\_\_\_

By \_\_\_\_\_

By \_\_\_\_\_

By \_\_\_\_\_

By \_\_\_\_\_

By \_\_\_\_\_

By \_\_\_\_\_

By \_\_\_\_\_

By \_\_\_\_\_



RATIFIED BY

BAYLOR COLLEGE OF MEDICINE

By \_\_\_\_\_  
Chairman of the Board

\_\_\_\_\_  
Secretary

HOUSTON ACADEMY OF MEDICINE

By \_\_\_\_\_  
President of the Board of Trustees

\_\_\_\_\_  
Secretary

TEXAS MEDICAL CENTER, INC.

By \_\_\_\_\_  
President of the Board of Directors

\_\_\_\_\_  
Secretary

TEXAS WOMAN'S UNIVERSITY

By \_\_\_\_\_  
Chairman, Board of Regents

\_\_\_\_\_  
Secretary

THE UNIVERSITY OF TEXAS

By \_\_\_\_\_  
Chairman, Board of Regents

\_\_\_\_\_  
Secretary

Document C

THIS AGREEMENT dated \_\_\_\_\_, 1973 executed and entered into by and among the University of Texas ("Texas"), Baylor College of Medicine ("Baylor"), both Texas and Baylor sometimes collectively referred to as the "Eligibles" and TEXAS MEDICAL CENTER, INC., a Texas non-profit corporation ("TMC"),

PREAMBLE:

An Operating Agreement was entered into and executed under date of December 2, 1970, between Baylor College of Medicine, Houston Academy of Medicine, Texas Medical Center, Inc., Texas Woman's University, and The University of Texas. The Operating Agreement in Article 13 prescribes and stipulates that TMC is designated as legal agent and representative of the Library Board in any application seeking funds for both operating and capital purposes from federal government sources, including, without limitation, the National Institutes of Health, the National Library of Medicine and any other appropriate agencies of the federal government. Acting pursuant to such Article 13 of the Operating Agreement, TMC submitted under date of June 15, 1972, to the National Institutes of Health, a Grant Application for federal funding support in connection with (i) the ground, first and second floors of the proposed First Addition to the Jesse H. Jones Library Building, and (ii) the renovation of the ground, first and second floors of the existing Jesse H. Jones Library Building. By letter dated September 7, 1972, a copy of which is attached hereto as Attachment 1., TMC was advised that such Grant Application had been approved in the amount of Five Hundred Eighty-Eight Thousand Dollars (\$588,000).

Subsequent to the receipt of such letter dated September 7, 1972, TMC was advised by the National Institutes of Health that it was not itself an eligible institution to apply for such grant, but that Baylor and Texas would be eligible institutions; therefore, the Eligibles desire to create and confirm an agency relationship with TMC for the purposes of constructing the ground, first and second floors of such proposed First Addition and renovating the ground, first and second floors of the existing Jesse H. Jones Library Building. Furthermore, TMC, as such agent, will be authorized to acquire and hold on behalf of the Eligibles the subleasehold estate upon the ground, first and second floors of the proposed First Addition to the Jesse H. Jones Library Building and the ground, first and second floors of the existing Jesse H. Jones Library Building.

The First Addition to the Jesse H. Jones Library Building shall be carried out in two (2) phases. Phase One of the project will include all of the proposed one-level underground parking facility ("garage"), the ingress-egress ramp to the garage, the foundations and the other sub-grade portion of the twenty-five (25) building columns for the Library Building Addition, one elevator shaft, certain utility connections, and related exterior site work and surface parking. Such Phase One will be effected under a separate construction contract and none of the costs of such Phase One shall constitute "eligible cost for grant participation," as that phrase is used in Letter dated November 24, 1972, from James D. Durham of Bureau of Health Manpower Education, which is affixed hereto as Attachment 2; provided, however, it is expressly understood that any other grant received by Texas Medical Center, Inc. for construction of the First Addition to the Jesse Jones Library Building may be used for the construction of the foundation necessary for such First Addition.

Phase Two of the First Addition to the Jesse H. Jones Library Building will encompass and include as components or segments thereof both the new Library Building Addition and the renovation of the ground, first and second floors of the existing Jesse H. Jones Library Building. No eligible renovation work shall be done on the third and fourth floors of such existing building. The ground, first and second floors of the Library Building Addition to the Jesse H. Jones Library Building above the garage and parking facility shall be owned by TMC under and by virtue of the Lease for a period of 20 years but shall be subleased to TMC as agent for the Eligibles under a sublease in form similar to Sublease attached hereto as Attachment 3. TMC is to be the agent of the Eligibles for the purpose of causing the ground, first and second floors of the Library Building Addition and renovation work on the ground, first and second floors of the existing Jesse H. Jones Library Building to be constructed and completed as is provided in this Agreement and in the Lease, and further is to agree as such agent to cause to be completed such construction and renovation work if sufficient funds are available from the following sources: (i) the Academy, (ii) federal assistance received pursuant to the Grant Application, (iii) M. D. Anderson Foundation Grant, and (iv) the Houston Endowment Foundation Grant. This Agreement shall not extend, however, to the construction of the garage, and the responsibility for the construction and completion of that facility shall belong to TMC under the provisions of the Lease. The Academy, however, shall be responsible (subject to the Lease and the provisions of this Agreement), for the operation and maintenance of the proposed First Addition (above and excluding therefrom the garage and parking facility) and of the existing Jesse H. Jones Library Building.

The Houston Academy of Medicine-Texas Medical Center Library Board shall be responsible for the operation of the Library in the total facility (including the ground, first and second floors of the proposed First Addition and the ground, first and second floors of the existing Jesse H. Jones Library Building), with an agreement being entered into between the Library Board and TMC as agent for the Eligibles giving TMC as such agent the power and right to give assurances to the National Institutes of Health and any other governmental bodies or departments that the portion of the library on which expenditures included as "eligible costs" for grant participation" were made shall be used as a library for not less than twenty years and in a manner to satisfy and conform with all requirements set forth in the grant award.

AGREEMENT:

Baylor and Texas hereby (i) designate and confirm TMC as their legal agent and representative for the purpose of obtaining federal assistance in connection with the construction of the ground, first and second floors of the proposed First Addition to the Jesse H. Jones Library Building and the renovation of the ground, first and second floors of the existing Jesse H. Jones Library Building, (ii) affirm and ratify all prior acts of TMC insofar as such acts relate to obtaining the federal assistance contemplated in (i) above, (iii) give and grant to TMC the power and right to give to the National Institutes of Health and any other governmental body or department assurances that all the space in the current Jesse H. Jones Library Building to be renovated and the ground, first and second floors of the proposed First Addition will be used for library purposes in accordance with the requirements set forth in the Grant Application for a period of not less

than twenty years from the date of completion of such construction and renovation, (iv) give and grant authority to TMC on their behalf to cause the ground, first and second floors of the proposed First Addition to be constructed and to carry out the renovation work on the existing Jesse H. Jones Library Building on the ground, first and second floors, all to be done in accordance with plans and specifications prepared by Cameron Fairchild & Associates, Architects, approved by the Library Board, the Academy and TMC, with such changes as may be approved by such entities, and (v) give and grant to TMC the power and right to lease on their behalf the premises necessary for the construction and renovation contemplated in (iv) above on such terms and conditions as may be agreed to by TMC. TMC, acting exclusively as agent for Eligibles for the sole purpose of causing the ground, first and second floors of the First Addition and the renovation of the ground, first and second floors of the existing Jesse H. Jones Library Building to be constructed and completed in accordance with the aforesaid plans and specifications, agrees to cause such renovation and construction to be completed, but only to the extent that the funds for such construction costs shall be obtained from available and pledged funds, and interest earned thereon, to TMC (including \$500,000 from M. D. Anderson Foundation, \$750,000 from Houston Endowment, and \$588,000 from the grant) and other funds furnished by the Academy. TMC shall not be required to incur any further liability on its own account by virtue of this agency relationship with the Eligibles, except as is hereinbelow limited. If during the course of construction or renovation any change order is desired by the Eligibles or the Academy or both, and such change order alone or in conjunction with other change orders increases the total contract price, TMC shall not

be required to approve or deliver such change order unless assurances of the Eligibles or the Academy or both with respect to payment of such increased cost in form and substance satisfactory to TMC shall be furnished.

The Eligibles recognize that TMC is acting as agent for the Eligibles in executing a construction contract and acting thereunder as owner, and agrees to protect, indemnify and save harmless TMC from any loss, cost or expense incurred by it in acting in the premises; provided, however, (i) this indemnification shall not extend to injury suffered by any person or damages incurred to any property that are proximately caused by the negligence, malfeasance or nonfeasance of TMC, and (ii) no insurance carrier shall have or be entitled to any rights under this indemnification whether by subrogation or otherwise, and whether or not the injury or damage is proximately caused by the primary or contributory negligence of either TMC or the Eligibles. The Eligibles further stipulate and agree that TMC shall be entirely responsible for the maintenance of the Jesse H. Jones Library Building, although it is understood and agreed that such responsibility may be delegated to the Academy.

EXECUTED in multiple counterparts each of which shall be deemed an original for all purposes of the date first hereinabove written.

ATTEST:  
  
\_\_\_\_\_  
Secretary

UNIVERSITY OF TEXAS  
  
By \_\_\_\_\_

ATTEST:  
  
\_\_\_\_\_  
Secretary

BAYLOR COLLEGE OF MEDICINE  
  
By \_\_\_\_\_

ATTEST:

TEXAS MEDICAL CENTER, INC.

\_\_\_\_\_  
Secretary



L&I Com.

LAND AND INVESTMENT COMMITTEE  
Jenkins Garrett, Chairman

Date : September 14, 1973  
Time : Following the Meeting of the Medical Affairs Committee  
Place : Chaparral Room, The Union  
U. T. El Paso

PERMANENT UNIVERSITY FUND

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| The Robertson Poth Foundation | 18 |
| Winedale Stagecoach Inn Fund  | 18 |

PERMANENT UNIVERSITY FUND - INVESTMENT MATTERS.--

1. REPORT ON CLEARANCE OF MONIES TO PERMANENT UNIVERSITY FUND AND AVAILABLE FUND.--The Auditor, Auditing Oil and Gas Production, reports the following with respect to monies cleared by the General Land Office to the Permanent University Fund and Available University Fund for the current fiscal year through July 1973.

<u>Permanent University Fund</u>	<u>July, 1973</u>	<u>Cumulative This Fiscal Year</u>	<u>Cumulative Preceding Fiscal Year (Averaged)</u>
<u>Royalty</u>			
Oil	\$1,689,331.13	\$14,074,008.34	\$14,709,010.14
Gas - Regular	312,573.37	3,394,758.24	3,155,508.62
- F. P. C.	- 0 -	40,871.76	25,689.07
Water	17,403.81	117,740.01	108,700.35
Salt Brine	1,201.68	13,094.52	12,339.47
Rental on Mineral Leases	23,523.53	276,156.84	311,327.94
Rental on Water Contracts	- 0 -	13,541.47	23,474.00
Rental on Brine Contracts	100.00	100.00	183.37
Amendments and Extensions of Mineral Leases	2,415.00	920,003.45	261,644.90
	<u>2,046,548.52</u>	<u>18,850,274.63</u>	<u>18,607,877.86</u>
Bonuses, Mineral Lease Sales (actual)	- 0 -	6,035,200.00	4,769,600.00
Total-Permanent University Fund	<u>2,046,548.52</u>	<u>24,885,474.63</u>	<u>23,377,477.86</u>
 <u>Available University Fund</u>			
Rental on Easements	29,898.87	110,926.86	218,316.01
Interest on Easements and Royalty	823.84	4,865.73	13,209.68
Correction Fees - Easements	- 0 -	- 0 -	124.19
Transfer and Relinquishment Fees	300.04	3,201.47	6,265.05
Total-Available University Fund	<u>31,022.75</u>	<u>118,994.06</u>	<u>237,914.93</u>
Total-Permanent and Available University Funds	<u>\$2,077,571.27</u>	<u>\$25,004,468.69</u>	<u>\$23,615,392.79</u>
 <u>Oil and Gas Development-July 31, 1973</u>			
Acreage Under Lease	625,120		
Number of Producing Acres	321,642		
Number of Producing Leases	1,424		

2. RECOMMENDATION TO REVISE LIST OF INVESTMENT DEALERS.

Due to the fact that several of the investment dealer firms on our Approved List have either gone out of business or merged with other firms, it is deemed desirable to revise and update our present Approved List of investment dealers. At the time of this revision we would like to add additional dealers to the Approved List.

The Deputy Chancellor for Administration and the Associate Deputy Chancellor for Investments, Trusts and Lands recommend the following list of investment dealers be approved:

American Securities Corporation  
Bache & Co., Incorporated  
Baker, Weeks & Co., Inc.  
Bear Stearns & Co.  
Blyth Eastman Dillon & Co., Inc.  
\*Clark, Dodge & Co. Incorporated  
Dillon, Read & Co., Inc.  
Dominick & Dominick, Incorporated  
Donaldson, Lufkin & Jenrette, Inc.  
Drexel Burnham & Co.  
duPont Walston, Inc.  
Edwards & Hanly  
Epler, Guerin & Turner, Inc.  
Equitable Securities, Morton & Co. Incorporated  
Faulkner, Dawkins & Sullivan  
The First Boston Corporation  
First Southwest Company  
\*Freeman Securities Company, Inc.  
\*Gary, Geyer, Hill, Hill & Nadell  
Goldman, Sachs & Co.  
Halsey, Stuart & Co., Inc.  
Harris, Upham & Co. Incorporated  
Hayden Stone, Inc.  
Hornblower & Weeks-Hemphill, Noyes  
E. F. Hutton & Company Inc.  
\*W. E. Hutton & Co.  
\*Janney Montgomery Scott Inc.  
Jefferies & Company, Inc.  
Keefe, Bruyette & Woods, Inc.  
Kidder, Peabody & Co. Incorporated  
Kuhn, Loeb & Co.  
Aubrey G. Lanston & Co., Inc.  
Lehman Brothers Incorporated  
Lentz, Newton & Co.  
Loeb, Rhoades & Co.  
Merrill Lynch, Pierce, Fenner & Smith Incorporated  
Middendorf, Colgate & Co.  
Morgan Stanley & Co.  
Moroney, Beissner & Co., Inc.  
\*New York Hanseatic Corporation  
John Nuveen & Co., Inc.  
Oppenheimer & Co.  
Paine, Webber, Jackson & Curtis Incorporated  
\*R. W. Pressprich & Co. Incorporated  
Rauscher Pierce Securities Corp.  
\*Reynolds & Co.  
Rotan Mosle, Inc.

L. F. Rothschild & Co.  
Russ Securities Corp.  
Salomon Brothers  
M. A. Schapiro & Co., Inc.  
Schneider, Bernet & Hickman, Inc.  
Shearson, Hammill & Co. Incorporated  
\*Shields & Company  
Smith, Barney & Co. Incorporated  
J. S. Strauss & Co.  
Stone & Webster Securities Corporation  
Thomson & McKinnon Auchincloss Inc.  
\*Donald J. Tomaso Associates, Inc.  
Spencer Trask & Co. Incorporated  
Tucker, Anthony & R. L. Day  
Underwood, Neuhaus & Co., Inc.  
H. C. Wainwright & Co.  
Weber, Hall, Cobb & Caudle, Inc.  
Weeden & Co.  
\*Wertheim & Co.  
White, Weld & Co.  
Dean Witter & Co. Incorporated  
Wood, Struthers & Winthrop Inc.  
\*Brandt Zwick Inc.

\*Additions

3. RECOMMENDATION TO APPOINT DUFF AND PHELPS AND DUFF ANDERSON AND CLARK, INC., OF CHICAGO, ILLINOIS, INVESTMENT COUNSEL. --The Deputy Chancellor for Administration and the Associate Deputy Chancellor for Investments, Trusts and Lands recommend the appointment of Duff and Phelps and Duff Anderson and Clark, Inc., of Chicago, Illinois, as Investment Counsel to the System for the period September 1, 1973 through August 31, 1974, at an annual rate of \$11,000. They would replace Lionel D. Edie & Co., who received \$10,000 for the fiscal year ending August 31, 1973.

PERMANENT UNIVERSITY FUND - LAND MATTERS.--

4. LEASES AND EASEMENTS.--It is recommended by the Associate Deputy Chancellor for Investments, Trusts and Lands that the following applications for various leases, easements, material source permits and water contracts on University Lands be approved. All have been approved as to content by the appropriate officials.

EASEMENTS AND SURFACE LEASES

All easements and surface leases are at the standard rate; are on the University's standard forms; and payment has been received in advance unless otherwise stated.

No.	Company	Type of Permit	County	Location (Block#)	Distance or Area	Period	Consideration
3577	Texas-New Mexico Pipe Line Company (renewal of 1735)	Pipe Line	Andrews	12, 14	302 rds. 4½ inch 1,090 rds. 6-5/8 inch	9/1/73- 8/31/83	\$ 1,861.50
3578	D. D. Poynor (renewal of 1738)	Surface Lease (construction yard site)	Reagan	11	215' x 800'	7/1/73- 6/30/74*	600.00 (annually)
3579	Exxon Company, U.S.A. (renewal of 1771)	Power Line	Ward	16	80 rds. single pole construction	8/1/73- 7/31/83	75.00 (min.)
3580	Delhi Gas Pipeline Corporation	Pipe Line	Crockett	29	322.30 rds. 4½ inch	7/1/73- 6/30/83	241.73
3581	Delhi Gas Pipeline Corporation	Pipe Line	Ward	17	86.61 rds. 4½ inch	7/1/73- 6/30/83	75.00 (min.)

\*Renewable from year to year, but not to exceed a period of ten (10) years

Land Matters - Continued--

No.	Company	Type of Permit	County	Location (Block#)	Distance or Area	Period	Consideration
3582	Northern Natural Gas Company	Pipe Line	Ward	18	842.55 rds. 8-5/8 inch	7/1/73- 6/30/83	\$ 1,263.83
3583	Exxon Corporation	Pipe Line	Andrews	13	124 rds. 4½ inch 88 rods 3½ inch	7/1/73- 6/30/83	159.00
3584	Texas-New Mexico Pipe Line Company (renewal of 1745)	Pipe Line	Martin	7	716 rds. 4½ inch 522 rds. 6-5/8 inch	10/1/73- 9/30/83	1,320.00
3585	LSG Transtexas Gas Company	Pipe Line	Ward	18	232.42 rds. 18 inch	7/1/73- 6/30/83	534.57
3586	LSG Transtexas Gas Company	Surface Lease (processing plant site)	Ward	18	12.86 acres	7/1/73- 6/30/83	2,957.80 (full)
3587	Texaco, Inc. (renewal of 1784)	Power Line	Andrews	5	317 rds. power line construction	10/1/73- 9/30/83	221.90
3588	West Texas Utilities Company	Power Line	Reagan	2, 9	1,075 rds. single pole construction	7/1/73- 6/30/83	752.50
3589	Santa Fe Pipeline Company	Pipe Line	Andrews	1	956.61 rds. 3½ inch	8/1/73- 7/31/83	717.46



Land Matters - Continued--

No.	Company	Type of Permit	County	Location (Block#)	Distance or Area	Period	Consideration
3590	Gulf Oil Corporation (renewal of 1767)	Pipe Line	Crane	30	1,519.33 rds. 4½ inch	8/1/73- 7/31/83	\$ 1,139.50
3591	Exxon Pipeline Company (renewal of 1764)	Pipe Line	Andrews	1	160.6 rds. 4½ inch	9/1/73- 8/31/83	120.45
3592	Lo-Vaca Gathering Company	Pipe Line	Ward	16	162.6 rds. 2-7/8 inch	7/1/73- 6/30/83	121.95
3593	Lo-Vaca Gathering Company	Surface Lease (natural gas pipeline facilities)	Ward	16	0.02 acre	7/1/73- 6/30/83	750.00 (full)
3594	Southern Union Gas Company (renewal of 1802)	Pipe Line	Ward	17, 18	1,377 rds. 5 inch	11/1/73- 10/31/83	1,032.75
3595	El Paso Natural Gas Company (renewal of 1823)	Pipe Line	Crockett	29	63.030 rds. 4½ inch	12/1/73- 11/30/83	75.00 (min.)
3596	Oasis Pipe Line Company	Pipe Line	Winkler	21	412.85 rds. 6 inch	7/1/73- 6/30/83	619.28
3597	Oasis Pipe Line Company	Pipe Line	Ward	16	399.39 rds. 10 inch	7/1/73- 6/30/83	599.09
3598	Texaco, Inc. (renewal of 1822)	Pipe Line	Ward	18	74.06 rds. 2-3/8 inch	11/1/73- 10/31/83	75.00 (min.)

Land Matters - Continued--

No.	Company	Type of Permit	County	Location (Block#)	Distance or Area	Period	Consideration
3599	El Paso Electric Company (renewal of 1798)	Power Line	El Paso	L	30.999 rds. single pole construction	9/1/73-8/31/83	\$ 75.00 (min.)
3600	Amoco Production Company	Surface Lease (tank battery site)	Crane	31	30' x 291'	8/1/73-7/31/83	750.00 (full)
3601	Harry Holt Oil Field Construction Company (renewal of 1803)	Surface Lease (trucking lot site)	Ward	16	150' x 200'	10/1/73-9/30/74*	150.00 (annually)

\*Renewable from year to year, but not to exceed a period of ten (10) years

5. MATERIAL SOURCE PERMIT

No.	Grantee	County	Location	Quantity	Consideration
432	Atlantic Richfield Company	Crane	Block 30	250 cubic yards sand	\$ 75.00

6. WATER CONTRACT

No.	Grantee	County	Location	Period	Consideration
144	Northern Natural Gas Company (renewal of 110)	Pecos	Block 19	7/1/73-6/30/78	\$ 100.00**

\*\*\$100.00 per year with royalty of ten cents (10¢) per one thousand (1,000) gallons of water produced, but in no event shall royalty be less than \$200.00 per year.

7. PROPOSED POLICY REGARDING GROUND-WATER ON UNIVERSITY LANDS. --

The University staff at the meeting held June 1, 1973, recommended to the Board of Regents that the water policies previously approved by the Board of Regents pertaining to University Lands be continued and that the minimum royalty rate with regard to water sold to municipalities be set at 6-1/4¢ per 1,000 gallons or 12 1/2% of the wholesale rate. After discussion, the Board of Regents requested that an overall study of the policies regarding ground-water be prepared and that a Water Resources Report and restatement of water policy be submitted to the Board at a subsequent meeting. The following statement of policies regarding ground-water on University Lands, representing the most current policies, terms and lease provisions that have been approved by the Board of Regents, is presented here for the Board's consideration.

*Water Resources Report  
Central Appraisal  
University  
Amended*

RECOMMENDED POLICY REGARDING GROUND-WATER ON UNIVERSITY LANDS

The University will not, until the need may be greater than at present, contract for extensive ground-water surveys of University Lands but will continue its co-operation with municipalities, government agencies and private consultants in affording access to University Lands data and to the premises being surveyed.

I. WATER FOR MUNICIPALITIES

- (1) After reasonable reserves for its grazing lessees and mineral lessees, the University, in dealing with the ground-water resources on University Lands, will give first consideration to the present and prospective needs of municipalities in the area.
- (2) Any municipality wishing to enter into a contract for production of water from University Lands should apply for a water exploration permit covering the area in which it is interested and obligate itself to arrange for a satisfactory ground-water survey by a recognized agency or consultant, approved by the University, with all data to be furnished the University. The holder of such exploration permit will have prior right to negotiate, after the data have been furnished, with the University for a water lease or contract on all or part of the area covered by the permit to the extent of the holder's needs in the foreseeable future.
- (3) The charge for water exploration permits will be no less than 25 cents per acre per year and such permits will be limited to a term of two years.
- (4) The original royalty rate shall be not less than 6.25 cents per 1,000 gallons of water or 12.5% of the ~~wholesale~~ *wholesale* rate whichever is greatest.
- (5) The term shall be for not more than 10 years. However, additional 10 year options may be granted subject to increased royalty provisions and a Lessor's Buy-Out clause. *Amended as per 1-10-73 then current Rollins Bd.*

At the beginning of each additional 10 year period the royalty shall be increased at least 0.50 cents per 1,000 gallons or shall be adjusted upward in an amount equal to the cost of living increase, whichever is

*at least*

*Shimp  
request  
rollins  
water*

greatest. The cost of living increase shall be determined by the Consumer Price Index of the United States Department of Labor, Bureau of Labor Statistics Sub-group Fuel and Utilities Table 1.

The University shall have the option and the right at the end of any 10 year period to acquire Lessee's business operated under the lease and all property of the Lessee used in connection therewith. For buy-out purposes, depreciation deductions shall be calculated as follows: (a) Pipe Lines and appurtenances, depreciated over a period of fifty years; (b) Right of way costs and water wells, depreciated over a period of fifty years; (c) Storage tanks and appurtenances, depreciated over a period of thirty years; and (d) Buildings, pumps and mechanical and electrical equipment, depreciated over a period of twenty years.

Computation of price will be based on original costs and major replacement costs, less depreciation, and will not include cost of normal maintenance nor any intangible exploration cost. The total amount to be paid to Lessee shall be reduced by the amount of Lessee's obligations and liabilities assumed by Lessor.

- (6) The minimum royalty paid per year must be equivalent to not less than \$2.00 per acre for each acre included in the water lease.
- (7) If Lessee's operations disrupt or deplete the grazing lessee's water sources, Lessee must furnish the grazing lessee with like amounts of water of like quality, free of charge.
- (8) Water must be used for ordinary municipal purposes and, among other things, cannot be used for irrigation or waterflooding.
- (9) All geological and related information must be furnished to the University.

## II. INDUSTRIAL WATER

After reasonable reserves for its grazing lessees and consideration for the needs of municipalities in the area, the University will give consideration to industrial needs when such industrial use will result in multiple benefits to the University. For example, the sale of water for use in a plant or refinery which is processing products from University Lands would return a double benefit to the University, or when such sale of water will serve to prevent drainage of the University's water to adjacent land.

- (1) The royalty rate shall be not less than 10 cents per 1,000 gallons.
- (2) The term shall be for not more than five (5) years.
- (3) The minimum annual rental shall be \$100.00 or \$1.00 per acre whichever is greatest.
- (4) The minimum annual royalty shall be \$200.00 per year.
- (5) Before any contracts are renewed, it must be shown to the satisfaction of the University that continued operations will not harm any water sources being used by the grass lessees *and provided, as*

*with the Board*  
*following the Board*  
*the same as (5) on*  
*L & I - 11*      *245-10*

- (6) All water metering equipment shall be test calibrated and new meter factors established prior to the renewal of any contract.
- (7) Water may not be used for irrigation or waterflooding.
- (8) All geological and related information must be furnished to the University.

### III. WATER FOR IRRIGATION

The University will not allow the use of its ground water for irrigation but will consider letting irrigation leases when the danger of drainage to adjacent lands is apparent.

### IV. WATERFLOODING AND SECONDARY RECOVERY

The University will not sell potable water for waterflooding oil reservoirs but will allow the free use of non-potable water for secondary recovery operations on University Lands. Such use of non-potable water will be allowed under the terms of a contract which contains suitable restrictions as to depth-interval and water quality. No water may be used containing less than 2,500 parts per million total solids and no water may be withdrawn from any formation which might result in harm to any existing or potential oil or gas reservoir. The University will consider selling non-potable water for flooding oil reservoirs not located on University Lands when such action is deemed advantageous to the University and it can be shown that such withdrawals will not harm any existing or potential oil or gas reservoir on University Lands.

The Secretary to the Board of Regents has forwarded to the members of the Board a Water Resources Report which has been prepared by the Office of University Lands, Geology, which includes maps and other water resource data pertinent to University Lands. It is recommended by the Associate Deputy Chancellor for Investments, Trusts and Lands and the Geologist-in-Charge that the policy regarding ground-water on University Lands be adopted.

8. RECOMMENDATION FOR NON-POTABLE WATER CONTRACT TO SOUTHLAND ROYALTY COMPANY, BLOCK 16, WARD COUNTY.--The Southland Royalty Company proposes to use non-potable water produced from the Capitan Reef Formation underlying the University Lands for the purpose of conducting waterflood secondary recovery operations on non-University oil and gas leases. The non-potable water contract negotiated by the Southland Royalty Company and the University Staff would contain, among other provisions, the following:

1. Acreage: Sections 4, 5, and 6, Block 16, Ward County, Texas containing 1,927.8 acres.
2. Term: 10 years; plus the first right of first refusal to negotiate a new lease.
3. Rental: \$25,000 per year payable in advance covering production of non-potable water under 5 million barrels per year. If production exceeds 5 million barrels but less than an average of 150,000 barrels per day for one year, \$50,000 per year payable in advance. If production is to exceed 150,000 barrels per day per year, rental shall be subject to negotiation at that time.
4. Formation: Covers the non-potable water from the Capitan Reef Formation and water that contains more than 2,500 PPM (parts per million) total solids. Lessee cannot produce non-potable water from any formation, including the Capitan Reef, which results in any harm to any oil or gas reservoir or oil and gas aquifer.
5. Bond: Lessee must post \$50,000 bond to prevent contamination of any potable water under University Lands.

The Associate Deputy Chancellor for Investments, Trusts and Lands and the Geologist-in-Charge recommend acceptance of the proposal and granting of the non-potable water contract to the Southland Royalty Company on the terms specified.

9. RECOMMENDATION FOR SECOND SULPHUR LEASE SALE.--As authorized at the June 1, 1973, meeting of the Board of Regents, nominations for tracts to be offered for lease will be received by the Geologist-in-Charge in Midland until September 7, 1973. After an evaluation of the nominations, the Associate Deputy Chancellor for Investments, Trusts and Lands and the Geologist-in-Charge will make a recommendation to the Board at the September meeting as to the date of the sale and the tracts to be offered for lease. *See yellow & white sheet*

SECRETARY'S NOTE: The recommendations referred to in Item 9 will be distributed as soon after September 7, 1973, as possible along with any other emergency items that have been received.

TRUST AND SPECIAL FUNDS - GIFT, BEQUEST AND ESTATE MATTERS.--

10. U. T. AUSTIN - RECOMMENDATION TO ACCEPT BEQUESTS UNDER THE WILL OF MRS. DORA DIETERICH BONHAM, DECEASED (FOR BENEFIT OF TEXAS MEMORIAL MUSEUM, ARCHIVES OF THE LIBRARY, HISTORY DEPARTMENT AND "SCHOOL OF BUSINESS ADMINISTRATION"). -- *check with [unclear]*

Mrs. Dora Dieterich Bonham, a native of Travis County and an Ex-Student of the University but in recent years a resident of San Angelo, died on June 22, leaving a will dated November 14, 1967, and now probated in Tom Green County under which all of her estate except for small specific bequests comes to the Board of Regents for the benefit of U. T. Austin. The pertinent provisions of Mrs. Bonham's will read as follows:

FOURTH

"I give and bequeath to the Texas Memorial Museum, owned by The University of Texas, Twenty-five Thousand (\$25,000.00) Dollars in securities and Five Thousand (\$5,000.000) Dollars in cash, the evaluation of such securities to be arrived at by using the market price of the securities at the date of my death. The cash donation may be used as soon as needed, and the income received each year shall be used to establish and maintain a Memorial to Eugene Bonham and the Dieterich families, including my father and mother, Mr. and Mrs. Roy F. Dieterich, my brother, Roy Dieterich, Veteran of World War II, and my great-grandfather, Francis Dieterich, who participated in the Texas Revolution and was an early merchant of Austin, Texas.

I also give and bequeath to the Texas Memorial Museum, all of my paintings, prints, cut glass, sets of china and historical pieces of china, and any small articles as formerly owned by my family;" (Here follows a list of some of articles covered by this bequest.)

FIFTH

"I give and bequeath to The Archives of the Library of The University of Texas, One Hundred Thousand (\$100,000.00) Dollars in shares of common stock of two companies, the Southern Union Gas Company and the Southwestern Public Service Company, the evaluation of such securities to be arrived at by using the market price of these securities at the date of my death. This gift and any income or property arising therefrom shall be called the DORA DIETERICH BONHAM ARCHIVES GUIDE FUND. Only the income from the principal shall be spent at such intervals as desired by the Archivist of The University of Texas, to provide for publication of each volume of The Guide, as it continues to supply a review or digest of the manuscripts or papers donated to the Archives. At the date of writing of this will, my contributions to the Archives have reached the sum of Twelve Thousand Three Hundred (\$12,300.00) Dollars in principal amount, to supply the cost of publication of Volume One of The Guide. The Archivist is charged with the responsibility of completion of plans for the publication of Volume One and succeeding Volumes of The Guide. After the publication of Volume One of The Guide, the Archivist shall have the privilege of enlarging the program of activities for The Guide, and may include expenditure from the income to provide cost of research and

special assistance as needed to produce each Volume of The Guide, and the cost of publication of any supplemental Guide covering special subjects may be included in this enlarged program.

To the Archivist of the Library of The University of Texas, I give and bequeath all of my personal papers and files, and light green file cases; all note books and scrapbooks as left in my office in my living room; all collections of my family pictures; and all of my narrative writings. This gift is made that permanent records shall be completed concerning the Dieterich and Fulkes families, and my late husband, Eugene Bonham. If at my death my work is not completed, it is my desire that further research work be done to establish in narrative form such records as will depict the value of my Texas heritage, so that other students of history may gain such vision as I enjoyed during the period of time that I studied the History of Texas. Any papers, writings and pictures as related to information concerning my great-grandfather, Francis Dieterich, are included in this gift to the Archives of The University of Texas." (Here follows some further description of items covered by this bequest.)

#### SIXTH

"I give in trust, all the rest and residue of my estate of whatever kind and character including securities and cash, wherever situated, to the Board of Regents of The University of Texas and their successors in office as Trustees and in Trust, for the use and benefit of The University of Texas. This gift and any fund or property arising therefrom in whatever form it may take, shall be called THE EUGENE AND DORA BONHAM MEMORIAL, and shall be used to support teaching or research as conducted or approved under two Divisions or Departments of The University of Texas, namely: The History Department and the School of Business Administration. Only the income from securities or investments shall be expended at any time, the principal remaining in trust. Income from this memorial may be spent for scholarships or stipends, this financial assistance in any amounts up to One Thousand (\$1,000.00) Dollars per year for each individual student. Graduate or undergraduate students (omitting first and second year students) may receive such assistance, if they are preparing to teach Texas History, U. S. History, or American History, or if they are conducting research in Texas History, U. S. History, or American History; or graduate students who are conducting extensive research in the field of Business Administration. Students benefiting from this bequest must be of good character, and must have high scholarly standing, considering their previous grades and records." (Here follows satisfactory provisions regarding Trustees' powers and the like.)

The Independent Executors estimate that the residuary bequest under Article SIXTH will amount to around \$200,000. With reference to Article FIFTH, Volume I of The University of Texas Archives: A Guide to the Historical Manuscripts Collections in The University of Texas Library was published in 1968. Volume II is in process, and publication is expected in 1975. Volumes III and IV are in the planning stages, and this is expected to be an ongoing project thereafter.

President Spurr and the Associate Deputy Chancellor for Investments, Trusts and Lands recommend acceptance of these bequests.



11. U. T. AUSTIN - RECOMMENDATION TO ACCEPT ENDOWMENT FROM THE TINKER FOUNDATION AND ESTABLISHMENT OF EDWARD LAROCQUE TINKER CHAIR IN LATIN AMERICAN STUDIES. --

The University has received from The Tinker Foundation of New York City a check for \$100,000 and a pledge of an additional \$400,000 of which \$200,000 will be paid in 1974 and the remainder in 1975 for the endowment of the Edward Larocque Tinker Chair in Latin American Studies with the income to be used for a Visiting Professor in Latin American Studies. Edward Larocque Tinker, a distinguished scholar in both French and Hispanic literatures, was also a renowned bookman; and through his generous gifts of the Tinker Collections to The University of Texas became one of the true benefactors of future understanding among nations. The following is an excerpt from a biographical sketch of Dr. Tinker distributed by the Foundation:

EDWARD LAROCQUE TINKER  
(1881-1968)

In 1959, Dr. Edward Larocque Tinker founded the Tinker Foundation in memory of his wife Frances McKee Tinker, his father Henry Champlin Tinker, and his grandfather Edward Greenfield Tinker. It was created to promote better understanding among the peoples of the world, with a particular concern for the peoples of the Americas.

The Administrative Officials concerned recommend acceptance of the endowment and the establishment of the Chair.

12. DALLAS HEALTH SCIENCE CENTER (DALLAS MEDICAL SCHOOL) - RECOMMENDATION TO ACCEPT GIFT FROM THE MCDERMOTT FOUNDATION AND ESTABLISHMENT OF THE DR. EUGENE P. FRENKEL RESEARCH FUND AND THE DR. BRYAN WILLIAMS STUDENT-FACULTY FUND. -- The McDermott Foundation has delivered to the Board of Regents of The University of Texas System 1,840 shares of the Common Stock of Texas Instruments, Inc., having a fair market value on August 6, 1973, in excess of \$200,000 for the purpose of establishing two funds in honor of Dr. Eugene P. Frenkel and Dr. Bryan Williams. The letter from The McDermott Foundation provides that the funds shall be managed, operated, used and expended in accordance with the following restrictions and conditions:

- (1) The Regents, in their sole discretion in accordance with such rules and regulations as they may from time to time adopt, or (if the Regents delegate such power and authority to the appropriate officers of the Center) the Center, shall have the power and authority to administer the Funds, to make sales and purchases in connection therewith, to keep same invested and reinvested, and to make allocations of receipts and expenses between principal and income.
- (2) The Dr. Eugene P. Frenkel Research Fund shall be used for projects furthering or enhancing scientific developments in chemotherapy medicine and allied fields as recommended by Dr. Frenkel while he is associated with the Center.
- (3) The Dr. Bryan Williams Student-Faculty Fund shall be used for projects relating to student and faculty activities, scholarships, etc. of the Center, as recommended by Dr. Williams while he is associated with the Center.

- (4) The Foundation's intent in establishing the Funds is to provide long term support for the purposes set out above and still permit flexibility in making expenditures from the Funds for non-recurring or unusual needs requiring the use of the principal of the Funds. Therefore, the Foundation recommends that all of the net income of each fund be expended as earned, and that over a period of any three (3) consecutive years from time to time not more than ten percent (10%) of the market value of said Fund be expended for the aforesaid purposes.
- (5) All expenditures of income or principal from the Fund shall be made by the President (or other chief executive officer from time to time) of the Center, who shall, after either Dr. Frenkel and Dr. Williams shall cease to be associated with the Center, determine the projects for which expenditures are to be made for the aforesaid purposes.
- (6) No part of the Funds shall ever be or become a part of the Permanent University Fund or of income therefrom, nor shall the Legislature of the State of Texas have power or be in anywise authorized to change the purposes of the Funds or to divert them or any part thereof from the purposes hereinabove specified.

It is recommended by the Chancellor, the President of The University of Texas Health Science Center at Dallas and the Associate Deputy Chancellor for Investments, Trusts and Lands that the gift of The McDermott Foundation be accepted and that the Dr. Eugene P. Frenkel Research Fund and the Dr. Bryan Williams Student-Faculty Fund be established with an initial corpus of approximately \$100,000 each and that the income be expended for the purposes set out above.

13. UNIVERSITY CANCER CENTER (M. D. ANDERSON) - RECOMMENDATION TO ACCEPT ENDOWMENT FROM THE ROBERT A. WELCH FOUNDATION. -- The Trustees of The Robert A. Welch Foundation have delivered to the University their check for \$150,000 as their first payment to endow The Robert A. Welch Chair in Chemistry at M. D. Anderson Hospital and Tumor Institute and have expressed their intention to make four additional annual grants of \$125,000 each from current income, provided such grants do not contravene Federal or State laws pertaining to the Foundation, for a total endowment of \$650,000. The Associate Deputy Chancellor for Investments, Trusts and Lands joins President Clark and Chancellor LeMaistre in recommending acceptance of this endowment.

#### TRUST AND SPECIAL FUNDS - REAL ESTATE MATTERS.--

14. U. T. EL PASO - JOSEPHINE CLARDY FOX FUND - LEASE OF A PORTION OF TRACT 34, ELIJAH BENNETT SURVEY NO. 11, LOCALLY KNOWN AS 5160 EL PASO DRIVE, EL PASO, TEXAS, TO LLOYD INNERARITY EXECUTED BY INNISON CORPORATION. --

The Board of Regents, at their meeting of October 20, 1972, granted a lease on the captioned property to Lloyd Innerarity of Midland, Texas. Several months elapsed from October 20, 1972, and the actual execution of this lease by Mr. Innerarity due to survey problems. When executed the lease was taken in the name of Innson Corporation as lessee rather than Lloyd Innerarity, as authorized by the Board of Regents. Innson Corporation as lessee is wholly owned by Lloyd Innerarity and this item is merely reported for the record.

OTHER MATTERS.--

15. REPORT OF SECURITIES TRANSACTIONS FOR PERMANENT UNIVERSITY FUND AND FOR TRUST AND SPECIAL FUNDS FOR THE MONTHS OF JUNE AND JULY, 1973.--In accordance with present procedure, the reports of securities transactions for the Permanent University Fund and Trust and Special Funds for June and July, 1973, were mailed on August 27, 1973, by Secretary Thedford to the members of the Board of Regents. If any questions regarding these reports have been submitted, the Secretary will so report at the meeting of the Land and Investment Committee.

\* \* \* \* \*

FOUNDATION MATTERS.--

IMA HOGG FOUNDATION.--It is recommended that the members of the Board of Regents as Trustees of the Ima Hogg Foundation hold a brief meeting at the meeting of the Board of Regents on September 14, 1973, for action on the following agenda:

1. Approval of the Minutes of the March 5, 1973, meeting distributed earlier.
2. Election of Mr. William L. Lobb as Secretary-Treasurer succeeding Mr. Raymond R. Todd, deceased. The other officers are Mr. McNeese, President, and Mr. Williams, Vice President.

THE ROBERTSON POTH FOUNDATION.--It is recommended that the Trustees of The Robertson Poth Foundation, these being the Chairman of the Board of Regents, the Chairman of the Medical Affairs Committee, and the Chairman of the Land and Investment Committee, hold a brief meeting at the meeting of the Board of Regents on September 14, 1973, for action on the following agenda:

1. Approval of Minutes of the Meeting of March 5, 1973, copies of which have been distributed earlier.
2. Election of Mr. William L. Lobb as Assistant Secretary-Treasurer to succeed Mr. Raymond R. Todd, deceased. The other officers are Mr. McNeese, Chairman, Dr. Nelson, Vice Chairman, and Mr. Garrett, Secretary-Treasurer.

WINEDALE STAGECOACH INN FUND.--It is recommended that the members of the Board of Regents as Trustees of the Winedale Stagecoach Inn Fund meet at the meeting of the Board of Regents on September 14, 1973, for action on the following agenda:

1. Approval of Minutes of March 5, 1973, meeting distributed earlier.

2. Election of Mr. William L. Lobb as Assistant Secretary-Treasurer succeeding Mr. Raymond R. Todd, deceased. The other officers are Mr. McNeese, President, Mr. Williams, Vice President, and Dr. Spurr, Secretary-Treasurer.
3. Approval of Budget for Winedale Properties for Fiscal Year beginning September 1, 1973.

Letter from Dr. Spurr to Chancellor LeMaistre is set out below.

"In my capacity as Secretary-Treasurer of the Winedale Stagecoach Inn Fund, I am hereby submitting with my approval the 1973-74 operating budget for Winedale Inn with the hope that this can receive the consideration and approval of the Board of Trustees at the September 14, 1973 Regents' meeting in El Paso. It is my understanding that such items will, as in the past, be presented by the Office of Investments, Trusts and Lands to the Trustees through the Land and Investment Committee of the Regents. The enclosed budget conforms to the established policy that expenditures at Winedale be confined to the endowment income, the University's matching contribution to the income generated from the Varner-Bayou Bend Heritage Fund, and the anticipated Winedale admission charges.

I should also like to report to the Trustees that a faculty Advisory Council for Winedale has been appointed. This Council, chaired by Dr. W. W. Newcomb, Jr., Director of the Texas Memorial Museum, should prove particularly helpful in reviewing the on-going programs and future plans of Winedale Inn.

As a final administrative matter, the Trustees may wish to consider the appointment of an Assistant Secretary-Treasurer to replace Mr. Raymond R. Todd. I would personally welcome the appointment of Mr. William L. Lobb to this position."

#### WINEDALE STAGECOACH INN FUND

##### 1973-74 BUDGET

Director	\$ 9,024.00
Gardener	5,832.00
Gardener	5,280.00
Social Science/Humanities Research Assistant II	5,280.00
Clerical Assistants (2)	9,240.00
Part-time Employees (Tour Guides, etc.)	5,590.00
Travel and Miscellaneous Expense	1,680.00
Repairs and Replacements	3,288.00
Supplies	750.00
Utilities	4,400.00
Professional Fees and Consulting Services	3,000.00
	<u>\$53,364.00</u>
 Source of Funds:	
Income from Original Endowment	\$34,300.00
Income from \$100,000 Additional Endowment from Varner-Bayou Bend Heritage Fund	7,032.00
University's Matching Money for Income from Additional Endowment	7,032.00
Winedale Admission Charges	5,000.00
	<u>\$53,364.00</u>

PERMANENT UNIVERSITY FUND - LAND MATTERS.--

PROPOSED SULPHUR LEASE SALE--From an evaluation of the nominations of acreage which were received by the University Lands Geology Office through September 7, 1973, it is the recommendation of the Associate Deputy Chancellor for Investments, Trusts and Lands and the Geologist in Charge that a sulphur lease sale be held and the following authorizations be made:

1. That the sale be advertised by mailing an appropriate notice of sale to a list of prospective lessees, by publishing a list of all tracts in the Midland, Texas, paper, and by running appropriate block or display advertisements in the New York edition of the Wall Street Journal, and in papers with large circulation in Houston, Texas; New Orleans, Louisiana; Salt Lake City, Utah; Los Angeles and San Francisco, California.
2. That the date for opening bids be set for 3:30 P.M. on December 12, 1973, immediately following the auction sale of oil and gas leases to be held by the Board for Lease of University Lands.
3. That a Committee of the Board of Regents be appointed to meet on the day of the sale with full authority to accept or reject bids on behalf of the Board of Regents.
4. That the Associate Deputy Chancellor for Investments, Trusts and Lands be authorized to execute leases sold when approved as to form by the University Attorney and as to content by the Geologist in Charge.
5. That \$5,000 be appropriated from the Available Fund Unappropriated Balance to cover expenses of the sale.

*Chancellor  
Dorett  
Williams*

NOTICE OF SALE OF

SULPHUR LEASES

BY THE

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM

Pursuant to the provisions of Article 2597, Vernon's Civil Statutes of Texas, the Board of Regents of The University of Texas System hereby offers for sale, SUBJECT TO THE RIGHT TO REJECT ANY OR ALL BIDS, in Austin, Texas, at the Commodore Perry Building on Wednesday, December 12, 1973, at 3:30 P.M. C.S.T., the sulphur rights in and under the hereinafter described University Lands.

Sealed bids addressed to the Associate Deputy Chancellor, Investments, Trusts and Lands, P. O. Box 7968, University Station, Austin, Texas, 78712, will be received until 8:30 A.M. C.S.T. on December 12, 1973. Bids will be opened at 3:30 P.M. C.S.T. December 12, 1973, in the Colonnade Room, Commodore Perry Bldg. Austin, Texas. On that day, bids may be delivered in person to the Board of Regents in the Colonnade Room, at 3:30 P.M. C.S.T. No bids will be accepted after 3:30 P.M. C.S.T. Bids may not be modified or withdrawn unless written modifications or withdrawals are received prior to the end of the period fixed for filing of bids. A separate bid, in a separate sealed envelope, must be submitted for each tract. Each envelope should be marked "Sealed Bid for Sulphur Lease Tract No. \_\_\_\_\_."

Bidders must submit with each bid the total amount of such bid by cashier's check or certified check payable to the order of The University of Texas System. Award will be made on December 12, 1973 and checks returned to unsuccessful bidders.

① The Board will consider only cash bids; drilling obligations, payments out of production, overriding royalties, or any form of bonus bid other than cash will not be considered. However, all prospective bidders are urged to examine the provisions in the attached lease agreement concerning surety bonds, royalty payments, and other contractual obligations.

② THE BOARD RESERVES THE RIGHT TO REJECT ANY AND ALL BIDS even though such bids are in excess of the below listed minimums.

The following tracts of land will be offered for lease on the day named,  
to wit:

LIST OF LANDS TO BE OFFERED FOR LEASE AT

SECOND SULPHUR SALE

PECOS COUNTY, TEXAS

<u>Tract</u>	<u>Block</u>	<u>All of Section</u>	<u>Acres</u>
1	26	1	640.00
	26	2	640.00
	26	3	640.00
	26	4	640.00
	26	11	640.00
	26	12	640.00
	26	13	640.00
	26	14	640.00
	26	15	640.00
	26	22	640.00
	26	23	640.00
	25	6	640.00

Tract Number One, containing Seven Thousand Six Hundred Eighty (7,680) acres, will be bid upon as a unit and will be leased as one single lease. The minimum consideration that will be accepted for Tract Number One will be a cash bonus of One Million Dollars (\$1,000,000.00).

BOARD OF REGENTS OF THE UNIVERSITY  
OF TEXAS SYSTEM

By William L. Lobb  
Associate Deputy Chancellor,  
Investments, Trusts and Lands  
The University of Texas System  
P. O. Box 7968  
Austin, Texas 78712

Additional information  
May be Secured From:

Mr. James B. Zimmerman, Geologist in Charge  
University Lands  
The University of Texas System  
P.O. Drawer 553  
Midland, Texas 79701  
Telephone: Area Code 915-684-4404

Com. of the  
Whole



COMMITTEE OF THE WHOLE  
Chairman McNeese, Presiding

Date: September 14, 1973  
Time: Following the meeting of the Land and Investment Committee  
Place: Chaparral Room, The Union  
U. T. El Paso  
El Paso, Texas

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## I. SPECIAL ITEMS

### A. U. T. System

#### 1. Regents' Rules and Regulations, Part One: Recommended Amendments to Chapter V, and Sections 3.34 and 3.44 of Chapter II (Graduate Education). --

Following a comprehensive study of Part One, Chapter V of the Regents' Rules and Regulations relating to graduate education, the University Council and the Health Affairs Council have agreed that the revision set forth below is recommended to replace completely the existing Chapter V.

It was the opinion of the Councils that the existing rules and regulations, which had developed historically with reference to the Systemwide-graduate school concept based upon The University of Texas at Austin, were in many instances outdated and in almost all aspects too detailed to allow the flexibility of institutional organization which is appropriate.

In essence the recommended revision,

- (1) Retains the basic principle in the existing rule which requires an appropriate faculty and administrative structure for graduate education, and vests responsibility for graduate programs with the Chancellor through the Presidents of the several components (Section 1),
- (2) Retains the exclusion of professional degrees from the general purview of graduate education (Section 1.1),
- (3) Establishes the basic administrative structure within which graduate programs will be managed in all components (Sections 2, 3, and 4), and
- (4) Provides that the policies and procedures for the administration of graduate programs shall be set forth in the Institutional Handbook of Operating Procedures (Section 5).

Chancellor LeMaistre recommends Board approval of this replacement chapter.

If the proposed replacement chapter is approved by the Board, Chancellor LeMaistre recommends also that the paragraphs relating to the Advisory Council for Graduate Affairs and the Graduate Council for the Biomedical Institutions (Regents' Rules and Regulations, Part One, Chapter II, Sections 3.34 and 3.44) be deleted. These Councils are not included in the revised chapter, and their functions will be assumed by ad hoc committees appointed by the Chancellor, the University Council, the Health Affairs Council, or the Academic Affairs Council.

CHAPTER V

GRADUATE EDUCATION IN THE UNIVERSITY OF TEXAS SYSTEM

Sec. 1 The various component institutions of The University of Texas System authorized to offer graduate degrees shall provide and maintain an appropriate faculty and administrative organization for such graduate degrees. The President of each component institution of The University of Texas System shall be responsible to the Chancellor, and through him, to the Board of Regents for the policies and administration of the graduate programs.

1.1 "Graduate programs," as this term is used in these rules, does not include the programs that lead to the M.D., D.D.S., M.P.H., Dr.P.H., J.D., LL.M., and M.C.J. degrees, or others that may be excluded upon recommendation by the President of the component institution and concurrence by the Chancellor.

Sec. 2 Within the general academic components, the designation "Graduate School" will be used if (a) there is a minimum of three distinct programs approved for doctoral degrees and thirty such doctoral degrees have been awarded; or (b) there is a minimum of ten distinct programs approved for master's degrees and fifty master's degrees have been awarded. In component institutions that do not meet these requirements, graduate study will be in a "Division of Graduate Studies."

Sec. 3 Graduate programs in the biomedical components shall be administered as follows:

3.1 In the Health Science Centers at Dallas, Houston, and San Antonio and at Galveston Medical Branch the graduate programs will be administered through a Graduate School of Biomedical Sciences.

3.2 In the System Nursing School graduate education will be administered as specific graduate programs coordinated by an administrative officer designated by the President.

3.3 In the University Cancer Center research and graduate instruction will be offered in cooperation with other components which are authorized to award graduate degrees.

Sec. 4 Component institutions which offer graduate degrees and elect an administrative organization and designations different from those authorized above may do so only upon the recommendation of the President, the concurrence of the Chancellor, and the approval of the Board of Regents.

Sec. 5 The policies and procedures for staffing and administering the graduate programs at all component institutions shall be set forth in the institutional Handbook of Operating Procedures. These policies and procedures shall include qualifications for faculty members assigned to teach graduate courses, supervise graduate programs, and advise graduate students.

2. Recommendation for Expansion of Investment Advisory Committee and Recommended Amendments to Chapter IX, Part Two, Regents' Rules and Regulations (Investment Advisory Committee and Investment Dealers). --

At the present time the Investment Advisory Committee provided for under Section 6, Chapter IX, Part Two of the Regents' Rules and Regulations is composed of four members who serve a four year staggered term, which individuals are selected because of their particular qualifications and experience in the field of securities investment. At the present time there is no advisory group or committee to assist the Associate Deputy Chancellor for Investments, Trusts and Lands on matters relating to oil and gas, real estate and land management which are also a part of his duties and responsibilities in managing both West Texas lands and real property held for trusts and special funds. In order to obtain more active participation by members of the Investment Advisory Committee and in order to provide for an advisory committee which would provide expert knowledge in land matters as well as securities investments, it is recommended by the Deputy Chancellor for Administration and Associate Deputy Chancellor for Investments, Trusts and Lands that the Investment Advisory Committee be reorganized, and expanded to six members and Chapter IX of Part Two of the Regents' Rules and Regulations be amended as follows:

- (a) Delete Section 6 and Subsections 6.1, 6.2 and 6.3 and substitute in lieu thereof the following:

Sec. 6 Investment Advisory Committee. --To assist and advise with Deputy Chancellor for Administration or the Associate Deputy Chancellor for Investments, Trusts and Lands on matters relating to the management of securities investments oil and gas matters, real estate and land management for which he is responsible, an ~~(the)~~ Investment Advisory Committee shall be ~~(heretofore)~~ established. ~~(shall be continued.)~~ The following rules shall apply to such Committee:

6.1 Membership. --The six (four) members of the Committee shall be selected because of their particular qualifications and experience in the field of investments, including securities investments, oil and gas matters, real estate and land management. ~~(with primary emphasis being placed on their experience in bond and corporate stock investments.)~~

6.2 Selection Procedure. --Appointments to such Committee shall be made by the Board of Regents after recommendation by the Deputy Chancellor for Administration or the Associate Deputy Chancellor for Investments, Trusts and Lands.

6.3 Term of Office and Compensation. --Each member shall serve a three (four) year term on a rotating basis, with the term of two (one) members expiring each August 31, and shall be compensated at the rate of \$100 per meeting attended.

- (b) Delete Subsections 7.2 and 7.3 and substitute the following for Section 7:

Sec. 7 Investment Dealers Approved List ~~[Brokerage Firms. --7.1]~~ --Normally, purchase and sale transactions shall be effected through firms approved by the Board of Regents after recommendation by the Deputy Chancellor for Administration or the Associate Deputy Chancellor for Investments, Trusts and Lands. Where the best interests of The University of Texas System seem to require it, such transactions may be effected through such other broker or brokers as the Deputy Chancellor for Administration or the Associate Deputy Chancellor for Investments, Trusts and Lands may approve.

~~[7.2---Unlisted Securities:--Purchases and sales will generally be effected through brokers on the approved list.--Where the best interests of The University of Texas seem to require it, such transactions may be effected through such broker or brokers as the Deputy Chancellor for Administration or the Associate Deputy Chancellor for Investments, Trusts and Lands may select.]~~

~~[7.3---Block Transactions:--Block purchases and sales will generally be effected through brokers on the approved list.--Where the best interests of The University of Texas System seem to require it, such transactions may be effected through such broker or brokers as the Deputy Chancellor for Administration or the Associate Deputy Chancellor for Investments, Trusts and Lands may select.]~~

3. Revised Guidelines for the Santa Rita Award Recommended.--

Chancellor LeMaistre recommends that the Board of Regents approve the revised "Guidelines for the Santa Rita Award" set forth below. These revisions essentially transfer to the Board of Regents the duties and responsibilities related to this award which were formerly held by the System Development Board, a group which is no longer recognized by the Rules and Regulations of the Board of Regents. In substance the nominations for the award will be by a committee of the Board, the Board will approve the nomination(s), and the award will be made on behalf of the Board of Regents.

At present the Development Office has in stock one Santa Rita medallion in ten-carat gold (original cost \$495.00) which will be used for presentation to Mr. Cecil Green. Since these awards will now be regental awards, Chancellor LeMaistre requests the advice of the Board regarding the reordering of these medallions. The current estimated price quotations from the former supplier, and these were lower than from other possible suppliers, are shown below:

Description: Santa Rita Medallion -- 3" in diameter  
in easel presentation case of maroon morocco  
leather with orange and white lining:

- (a) Ten-carat gold -- \$985.00 each
- (b) Ten-carat gold-filled -- \$344.00 each
- (c) Bronze, gold plated -- \$115.00 each

Chancellor LeMaistre recommends that the Board authorize the purchase of ten (10) ten-carat gold-filled Santa Rita medallions at a cost of \$344.00 each to be paid for from development funds.

GUIDELINES FOR THE  
SANTA RITA AWARD

I. STANDARDS

A System-wide award which may be made annually to a limited number of individuals who have made [~~in the opinion of the Development Board~~] valuable contributions over an extended period to The University of Texas System in its developmental efforts. Individuals are defined as persons, as opposed to corporations, charitable trusts, foundations, and like entities. The recipient(s) may be judged on the basis of a broad list of criteria, primary among which will be his (their) demonstrated concern for

the principles of higher education generally, as well as a deep commitment to the furtherance of the purposes and objectives of The University of Texas System specifically. Participation by the recipient in the affairs of the System shall be of such character and purpose to serve as a high example of selfless and public-spirited service. Of particular interest will be the effect that such individual activity may have engendered similar motivation from other public and private areas toward the University System.

## II. GENERAL CONDITIONS

- A. The award, to be known as the "Santa Rita Award," will consist of a medallion and a leather-bound edition of Santa Rita--The Highest Award [~~scroll~~], to be presented annually, preferably on or about May 28, the anniversary date of Santa Rita Number 1.
- B. The award shall be made on behalf of the Board of Regents of The University of Texas System. [~~Awards shall be reported to the Board of Regents, acting as trustees.~~]
- C. In most cases the Santa Rita Award will be made to a single individual, but no prohibition is intended as to the number who may be recipients in any one year.
- D. To be eligible an individual must be nominated annually, but may receive the award only once.
- E. Posthumous awards may be given.
- F. No member of the Board of Regents [~~or of the Development Board~~] shall be eligible to receive the Santa Rita Award until the termination of his service.

## III. AWARDS COMMITTEE

The Santa Rita Awards Committee shall be composed of:

three members of the Board of Regents [~~one person to be~~] appointed annually by the Chairman of the Board of Regents;

[~~two persons to be appointed annually by the Chairman of the Development Board.~~]

the Chancellor of The University of Texas System; and the Director [~~Executive~~] for [~~of the University~~] Development [~~Board~~] of The University of Texas System, as ex-officio secretary to the committee without vote.

To the greatest extent possible, the identity of the appointed members of the committee shall be kept confidential. Communications [~~Except during executive sessions of the Development Board, communications~~] to and from the committee shall be through the Director [~~Executive~~] for [~~of the~~] Development [~~Board~~] or, if this is impracticable, the Chancellor.

## IV. NOMINATIONS FOR AWARDS

- A. Nominations for the award shall be forwarded to the Awards Committee through the Director [~~Executive~~] for [~~of the~~] Development [~~Board~~] (Box 8060 [~~7458~~], University Station, Austin 78712).

Nominations made by members of the faculty or staff of The University of Texas System must be forwarded through the head of the member's component institution. The institutional head may attach such comments and recommendations as he deems advisable.

B. The nominator shall provide such supporting information and documentation as may be required by the committee.

C. Deadline for such nominations shall be January 15 of each year.

V. SELECTION OF AWARDEES

Awards shall be made, upon the recommendation of the Awards Committee, by a majority [two-thirds] vote of members present at a Board of Regents' [Development Board] meeting at which a quorum is present [and-upon the-recommendation-of-the-Awards-Committee-by-a-majority vote].

Approved Originally -- May 18, 1967  
 Revised -- September 14, 1973

B. U. T. Austin

4. Recommended Contract for Athletic Events Held under the Jurisdiction of the Athletics Council. --

In accordance with authorization given at the Regents' meeting held April 24, 1973, bids were called for and were received opened and tabulated on August 17, 1973 as shown below for the Concession and Vending Services at Athletic Events in Memorial Stadium, Clark Field, Penick Courts, and certain events to be held in Gregory Gymnasium under the jurisdiction of The University of Texas at Austin Athletics Council.

<u>Bidder</u>	<u>Bid to Pay _____ % of Gross Sales or \$30,000.00 Each Year of the Contract, Whichever is the Greater</u>
George H. Cook and Jerry Butler Austin, Texas	\$35,000.00 guarantee only*
Concession Supply Company Houston, Texas	35%
Concession Services, Inc. Austin, Texas	35.75%
Austin Coca-Cola Bottling Company Austin, Texas	35.3%
Jiffy Franks Inc. Austin, Texas	No Bid

\*Did not bid % of gross sales

Each bidder submitted with his bid a letter or telegram from an insurance company certifying that a performance bond of \$30,000.00 will be issued to the Board of Regents of The University of Texas System guaranteeing performance of the bidder if awarded the contract.

In further accordance with the April 24, 1973 authorization, the committee, composed of Regents Clark, Erwin, and Shivers, Deputy Chancellor Walker, Vice President Colvin, and Athletics Council Chairman Thompson, has awarded a contract to the best bidder, Concession Services, Inc., Austin, Texas, whereby the contractor agrees to pay 35.75% of gross sales as called for under the contract or \$30,000.00 each year of the contract, whichever is the greater. The contract is for three years and provides for cancellation on ninety (90) days written notice by either party.

President Spurr and System Administration recommend that the Board ratify the action taken by the committee in awarding the contract as outlined above.

#### C. U. T. San Antonio

##### 5. Establishment of Revolving Fund (H. B. 139, Sections 27f and 27g, 63rd Legislature) and Authorized Signatures. --

The University of Texas at San Antonio requests permission to establish a Revolving Fund of \$20,000 from local funds on deposit in the State Treasury. It is recommended that the depository bank be the Frost National Bank in San Antonio. All of the deposits will be secured as provided by law.

It is recommended that a combination of any two of the following officers and/or employees be authorized to sign checks drawn on this fund:

Vice-President for Fiscal Affairs  
Director of Accounting  
Accountant  
Director of General Services

Personnel currently appointed to these positions are E. M. Mahon, Joe A. Powell, Lynwood C. Siebold, and W. E. Stern respectively. Approval to establish this fund is required by Section 27f and 27g of House Bill 139, 63rd Legislature, Regular Session, (General Appropriation Bill).

System Administration concurs in this recommendation.



THE UNIVERSITY OF TEXAS AT SAN ANTONIO

4242 PIEDRAS DRIVE EAST, SUITE 250

SAN ANTONIO, TEXAS 78228

CHANCELLOR'S OFFICE U. of T.

Received ..... File ..... August 14, 1973

AUG 16 1973

VICE-PRESIDENT FOR FISCAL AFFAIRS

Mr. E. D. Walker  
Deputy Chancellor for Administration  
The University of Texas System  
601 Colorado Street  
Austin, Texas 78701

To.....For info and Return  
To.....Please Advise Me  
To.....Please Handle

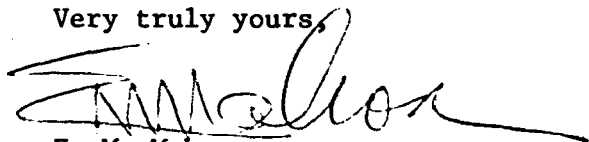
Dear Mr. Walker:

Section 27f of the Special Provisions Relating Only to State Agencies of Higher Education in the Appropriation Bill authorizes the establishment of revolving funds to facilitate the payment of nominal expenses and to pay bills within cash discount periods. Institutions may use the revolving fund for regular monthly payrolls as well as for weekly and special payrolls.

Section 27g indicates that the respective governing boards shall determine the amounts of the revolving funds to be set up for each institution, and may increase or decrease the amounts if necessary. Such governing board shall designate a depository bank for each revolving fund, and shall specify the officers and/or employees to sign checks drawn on each such fund. The depository bank for each revolving fund shall be required to secure the deposit as provided by law.

At the present time, The University of Texas at San Antonio has \$24,454.00 in local funds on deposit in the State Treasury (Fund #249). We would like to establish a revolving fund in the amount of \$20,000.00. The Frost National Bank is where we currently have our demand account, signatures for checks are on file, and all of our deposits are secured as provided by law. Your assistance in the establishment of a revolving fund for UTSA would be appreciated.

Very truly yours,



E. M. Mahon  
Vice President for  
Fiscal Affairs

EMM/bjh

II. REPORT OF EXECUTIVE SESSION HELD ON AUGUST 6, 1973, RELATING TO LITIGATION AGAINST PURCHASERS OF GAS PRODUCED FROM UNIVERSITY LANDS (Cause No. 207, 789, District Court, Travis County, Texas, 53rd Judicial District). --Below is a report of the Executive Session of a special meeting of the Board of Regents of The University of Texas System held on August 6, 1973. It is recommended that the report be received and the actions therein ratified:

*Refer to  
Executive Session*

MONDAY, August 6, 1973. --Chairman McNeese presented the following report of the Executive Session and recommends that the action therein be ratified.

At 4:30 p. m. in Room 206 of The Anderson-Mayfair, Houston, Texas, the following assembled in Executive Session pursuant to the Notice set out below filed with the Secretary of State on the morning of August 3, 1973:

State Officials

Bob Armstrong, Commissioner of the General Land Office  
Joe Bill Watkins, Assistant Attorney General  
Linward Shivers, Assistant Attorney General

Board of Regents of The University of Texas System

A. G. McNeese, Jr., Chairman  
James E. Bauerle, D.D.S.  
Frank C. Erwin, Jr.  
Jenkins Garrett  
Joe T. Nelson, M. D.

Betty Anne Thedford, Secretary

The University of Texas System Officials

Charles A. LeMaistre, Chancellor  
E. D. Walker, Deputy Chancellor for Administration  
R. L. Anderson, Comptroller  
William L. Lobb, Associate Deputy Chancellor for  
Investments, Trusts and Lands  
Richard Gibson, Director of Law Office  
W. Robert Long, Trust Officer  
Wright Hallfrisch, Auditor, Auditing Oil and  
Gas Production  
James B. Zimmerman, Geologist-in-Charge,  
University Lands

Board of Directors of Texas A & M University System

Clyde Wells, Chairman  
L. F. Peterson

Bob Cherry, Secretary

The University of Texas System Officials

Jack Williams, President  
Clyde F. Freeman, Comptroller



THE UNIVERSITY OF TEXAS SYSTEM  
BOARD OF REGENTS  
August 3, 1973

BETTY ANNE THEOFORD, SECRETARY  
BOX N  
AUSTIN, TEXAS 78712

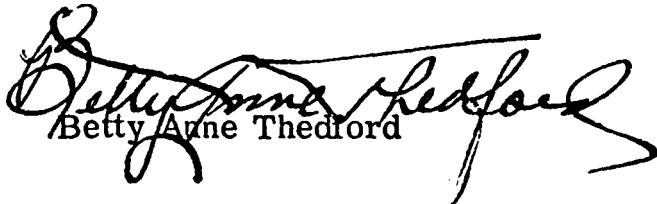
MAIN BUILDING 212  
U.T. AUSTIN CAMPUS

The Honorable Mark White  
Secretary of State  
Capitol Building  
Austin, Texas

Dear Mr. Secretary:

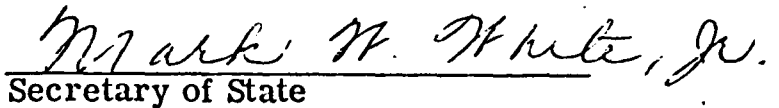
I hand you herewith by special messenger a Notice that there will be an informal meeting in Executive Session of some of the members of the Board of Regents of The University of Texas System at 4:30 p. m. on Monday, August 6, 1973, at The Anderson Mayfair, 1600 Holcombe Boulevard, Houston, Texas, to discuss legal aspects of the litigation brought by the Board of Regents against the purchasers of gas produced from University Lands.

Sincerely yours,

  
Betty Anne Theoford


T:bys  
Copy to Chancellor LeMaistre

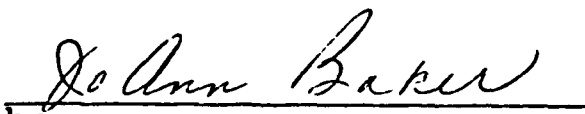
I do hereby acknowledge receipt of the notice referred to in the above communication.

  
Secretary of State

Filed in the office of  
Secretary of State

AUG 3 1973

By   
Director Adm. Div.

  
by

August 2, 1973

The Deputy Chancellor for Administration had notified the members of the Board of Regents and explained the purpose and necessity for this Executive Session, to-wit, to discuss the litigation brought by the Attorney General for and on behalf of the State of Texas against the producers of gas produced from University Lands.

Chairman McNeese reported that in Executive Session a detailed discussion by all present ensued with respect to the proposed settlement of Cause No. 207,789 in the District Court of Travis County, Texas, 53rd Judicial District, styled State of Texas v. Exxon Corporation, et al, and other cases to be instituted relating to leases made before the enactment of Senate Bill No. 818 and to the taking of royalty gas, casinghead gas and oil in kind on all leases. It was the consensus that the services of a technical expert in the field of oil, gas and casinghead gas who is familiar with pipeline situations, Federal Power Commission implications and other factors related thereto was needed.

Regent Erwin moved that the Board of Regents, which has the legal responsibility, authorize the Attorney General, with the approval of the Chairman of the Board of Regents, to employ such consultant or consultants as he deems necessary to aid in the prosecution and/or settlement of Cause No. 207,789 and related problems, that the Chairman of the Board of Regents be authorized to direct the payment of the person or persons employed the amounts he thinks reasonable for their services and from the sources he deems appropriate. Regent Garrett seconded this motion with the understanding that the Land Commissioner will use his best efforts to have the School Land Board share in the payment for consultant services. This motion prevailed by unanimous vote.

**EXPRESSION OF APPRECIATION BY CHAIRMAN OF TEXAS A & M BOARD OF DIRECTORS.**--On behalf of the Board of Directors of the Texas A & M University and the A & M University representatives, Chairman Clyde Wells expressed appreciation for the courtesy extended by inviting representatives of Texas A & M University to be at this meeting and participate in the discussion of the State taking gas, casinghead gas and oil in kind.

Miss Betty Anne Thedford  
Secretary  
Box N  
Main Building, Suite 212  
Austin Texas 78712



Dear Miss Thedford:

Mr. David D. Campos, Chairman of the Committee to Establish a UTEP Board of Regents, who is out of the country, has asked me to correspond with you on his behalf. The purpose of this letter is to present to you in writing the substance of our committee's presentation to the Board of Regents during their meeting on the UTEP Campus on September 14, 1973.

The following is a list of topics that will be presented to the Board of Regents.

1. The upgrading of the Inter-American Studies Department, both in quality and appropriate funding.
2. The upgrading of the Chicano Studies Program to a Department.
3. The hiring of a Chicano to the position of either Vice-President of Student Affairs or to the position of Vice-President of Business Affairs.
4. A raise of salaries for custodians, in order that their salaries may be up to par with the rest of the custodians in the U-T System.

The manner in which these topics will be presented are as follows;

1. A brief presentation will be given on the necessity to bring a realization of each topic.
2. The present position of each of the four situations will be discussed.
3. Actions necessary to make each of the four topics real will be recommended.

On behalf of Mr. Campos and the Committee to Establish a UTEP Board of Regents, I hope that the information I have supplied you with is sufficient and correct.

Sincerely Yours,

*Emma Cordero*  
Emma Cordero, Secretary-Treasurer

EC/ss



# The University of Texas at El Paso

September 14, 1973

Stalen <sup>G</sup>  
BQ

Board of Regents  
The University of Texas System  
Chaparral Room  
The University of Texas at El Paso  
El Paso, Texas

Dear Board Member:

We do not come here to disrupt or to demand of you the impossible, instead, we come here to challenge you to fulfill the great voids that presently exist at our University. We come here on behalf of the thousands of students who have the burning desire to improve the quality of our society through their education. Unfortunately, these great voids and futile efforts of the past towards upgrading the quality of our education are echoed in our meaningless buildings and landscapes. We do not come here to present you with statistics. You are the people with the power, the money, and the influence; statistics would have only served to have bored you.

We come here to touch your conscience, your moral goodness, and your obligation to do right, and to exert yourself to work in the interest of the student. Rest assured that 27 million dollars in meaningless buildings serve no purpose to improve the quality of our education. It is in the quality of our education that we find meaning to our lives.

Furthermore, five minutes that was allocated our delegation would not have been sufficient time to have even breathed across your faces the essence of our great desire to cooperate and work with you towards the promise of a great University for the people of this expanse.

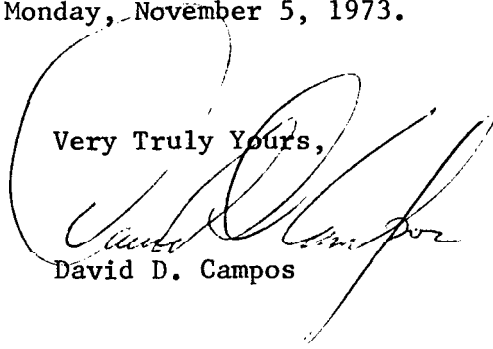
In the spirit of cooperation and commitment from your position as a member of the Board of Regents, we present you with four major areas of concern to all students:

1. The upgarding of the Inter-American Studies Program.
2. The upgrading of Chicano Studies from a Program to a Department.
3. The hiring of a Chicano to the postion of Vice President of Student Affiars or to the position of Vice President of Business Affairs.
4. A raise of salaries for custodians, in order that their salaries be up to par with the rest of the custodians in the U-T System.

Board Member - con't  
page 2

Finally, in order so that we may preserve the dignity of your willingness to communicate with us; we do, however, expect from this Board, in written form, a detailed answer towards realizing the four major points previously stated by no later than Monday, November 5, 1973.

Very Truly Yours,



David D. Campos

III. RATIFICATION (AFFILIATION AGREEMENTS). --The following affiliation agreements are reported for ratification:

System Nursing School: Affiliation Agreements with Sun Towers Hospital, The St. Joseph Hospital, and Texas State Department of Health, Public Health Region 3 (All of El Paso, Texas). --

Chancellor LeMaistre concurs in the recommendation of President Willman that the following affiliation agreements be ratified and that the Chairman be authorized to execute these agreements.

The agreements conform to the model agreement approved by the Board and have been approved both as to form and content by appropriate administrative officials.

Sun Towers Hospital, El Paso  
The St. Joseph Hospital, El Paso  
Texas State Department of Health, Public Health  
Region 3, El Paso

IV. PRESENTATION BY DAVID B. CAMPOS - 5 Minutes. --



V. SCHEDULED MEETINGS AND EVENTS. --Below is a schedule of meetings and events including the following meetings of the Board of Regents that have been previously scheduled:

October 26, 1973 - in Austin  
 December 7, 1973 - in Austin

1973

S	M	T	W	T	F	S
<b>SEPTEMBER</b>						
						1
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9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						
<b>OCTOBER</b>						
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28	29	30	31			
<b>NOVEMBER</b>						
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4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
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<b>DECEMBER</b>						
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16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

1973

Oct. 5	Dedication of R. L. Moore Hall - U. T. Austin
	<u>Board of Regents' Meeting</u>
Oct. 26	<u>Board of Regents' Meeting</u>
Oct. 26	<u>Distinguished Alumni Banquet - Ex-Students' Association</u>
Dec. 7	<u>Board of Regents' Meeting</u>

Commencement Exercises

Dec. 2 Houston Medical School

1973 Football Schedule for U. T. Austin

Sept. 21	Austin vs Miami (Florida) at Miami
Sept. 29	Austin vs Texas Tech at Austin
Oct. 6	Austin vs Wake Forest at Austin
Oct. 13	Austin vs Oklahoma at Dallas
Oct. 20	Austin vs Arkansas at Fayetteville
Oct. 27	Austin vs Rice at Austin
Nov. 3	Austin vs SMU at Dallas
Nov. 10	Austin vs Baylor at Austin
Nov. 17	Austin vs TCU at Austin
Nov. 22	Austin vs Texas A&M at College Station

1974

S	M	T	W	T	F	S	S	M	T	W	T	F	S
<b>JANUARY</b>							<b>JULY</b>						
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6	7	8	9	10	11	12	7	8	9	10	11	12	13
13	14	15	16	17	18	19	14	15	16	17	18	19	20
20	21	22	23	24	25	26	21	22	23	24	25	26	27
27	28	29	30	31			28	29	30	31			
<b>FEBRUARY</b>							<b>AUGUST</b>						
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3	4	5	6	7	8	9	4	5	6	7	8	9	10
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17	18	19	20	21	22	23	18	19	20	21	22	23	24
24	25	26	27	28			25	26	27	28	29	30	31
<b>MARCH</b>							<b>SEPTEMBER</b>						
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3	4	5	6	7	8	9	8	9	10	11	12	13	14
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17	18	19	20	21	22	23	22	23	24	25	26	27	28
24	25	26	27	28	29	30	29	30					
31							<b>OCTOBER</b>						
<b>APRIL</b>													
				1	2	3	1	2	3	4	5		
7	8	9	10	11	12	13	6	7	8	9	10	11	12
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28	29	30					27	28	29	30	31		
<b>MAY</b>							<b>NOVEMBER</b>						
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19	20	21	22	23	24	25	17	18	19	20	21	22	23
26	27	28	29	30	31		24	25	26	27	28	29	30
<b>JUNE</b>							<b>DECEMBER</b>						
						1	1	2	3	4	5	6	7
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9	10	11	12	13	14	15	15	16	17	18	19	20	21
16	17	18	19	20	21	22	22	23	24	25	26	27	28
23	24	25	26	27	28	29	29	30	31				
30													

1973-74

Nov. 22-23	Thanksgiving Holidays
Dec. 24 -	Christmas and New Year's
Jan. 1	Holidays
Apr. 12	Good Friday (1/2 day)
May 27	Memorial Day

COMMITTEE OF THE WHOLE

EMERGENCY ITEM

September 14, 1973

Page  
C of W

VI. DALLAS HEALTH SCIENCE CENTER: ACCEPTANCE OF  
GIFT FOR STUDY OF CARDIOVASCULAR DISEASE

15

- 
- VI. DALLAS HEALTH SCIENCE CENTER: ACCEPTANCE OF GIFT FROM ESTATE OF HARRY MOSS FOR STUDY OF CARDIOVASCULAR DISEASE. --The supporting material has not been received on this gift, but the Secretary assumes that it is for the benefit of the Dallas Medical School of The University of Texas Health Science Center at Dallas. Chancellor LeMaistre submitted the following. After the documentation has been received, the report of the acceptance of the gift, if it is accepted, will be conformed to the terms set out in the will or the legal document proposing the gift:

Chancellor LeMaistre concurs with the telephoned recommendation of President Sprague that the Board of Regents accept with grateful appreciation a gift from the estate of Mr. Harry Moss. This gift includes an immediate contribution of \$400,000 and a commitment of \$250,000 per year for five years, the first increment to be delivered to the Health Science Center before the end of 1973. The purposes of this gift are the support of research and educational programs in cardiovascular disease. It is anticipated that at the conclusion of the initial five year commitment the commitment will be renewed in the same amount and for the same purposes for an additional period of time.

**Meeting of  
the Board**

MEETING OF THE BOARD OF REGENTS

E. RECONVENE AFTER MEETINGS OF COMMITTEES

F. REPORTS OF STANDING COMMITTEES

1. System Administration Committee by Committee  
Chairman Williams
2. Academic and Developmental Affairs Committee by  
Committee Chairman (Mrs.) Johnson
3. Buildings and Grounds Committee by Committee  
Chairman Erwin
4. Land and Investment Committee by Committee  
Chairman Garrett
5. Medical Affairs Committee by Committee  
Chairman Nelson
6. Board for Lease of University Lands by Regent Garrett  
(Vice-Chairman of the Board for Lease)

G. REPORTS OF SPECIAL COMMITTEES, IF ANY

H. REPORT OF COMMITTEE OF THE WHOLE

I. ADJOURNMENT

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM  
September 14, 1973

STRICTLY  
EXECUTIVE SESSION

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U. T. SYSTEM	
1. Investment Advisory Committee: Membership	2
2. Recommended Nominees to Board of Directors, The University of Texas Foundation, Inc.	2
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SAN ANTONIO HEALTH SCIENCE CENTER	
5. San Antonio Medical School: Legal Matters with Respect to Acceptance of Gift	10
HEALTH SCIENCE CENTERS	
6. Progress Report by Regent Nelson Regarding Personnel Matters in Medical Institutions	11

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM  
September 14, 1973

STRICTLY  
EXECUTIVE SESSION

Page No.

U. T. SYSTEM

- ~~1.~~ Investment Advisory Committee: Membership 2
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- 2b. Personnel Matters 3

U. T. AUSTIN

3. Personnel Matters: Waiver with Respect to Nepotism Rule 4
4. Personnel Matters: Dual Positions 7

SAN ANTONIO HEALTH SCIENCE CENTER

5. San Antonio Medical School: Legal Matters with Respect to Acceptance of Gift 10

~~6a. Non-Fulfillment~~  
HEALTH SCIENCE CENTERS

- ~~6.~~ Progress Report by Regent Nelson Regarding Personnel Matters in Medical Institutions 11



1. U. T. System - Investment Advisory Committee: Membership.--  
If the Regents' Rules and Regulations are amended as proposed  
on Page 4 of the Committee of the Whole, there will be a  
discussion as to nominees to serve on the Investment Advisory  
Committee.
  
2. U. T. System: Recommended Nominees to the Board of Directors,  
The University of Texas Foundation, Inc.--

Chancellor LeMaistre recommends the reappointment of the individuals listed below to terms on the Board of Directors of The University of Texas Foundation, Inc., from January 1, 1974 through December 31, 1976.

Mr. Thomas H. Law, Fort Worth  
Charles A. LeMaistre, M.D., Austin  
Mr. Benno C. Schmidt, New York, New York  
Mr. Gail Whitcomb, Houston  
Mr. Gene M. Woodfin, New York, New York

Since this Board meets in New York City on September 15, 1973, these nominations are being processed for approval in the hope that Chancellor LeMaistre may get prompt acceptance from these nominees during the course of that meeting.

For the information of the Board, in addition to the individuals listed above, the other members of the Board of Directors are set forth below.

Mr. Rex G. Baker, Jr., Houston  
Mr. E. Philip Cannon, Austin  
Mr. Marvin K. Collie, Houston  
Mr. Hayden W. Head, Corpus Christi  
Mr. B. K. Johnson, San Antonio  
Mr. Jack Josey, Houston  
Mr. E. G. Morrison, Austin  
Dr. Harry Ransom, Austin (Ph.D., et al.)  
Mr. Preston Shirley, Galveston  
Mr. Robert Strauss, Dallas  
Mr. Jack C. Vaughn, Dallas

For the information of the Board a brief summary of the purpose and financial condition of the Foundation is set forth below.

#### Purpose

The U.T. System Board of Regents created the U.T. Foundation, Inc. in March, 1967 as an external foundation to provide greater flexibility in the acceptances of gifts for advancement in education which could not be received by the Board of Regents. All net income in excess of operating requirements is to be distributed among the components of the U.T. System in accordance with the programs and policies established by the Board of Regents.

The Foundation is authorized to receive, hold, manage and control property, whether real, personal or mixed, acquired by gift, devise, bequest, purchase or other means.

Financial Condition

The Treasurer's Report of December 31, 1972 is summarized below:

	<u>Carrying Value</u>	<u>Market Value</u>
<u>Unrestricted</u>		
Principal Account (U.S. Treasury Bills, stocks, real property)	\$ 67,427.08	\$ 54,163.73
Lund Property	15,234.91	15,234.91
Gubbels Property	63,268.83	63,268.83
Special (Awards)	242.00	242.00
Chancellor's Council	4,552.99	4,552.99
 <u>College of Business Administration</u> <u>U.T. Austin</u>		
Project Classroom 1975	20,091.66	20,091.66
General	1,015,606.10	124,380.06
Cybernetic Studies	23,108.96	23,108.96
 <u>Intramural Athletics</u> <u>U.T. Austin</u>		
Puett Property	9,940.40	9,940.40
 <u>Intercollegiate Athletics</u> <u>U.T. Austin</u>		
Puett Property	9,940.41	9,940.41
 <u>College of Engineering</u> <u>U.T. Austin</u>		
Real Estate and Real Property	3,035.00	1,700.00
T.U. Taylor Scholarship Fund	15,591.27	14,832.20
 <u>Dallas Medical School</u>		
Cary Fund	<u>9,916.32</u>	<u>9,916.32</u>
Total Assets and Market Values	\$1,257,955.93	\$ 351,372.47

✓ 2a. U. T. System: Progress Report of Special Committee on Brackenridge Tract - Legal Matters Relating Thereto. --

2b. U. T. System: Personnel Matters. -- Dr. Kauson



3. U. T. Austin: Request for Waiver of Nepotism Rule to Appoint Dr. and Mrs. John A. Gallery to the Architecture Faculty.--

Chancellor LeMaistre concurs in President Spurr's recommendation that Part One, Chapter III, Section 5.32 of the Regents' Rules and Regulations be waived to permit the following faculty and administrative appointments in the School of Architecture at U.T. Austin.

1. Appoint Dr. John A. Gallery as Associate Professor and as Associate Dean of the School of Architecture, the appointment to begin with the fall semester.

2. Appoint Mrs. Leslie Gallery, the wife of Dr. John A. Gallery, to a two-year part-time term appointment as an Assistant Professor in the School of Architecture, the appointment to begin with the fall semester.

President Spurr indicates agreement of U.T. Austin administration and Dr. and Mrs. Gallery to the following stipulations in regard to Mrs. Gallery's term appointment:

1. Dr. Gallery as Associate Dean will not during the next two years participate in any discussion or determination related to his wife's appointment status.
2. If, at the end of two years, Dr. Gallery continues as Associate Dean or in a similar administrative position in the School of Architecture Mrs. Gallery will not be considered for reappointment to the faculty. If he does not occupy such a position, reappointment of Mrs. Gallery will be considered on the merits of the case as any other faculty appointment.

The circumstances surrounding these appointments are outlined in the letters of President Spurr and Vice President Ross reprinted below.

**SECRETARY'S NOTE:** The rule to be waived follows (Regents' Rules and Regulations, Part One, Chapter III, Section 5.3, Subsection 5.32):

- 5.32 No person shall be initially appointed, or promoted, when it is the duty of any relative employed by The University of Texas System to act in any official capacity upon such appointment or promotion, regardless of the source of funds for payment of salary; nor shall any appointment or promotion be made if either person would be under the administrative supervision of the other or if either would have any official voice in recommending salary increases or promotions in rank for the other.



THE UNIVERSITY OF TEXAS AT AUSTIN  
OFFICE OF THE PRESIDENT  
AUSTIN, TEXAS 78712

August 16, 1973

Charles A. LeMaistre, M.D.  
Chancellor  
The University of Texas System

Dear Dr. LeMaistre:

Enclosed for your information is a copy of a letter to me from Provost Ross concerning the proposed new appointments in the School of Architecture of Dr. John A. Gallery and his wife, Mrs. Leslie Gallery. As is clear from the Provost's thorough and detailed explanation, the University is faced with the option either of rescinding the appointment offers already extended to Dr. and Mrs. Gallery or securing a waiver of the Regents' nepotism rule (Part One, Chapter III, Section 5.32) to permit their employment this coming fall semester. After reviewing the matter, it is my recommendation to you that the latter course of action be chosen.

In anticipation of final approval of this recommendation, Dr. Ross and Dean Burnette have reached an agreement with Dr. and Mrs. Gallery under which her part-time employment as an Assistant Professor would not extend beyond a two-year period. If, at the end of that time, her husband continued to exercise responsibility as Associate Dean or in some similar administrative capacity in the School of Architecture, her appointment would be terminated. Should Mr. Gallery have relinquished administrative duties by the end of this two-year period, of course, a continuation of Mrs. Gallery's appointment status could be considered at that time on its own merits. I would further call to your attention Dr. Gallery's assurance to Provost Ross that he would not participate in any discussions within the School of Architecture that involved the status of his wife.

*approved*  
*cd* 8/17/73

Sincerely yours,  
*Robert D. Spurr for*  
Stephen H. Spurr  
President

SHS:ls  
Enclosure



THE UNIVERSITY OF TEXAS AT AUSTIN  
OFFICE OF THE PROVOST  
AUSTIN, TEXAS 78712

PRESIDENT'S OFFICE U. T. AUSTIN	
REC'D	AUG 10 1973
REFER TO _____	
HANDLE _____	
COMMENT & RETURN _____	
FILE OR DISCARD _____	

August 10, 1973

Dr. Stephen H. Spurr  
President  
MAI 400

Dear Steve:

I am writing to recommend to you that you request waiver of the applicable regental rule affecting the appointment of a member of the family of an individual exercising administrative responsibility in the case of the appointment of Mrs. Leslie Gallery of the School of Architecture. I make this recommendation in the light of the circumstances under which Mrs. Gallery was offered the appointment and accepted it in good faith. The circumstances relate to the recruitment activities by a newly designated dean who had not yet taken up residence in Austin. Dean-designate Burnette called me regarding appointments for Dr. and Mrs. Gallery after I had had an opportunity to interview the former. Gallery was then being considered for a visiting associate professorship, and when Dean Burnette raised the question of a possible part-time appointment for Mrs. Gallery I anticipated no problem if she qualified for the appointment.

Subsequently, it was recommended and approved that Dr. Gallery be appointed as a regular associate professor and as associate dean of the School of Architecture. To expedite matters after you had approved this arrangement, I authorized Dr. Burnette to make the offer to Dr. Gallery without awaiting the formality of an approved Prior Approval Request. Dean Burnette, presuming that the change in the husband's status would not complicate matters, cleared the well-qualified Mrs. Gallery with the Budget Council of the School of Architecture and proceeded to make her an oral offer of a part-time assistant professorship. When the Prior Approvals reached my desk, I immediately called the problem to your attention, and we both agreed that such an appointment would now involve a violation of the provision of the Rules and Regulations of the Board of Regents, Part 1, Paragraph 5.32. When I called this to Dr. Burnette's attention, he was quite dismayed since the Gallerys already were enroute moving to Austin, had purchased a home here and had accepted his invitation to join the faculty of the University of Texas at Austin, presuming that there would be no difficulties with either appointment.

Under the circumstances, a compromise arrangement has been worked out to the satisfaction of all concerned. I have approved a limited two-year term part-time appointment for Mrs. Gallery with the understanding that

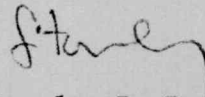


August 10, 1973

you would seek a waiver from the Board of Regents for this special arrangement and there would be no consideration of an extension of said appointment if at that time her husband continues to exercise administrative responsibility in the School of Architecture. If he no longer is an associate dean at that time, Mrs. Gallery's appointment status would be considered on its merits as any other faculty appointment.

Accordingly, I am respectfully requesting that due to the unfortunate circumstances that produced the situation and in the light of the limited and defined nature of the part-time appointment involved, you request from the Board of Regents a waiver of the rule specified in Part 1, Paragraph 5.32, to permit the appointment of Professor Leslie Gallery. Dr. Gallery has assured me that during the next two years he would not participate in any discussion or determination relating to his wife's status.

Respectfully submitted,



Stanley R. Ross  
Vice President and Provost

SRR/js

4. U. T. Austin: Personnel Matters Related to Dual Positions. --

While the requirement for regental approval of dual positions related to State or Federal government assignments remains uncertain, Chancellor LeMaistre wishes to bring this unusual situation to the attention of the Board of Regents.

Set forth below are letters from Dean Keeton and President Spurr regarding Professor Charles Alan Wright's continued part-time service during the 1973-74 academic year as legal counsel to the Executive Branch of the Federal Government.

Chancellor LeMaistre concurs and requests that the Board formally authorize his acceptance of the position.



THE UNIVERSITY OF TEXAS AT AUSTIN  
 OFFICE OF THE PRESIDENT  
 AUSTIN, TEXAS 78712

CHANCELLOR'S OFFICE U. T. A.  
 Acknowledged.....File.....  
 AUG 11 1973  
 To..... For Info and Return  
 To..... Please Advise Me  
 To..... Please Handle

August 11, 1973

Charles A. LeMaistre, M.D.  
 Chancellor  
 The University of Texas System

Dear Dr. LeMaistre:

Enclosed is a memorandum from Dean Keeton recommending approval of the request of Professor Charles Alan Wright to serve during the coming academic year as legal counsel to the Executive Branch of the Federal Government in matters involving the constitutional doctrine of separation of powers. Professor Wright will also be serving as a full time member of the Law School faculty.

I share Dean Keeton's view that Professor Wright's consultation with the Executive Branch represents a significant public service and furthermore relates directly to his teaching and scholarly work in the School of Law. May I ask that all necessary approvals be obtained.

Sincerely yours,

*Stephen H. Spurr*  
 (by RM)

Stephen H. Spurr  
 President

SHS:ls

Enclosure

cc: Dr. Stanley R. Ross



THE UNIVERSITY OF TEXAS AT AUSTIN  
SCHOOL OF LAW  
2500 Red River  
AUSTIN, TEXAS 78705

PRESIDENT'S OFFICE U. T. AUSTIN	
REC'D	AUG 8 - 1973
REFER TO _____	
HANDLE _____	
COM. IN RETURN _____	
FILE OR DISCARD _____	

*Office of the Dean*

August 7, 1973

MEMORANDUM

TO: Dr. Stephen H. Spurr, President  
The University of Texas at Austin

SUBJECT: Employment by the Federal Government of Charles Alan  
Wright as Counsel in a Case or Cases in Behalf of the  
Office of President of the United States

Charles Wright, as you know, has been employed during the latter part of this summer on a full-time basis in connection with various matters growing out of the Westgate investigations.

As of the beginning of the fall semester he wishes to return to Austin and to The University of Texas on a full-time basis, but with the privilege of serving as counsel on behalf of the President of the United States and the Executive Department of the federal government in the case or cases that will involve large issues related to the constitutional doctrine of separation of powers.

I recommend the approval of this, but you might want to have this approved by the Board of Regents because it is likely to provoke criticism.

The case or cases in which he will be involved would possibly take more than an average of ten hours per week of his time and thus this violates a rule or principle that I have tried to follow in approving outside employment, although Professor Wright's expectation is that by the beginning of the fall semester the case will be in the appellate courts and the demand upon his time will not be great. On the other hand, this could be regarded as a type of public service and, moreover, is directly related to his work in the areas of constitutional law and federal procedure. Thus, the time spent on this would be more valuable than the same amount of time spent in the usual scholarly research activities such as writing articles or books.

I am recommending approval.

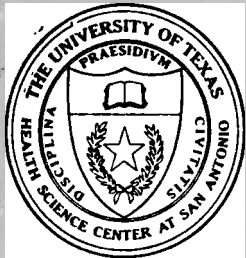


5. San Antonio Health Science Center (San Antonio Medical School):  
Recommendation to Accept Gift for Establishment of "Evelyn  
Knott Woolley Scholarship Fund". --

Mrs. Evelyn I. K. Woolley of San Antonio, Texas, is desirous of establishing the "Evelyn Knott Woolley Scholarship Fund" in an amount of \$30,000.00 which will be held and invested by the Board of Regents in such manner and in such investments as are deemed advisable by the Board. The income from the principal shall be used for medical school scholarships for female students and shall be based upon financial need. Mrs. Woolley reserves the right during her lifetime to withdraw \$10,000.00 of the principal but only in the event of some unforeseen emergency which may arise in the future. Upon her death all property shall be the property of the Board of Regents of The University of Texas System for the purposes set forth.

Mrs. Woolley has requested that no publicity be given to this gift.

System Administration concurs in the recommendation of President Harrison that the gift be accepted by the Board for the purposes of establishing medical scholarships for female students and it further recommends that President Harrison be authorized to accept such gift for and on behalf of the Board of Regents.



The University of Texas  
Health Science Center at San Antonio  
7703 Floyd Curl Drive  
San Antonio, Texas 78284

Office of the Vice-President  
for Business Affairs

Phone: (512) 696-6105

August 16, 1973

Mr. E. D. Walker  
Deputy Chancellor for  
Administration  
The University of Texas System  
601 Colorado Street  
Austin, Texas 78701

Dear Don:

Enclosed is an original and one duplicate original of a gift agreement which has been executed by Mrs. Evelyn I. K. Woolley, and a photocopy of a receipt which President Harrison executed acknowledging the receipt of the \$30,000.00 check which Mrs. Woolley presented to him.

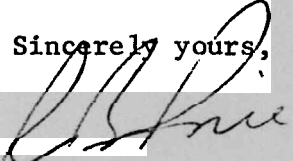
Mr. Waldrep met with us on the day that this check was presented, and I believe concurred in the terms of the agreement as written.

Will you please include the necessary item on the agenda for the Board of Regents for the acceptance of this gift and the establishment of the scholarship fund provided therein.

It is Mrs. Woolley's express desire that no publicity be given to this gift at this time so we suggest that this matter be included for approval in the Executive Session or that she be shown as an anonymous donor if it is necessary for the item to appear in the regular agenda.

Should you have any questions or need additional information concerning this matter, will you please let us know.

Sincerely yours,



R. B. Price  
Vice-President for  
Business Affairs

RBP:cr  
Enclosures

cc: Dr. Frank Harrison  
Mr. Burnell Waldrep

6. Health Science Centers: Progress Report by Regent Nelson  
Regarding Personnel Matters in Medical Institutions. --



BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM  
September 14, 1973

STRICTLY  
EXECUTIVE SESSION

	<u>Page No.</u>
U. T. SYSTEM	
1. Investment Advisory Committee: Membership	2
2. Recommended Nominees to Board of Directors, The University of Texas Foundation, Inc.	2
2a. Progress Report of Special Committee on Brackenridge Tract - Legal Matters Relating Thereto	3
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U. T. AUSTIN	
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SAN ANTONIO HEALTH SCIENCE CENTER	
5. San Antonio Medical School: Legal Matters with Respect to Acceptance of Gift	10
HEALTH SCIENCE CENTERS	
6. Progress Report by Regent Nelson Regarding Personnel Matters in Medical Institutions	11

1. U. T. System - Investment Advisory Committee: Membership. --  
If the Regents' Rules and Regulations are amended as proposed on Page 4 of the Committee of the Whole, there will be a discussion as to nominees to serve on the Investment Advisory Committee.
  
2. U. T. System: Recommended Nominees to the Board of Directors, The University of Texas Foundation, Inc. --

Chancellor LeMaistre recommends the reappointment of the individuals listed below to terms on the Board of Directors of The University of Texas Foundation, Inc., from January 1, 1974 through December 31, 1976.

Mr. Thomas H. Law, Fort Worth  
 Charles A. LeMaistre, M.D., Austin  
 Mr. Benno C. Schmidt, New York, New York  
 Mr. Gail Whitcomb, Houston  
 Mr. Gene M. Woodfin, New York, New York

Since this Board meets in New York City on September 15, 1973, these nominations are being processed for approval in the hope that Chancellor LeMaistre may get prompt acceptance from these nominees during the course of that meeting.

For the information of the Board, in addition to the individuals listed above, the other members of the Board of Directors are set forth below.

Mr. Rex G. Baker, Jr., Houston  
 Mr. E. Philip Cannon, Austin  
 Mr. Marvin K. Collie, Houston  
 Mr. Hayden W. Head, Corpus Christi  
 Mr. B. K. Johnson, San Antonio  
 Mr. Jack Josey, Houston  
 Mr. E. G. Morrison, Austin  
 Dr. Harry Ransom, Austin (Ph.D., et al.)  
 Mr. Preston Shirley, Galveston  
 Mr. Robert Strauss, Dallas  
 Mr. Jack C. Vaughn, Dallas

For the information of the Board a brief summary of the purpose and financial condition of the Foundation is set forth below.

Purpose

The U.T. System Board of Regents created the U.T. Foundation, Inc. in March, 1967 as an external foundation to provide greater flexibility in the acceptances of gifts for advancement in education which could not be received by the Board of Regents. All net income in excess of operating requirements is to be distributed among the components of the U.T. System in accordance with the programs and policies established by the Board of Regents.

The Foundation is authorized to receive, hold, manage and control property, whether real, personal or mixed, acquired by gift, devise, bequest, purchase or other means.

Financial Condition

The Treasurer's Report of December 31, 1972 is summarized below:

	<u>Carrying Value</u>	<u>Market Value</u>
<u>Unrestricted</u>		
Principal Account (U.S. Treasury Bills, stocks, real property)	\$ 67,427.08	\$ 54,163.73
Lund Property	15,234.91	15,234.91
Gubbels Property	63,268.83	63,268.83
Special (Awards)	242.00	242.00
Chancellor's Council	4,552.99	4,552.99
<u>College of Business Administration</u> <u>U.T. Austin</u>		
Project Classroom 1975	20,091.66	20,091.66
General	1,015,606.10	124,380.06
Cybernetic Studies	23,108.96	23,108.96
<u>Intramural Athletics</u> <u>U.T. Austin</u>		
Puett Property	9,940.40	9,940.40
<u>Intercollegiate Athletics</u> <u>U.T. Austin</u>		
Puett Property	9,940.41	9,940.41
<u>College of Engineering</u> <u>U.T. Austin</u>		
Real Estate and Real Property	3,035.00	1,700.00
T.U. Taylor Scholarship Fund	15,591.27	14,832.20
<u>Dallas Medical School</u>		
Cary Fund	<u>9,916.32</u>	<u>9,916.32</u>
Total Assets and Market Values	\$1,257,955.93	\$ 351,372.47

2a. U. T. System: Progress Report of Special Committee on Brackenridge Tract - Legal Matters Relating Thereto. --

2b. U. T. System: Personnel Matters. --



3. U. T. Austin: Request for Waiver of Nepotism Rule to Appoint Dr. and Mrs. John A. Gallery to the Architecture Faculty.--

Chancellor LeMaistre concurs in President Spurr's recommendation that Part One, Chapter III, Section 5.32 of the Regents' Rules and Regulations be waived to permit the following faculty and administrative appointments in the School of Architecture at U.T. Austin.

1. Appoint Dr. John A. Gallery as Associate Professor and as Associate Dean of the School of Architecture, the appointment to begin with the fall semester.

2. Appoint Mrs. Leslie Gallery, the wife of Dr. John A. Gallery, to a two-year part-time term appointment as an Assistant Professor in the School of Architecture, the appointment to begin with the fall semester.

President Spurr indicates agreement of U.T. Austin administration and Dr. and Mrs. Gallery to the following stipulations in regard to Mrs. Gallery's term appointment:

1. Dr. Gallery as Associate Dean will not during the next two years participate in any discussion or determination related to his wife's appointment status.
2. If, at the end of two years, Dr. Gallery continues as Associate Dean or in a similar administrative position in the School of Architecture Mrs. Gallery will not be considered for reappointment to the faculty. If he does not occupy such a position, reappointment of Mrs. Gallery will be considered on the merits of the case as any other faculty appointment.

The circumstances surrounding these appointments are outlined in the letters of President Spurr and Vice President Ross reprinted below.

**SECRETARY'S NOTE:** The rule to be waived follows (Regents' Rules and Regulations, Part One, Chapter III, Section 5.3, Subsection 5.32):

- 5.32 No person shall be initially appointed, or promoted, when it is the duty of any relative employed by The University of Texas System to act in any official capacity upon such appointment or promotion, regardless of the source of funds for payment of salary; nor shall any appointment or promotion be made if either person would be under the administrative supervision of the other or if either would have any official voice in recommending salary increases or promotions in rank for the other.



THE UNIVERSITY OF TEXAS AT AUSTIN  
OFFICE OF THE PRESIDENT  
AUSTIN, TEXAS 78712

August 16, 1973

Charles A. LeMaistre, M.D.  
Chancellor  
The University of Texas System

Dear Dr. LeMaistre:

Enclosed for your information is a copy of a letter to me from Provost Ross concerning the proposed new appointments in the School of Architecture of Dr. John A. Gallery and his wife, Mrs. Leslie Gallery. As is clear from the Provost's thorough and detailed explanation, the University is faced with the option either of rescinding the appointment offers already extended to Dr. and Mrs. Gallery or securing a waiver of the Regents' nepotism rule (Part One, Chapter III, Section 5.32) to permit their employment this coming fall semester. After reviewing the matter, it is my recommendation to you that the latter course of action be chosen.

In anticipation of final approval of this recommendation, Dr. Ross and Dean Burnette have reached an agreement with Dr. and Mrs. Gallery under which her part-time employment as an Assistant Professor would not extend beyond a two-year period. If, at the end of that time, her husband continued to exercise responsibility as Associate Dean or in some similar administrative capacity in the School of Architecture, her appointment would be terminated. Should Mr. Gallery have relinquished administrative duties by the end of this two-year period, of course, a continuation of Mrs. Gallery's appointment status could be considered at that time on its own merits. I would further call to your attention Dr. Gallery's assurance to Provost Ross that he would not participate in any discussions within the School of Architecture that involved the status of his wife.

approved  
cdl 8/17/73

SHS:ls  
Enclosure

Sincerely yours,  
*Robert D. Spurr for*  
Stephen H. Spurr  
President





THE UNIVERSITY OF TEXAS AT AUSTIN  
OFFICE OF THE PROVOST  
AUSTIN, TEXAS 78712

PRESIDENT'S OFFICE U. T. AUSTIN	
REC'D	AUG 10 1973
REFER TO _____	
HANDLE _____	
COMMENT & RETURN _____	
FILE OR DISCARD _____	

August 10, 1973

Dr. Stephen H. Spurr  
President  
MAI 400

Dear Steve:

I am writing to recommend to you that you request waiver of the applicable regental rule affecting the appointment of a member of the family of an individual exercising administrative responsibility in the case of the appointment of Mrs. Leslie Gallery of the School of Architecture. I make this recommendation in the light of the circumstances under which Mrs. Gallery was offered the appointment and accepted it in good faith. The circumstances relate to the recruitment activities by a newly designated dean who had not yet taken up residence in Austin. Dean-designate Burnette called me regarding appointments for Dr. and Mrs. Gallery after I had had an opportunity to interview the former. Gallery was then being considered for a visiting associate professorship, and when Dean Burnette raised the question of a possible part-time appointment for Mrs. Gallery I anticipated no problem if she qualified for the appointment.

Subsequently, it was recommended and approved that Dr. Gallery be appointed as a regular associate professor and as associate dean of the School of Architecture. To expedite matters after you had approved this arrangement, I authorized Dr. Burnette to make the offer to Dr. Gallery without awaiting the formality of an approved Prior Approval Request. Dean Burnette, presuming that the change in the husband's status would not complicate matters, cleared the well-qualified Mrs. Gallery with the Budget Council of the School of Architecture and proceeded to make her an oral offer of a part-time assistant professorship. When the Prior Approvals reached my desk, I immediately called the problem to your attention, and we both agreed that such an appointment would now involve a violation of the provision of the Rules and Regulations of the Board of Regents, Part 1, Paragraph 5.32. When I called this to Dr. Burnette's attention, he was quite dismayed since the Gallerys already were enroute moving to Austin, had purchased a home here and had accepted his invitation to join the faculty of the University of Texas at Austin, presuming that there would be no difficulties with either appointment.

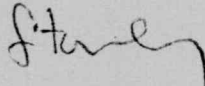
Under the circumstances, a compromise arrangement has been worked out to the satisfaction of all concerned. I have approved a limited two-year term part-time appointment for Mrs. Gallery with the understanding that

August 10, 1973

you would seek a waiver from the Board of Regents for this special arrangement and there would be no consideration of an extension of said appointment if at that time her husband continues to exercise administrative responsibility in the School of Architecture. If he no longer is an associate dean at that time, Mrs. Gallery's appointment status would be considered on its merits as any other faculty appointment.

Accordingly, I am respectfully requesting that due to the unfortunate circumstances that produced the situation and in the light of the limited and defined nature of the part-time appointment involved, you request from the Board of Regents a waiver of the rule specified in Part 1, Paragraph 5.32, to permit the appointment of Professor Leslie Gallery. Dr. Gallery has assured me that during the next two years he would not participate in any discussion or determination relating to his wife's status.

Respectfully submitted,



Stanley R. Ross  
Vice President and Provost

SRR/js

4. U. T. Austin: Personnel Matters Related to Dual Positions. --

While the requirement for regental approval of dual positions related to State or Federal government assignments remains uncertain, Chancellor LeMaistre wishes to bring this unusual situation to the attention of the Board of Regents.

Set forth below are letters from Dean Keeton and President Spurr regarding Professor Charles Alan Wright's continued part-time service during the 1973-74 academic year as legal counsel to the Executive Branch of the Federal Government.

Chancellor LeMaistre concurs and requests that the Board formally authorize his acceptance of the position.



THE UNIVERSITY OF TEXAS AT AUSTIN  
 OFFICE OF THE PRESIDENT  
 AUSTIN, TEXAS 78712

CHANCELLOR'S OFFICE U. T. A.	
7/ Acknowledged	File
AUG 14 1973	
To	for Info and Return
To	Please Advise Me
To	Please Handle

August 11, 1973

Charles A. LeMaistre, M.D.  
 Chancellor  
 The University of Texas System

Dear Dr. LeMaistre:

Enclosed is a memorandum from Dean Keeton recommending approval of the request of Professor Charles Alan Wright to serve during the coming academic year as legal counsel to the Executive Branch of the Federal Government in matters involving the constitutional doctrine of separation of powers. Professor Wright will also be serving as a full time member of the Law School faculty.

I share Dean Keeton's view that Professor Wright's consultation with the Executive Branch represents a significant public service and furthermore relates directly to his teaching and scholarly work in the School of Law. May I ask that all necessary approvals be obtained.

Sincerely yours,

*Stephen H. Spurr*  
*(by RM)*

Stephen H. Spurr  
 President

SHS:ls

Enclosure

cc: Dr. Stanley R. Ross





THE UNIVERSITY OF TEXAS AT AUSTIN  
SCHOOL OF LAW  
2500 Red River  
AUSTIN, TEXAS 78705

PRESIDENT'S OFFICE U. T. AUSTIN	
REC'D	AUG 8 - 1973
REFER TO _____	
HANDLE _____	
COMMITTEE _____	
FILE OR BOARD _____	

Office of the Dean

August 7, 1973

MEMORANDUM

TO: Dr. Stephen H. Spurr, President  
The University of Texas at Austin

SUBJECT: Employment by the Federal Government of Charles Alan  
Wright as Counsel in a Case or Cases in Behalf of the  
Office of President of the United States

Charles Wright, as you know, has been employed during the latter part of this summer on a full-time basis in connection with various matters growing out of the Westgate investigations.

As of the beginning of the fall semester he wishes to return to Austin and to The University of Texas on a full-time basis, but with the privilege of serving as counsel on behalf of the President of the United States and the Executive Department of the federal government in the case or cases that will involve large issues related to the constitutional doctrine of separation of powers.

I recommend the approval of this, but you might want to have this approved by the Board of Regents because it is likely to provoke criticism.

The case or cases in which he will be involved would possibly take more than an average of ten hours per week of his time and thus this violates a rule or principle that I have tried to follow in approving outside employment, although Professor Wright's expectation is that by the beginning of the fall semester the case will be in the appellate courts and the demand upon his time will not be great. On the other hand, this could be regarded as a type of public service and, moreover, is directly related to his work in the areas of constitutional law and federal procedure. Thus, the time spent on this would be more valuable than the same amount of time spent in the usual scholarly research activities such as writing articles or books.

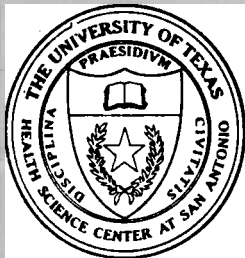
I am recommending approval.

5. San Antonio Health Science Center (San Antonio Medical School):  
Recommendation to Accept Gift for Establishment of "Evelyn  
Knott Woolley Scholarship Fund". --

Mrs. Evelyn I. K. Woolley of San Antonio, Texas, is desirous of establishing the "Evelyn Knott Woolley Scholarship Fund" in an amount of \$30,000.00 which will be held and invested by the Board of Regents in such manner and in such investments as are deemed advisable by the Board. The income from the principal shall be used for medical school scholarships for female students and shall be based upon financial need. Mrs. Woolley reserves the right during her lifetime to withdraw \$10,000.00 of the principal but only in the event of some unforeseen emergency which may arise in the future. Upon her death all property shall be the property of the Board of Regents of The University of Texas System for the purposes set forth.

Mrs. Woolley has requested that no publicity be given to this gift.

System Administration concurs in the recommendation of President Harrison that the gift be accepted by the Board for the purposes of establishing medical scholarships for female students and it further recommends that President Harrison be authorized to accept such gift for and on behalf of the Board of Regents.



The University of Texas  
Health Science Center at San Antonio  
7703 Floyd Curl Drive  
San Antonio, Texas 78284

Office of the Vice-President  
for Business Affairs

Phone: (512) 696-6105

August 16, 1973

Mr. E. D. Walker  
Deputy Chancellor for  
Administration  
The University of Texas System  
601 Colorado Street  
Austin, Texas 78701

Dear Don:

Enclosed is an original and one duplicate original of a gift agreement which has been executed by Mrs. Evelyn I. K. Woolley, and a photocopy of a receipt which President Harrison executed acknowledging the receipt of the \$30,000.00 check which Mrs. Woolley presented to him.

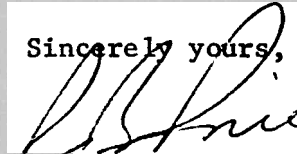
Mr. Waldrep met with us on the day that this check was presented, and I believe concurred in the terms of the agreement as written.

Will you please include the necessary item on the agenda for the Board of Regents for the acceptance of this gift and the establishment of the scholarship fund provided therein.

It is Mrs. Woolley's express desire that no publicity be given to this gift at this time so we suggest that this matter be included for approval in the Executive Session or that she be shown as an anonymous donor if it is necessary for the item to appear in the regular agenda.

Should you have any questions or need additional information concerning this matter, will you please let us know.

Sincerely yours,



R. B. Price  
Vice-President for  
Business Affairs

RBP:cr  
Enclosures

cc: Dr. Frank Harrison  
Mr. Burnell Waldrep

6. Health Science Centers: Progress Report by Regent Nelson  
Regarding Personnel Matters in Medical Institutions. --



Official copy  
return -

COMMITTEE OF THE WHOLE - EXECUTIVE SESSION

EMERGENCY ITEMS  
September 14, 1973

Page No.

- |  |       |
|--|-------|
| <del>7.</del> SPECIAL ORDER - Permanent University Fund: Consideration of Attorney General's Recommendations Regarding Pending Litigation Involving Royalty Gas on University Lands (Set immediately following lunch because of out-of-town participants in the conference.) | below |
| 8. U. T. System: Amendments to 1973-74 Operating Budgets   | 13    |
| <del>9.</del> U. T. Arlington: Legal Matter Involved in Sale of Property, Fort Worth, Texas  | 16    |
| 10. U. T. Austin: <del>Legal Aspects of Gift of Real Property</del> <sup>Watson</sup>  | 16    |
| <del>11.</del> U. T. Austin: Legal Aspects re Proposed Operation of Balcones Research Center   | 17    |
| 12. Galveston Medical Branch: Acquisition of Real Property Adjacent to Campus <del>17</del>  | 17    |
| 13. System Nursing School: Family Nurse Practitioner Program   | 17    |
- Approved.*

DOCUMENTATION

SPECIAL ORDER

- ~~7.~~ Permanent University Fund: Consideration of Attorney General's Recommendations Regarding Pending Litigation Involving Royalty Gas on University Lands (Set immediately following lunch because of out-of-town participants in the conference.). -- There is no documentation.

8. U. T. System: Amendments to the 1973-74 Operating Budgets  
Regarding Salaries of Institutional Heads. --

System Administration recommends that the salaries for the several component Presidents be amended from the presently approved 1973-74 levels to reflect a 3.4% increase as shown below. It is further recommended that these amendments be rounded to the next even \$100.00. The acceptance of this amendment will reflect the application of the same percent increase and rounding as was used in the case of other administrative officers. Since President Willman's approved salary increase exceeds the 3.4%, no change in her presently approved salary is requested.

THE UNIVERSITY OF TEXAS SYSTEM  
 CHIEF ADMINISTRATIVE OFFICERS  
 SALARY DATA

	<u>1972-73</u> <u>Salary</u> <u>Rate</u>	<u>1973-74</u> <u>Budget</u>	Application of 3.4% Increase to 1972-73 <u>Salary Rate</u>
1. <u>U. T. Arlington</u>			
Acting President			
Wendell H. Nedderman			
General Revenue	\$27,000	\$28,000	\$27,918
Development Funds	14,000	14,000	14,476
Total Salary	<u>\$41,000</u>	<u>\$42,000</u>	<u>\$42,394</u>
2. <u>U. T. Austin</u>			
President			
Stephen H. Spurr			
General Revenue	\$30,500	\$31,500	\$31,537
Etter Estate Funds	16,500	16,500	17,061
Total Salary	<u>\$47,000</u>	<u>\$48,000</u>	<u>\$48,598</u>
(with house and utilities)			
3. <u>U. T. Dallas</u>			
President			
Bryce Jordan			
General Revenue	\$27,000	\$28,000	\$27,918
Development Funds	15,000	15,000	15,510
Total Salary	<u>\$42,000</u>	<u>\$43,000</u>	<u>\$43,428</u>
(with house and utilities)			
4. <u>U. T. El Paso</u>			
President			
Arleigh B. Templeton			
General Revenue	\$27,000	\$28,000	\$27,918
Cotton Trust Funds	15,500	15,500	16,027
Total Salary	<u>\$42,500</u>	<u>\$43,500</u>	<u>\$43,945</u>
(with house and utilities)			

	1972-73 Salary Rate	1973-74 Budget	Application of 3.4% Increase to 1972-73 Salary Rate
5. <u>U. T. Permian Basin</u>			
President			
B. H. Amstead			
General Revenue	\$41,000	\$28,000	\$42,394
Development Funds (Subject to being raised)	---	14,000	
Total Salary (With house and utilities)	<u>\$41,000</u>	<u>\$42,000</u>	<u>\$42,394</u>
6. <u>U. T. San Antonio</u>			
President			
Peter T. Flawn			
General Revenue	\$42,500	\$28,000	\$43,945
Current Restricted Funds	---	14,500	
Total Salary (With house and utilities)	<u>\$42,500</u>	<u>\$42,500</u>	<u>\$43,945</u>
7. <u>Dallas Health Science Center</u>			
President			
Charles C. Sprague			
General Revenue	\$28,500	\$29,500	\$29,469
Southwestern Medical Foundation	10,000	10,000	10,340
National Fund for Medical Education	9,500	9,500	9,823
Total Salary	<u>\$48,000</u>	<u>\$49,000</u>	<u>\$49,632</u>
M.S.R.D.P. Augmentation	10,000	10,000	10,340
Total Compensation	<u>\$58,000</u>	<u>\$59,000</u>	<u>\$59,972</u>
8. <u>Galveston Medical Branch</u>			
President			
Truman G. Blocker, Jr.			
General Revenue	\$28,500	\$29,500	\$29,469
Capitation Grant	9,400	9,400	9,720
Sealy and Smith Foundation	6,600	6,600	6,824
Total Salary	<u>\$44,500</u>	<u>\$45,500</u>	<u>\$46,013</u>
M.S.R.D.P. Augmentation	25,000	25,000	25,850
Total Compensation	<u>\$69,500</u>	<u>\$70,500</u>	<u>\$71,863</u>
9. <u>Houston Health Science Center</u>			
Acting President			
J. V. Olson			
General Revenue	\$28,500	\$29,500	\$29,469
Trust Funds	12,500	14,500	12,925
Total Salary	<u>\$41,000</u>	<u>\$44,000</u>	<u>\$42,394</u>



	<u>1972-73 Salary Rate</u>	<u>1973-74 Budget</u>	<u>Application of 3.4% Increase to 1972-73 Salary Rate</u>
10. <u>San Antonio Health Science Center</u>			
President			
Frank Harrison			
General Revenue	\$28,500	\$29,500	\$29,469
Development Funds	14,500	---	14,993
San Antonio Medical Foundation	---	14,500	
Total Salary	<u>\$43,000</u>	<u>\$44,000</u>	<u>\$44,462</u>
M.S.R.D.P. Augmentation	<u>15,000</u>	<u>15,000</u>	<u>15,510</u>
Total Compensation	<u>\$58,000</u>	<u>\$59,000</u>	<u>\$59,972</u>
(With quarters and utilities)			
11. <u>University Cancer Center</u>			
President			
R. Lee Clark			
General Revenue	\$28,500	\$29,500	\$29,469
University Cancer Foundation	18,500	18,500	19,129
Total Salary	<u>\$47,000</u>	<u>\$48,000</u>	<u>\$48,598</u>
P.R.S. Augmentation	<u>16,500</u>	<u>16,500</u>	<u>17,061</u>
Total Compensation	<u>\$63,500</u>	<u>\$64,500</u>	<u>\$65,659</u>
(With apartment and utilities)			
12. <u>System Nursing School</u>			
President			
Marilyn D. Willman			
General Revenue	\$25,500	\$29,500	\$26,367
Capitation Grant	9,500	10,500	9,823
Total Salary	<u>\$35,000</u>	<u>\$40,000</u>	<u>\$36,190</u>

Note: In the 1973-74 Operating Budgets salaries of administrative staff adjusted for the 3.4% increase were rounded to the next even hundred dollars.

9. U. T. Arlington: Sale of Property at 5444 Byers Street, Fort Worth, Texas. --

The Board of Regents of The University of Texas System, at its meeting of March 5, 1973 (Committee of the Whole, Page 68) authorized the System Administration to sell the property located at 5444 Byers Street, Fort Worth, Tarrant County, Texas. This is the residence of Harry C. Weeks, deceased, who gave the property for the use and benefit of The University of Texas at Arlington. An appraisal of the property for gift tax purposes was made by a Fort Worth firm and set at \$126,200, however, after a study of the surrounding real estate and upon advice of the Trust Department of The Fort Worth National Bank, acting as Mr. Week's administrator, the System Administration hereby requests authorization to accept a present offer of \$80,000 or better.

10. U. T. Austin: Acceptance of Gift of Arthur Watson House Located at 500 East 18th Street, Austin, Texas, Retaining a Life Estate. --

*Whereas,* Mr. Arthur Watson owns the property at 500 East 18th, which is adjacent to the Collections Deposit Library. This Property is within the Brackenridge Urban Renewal Area, and the Austin Urban Renewal Agency filed condemnation proceedings against Mr. Watson. An award was made by the Commissioners, which has been appealed by Mr. Watson. In order to settle the appeal, Mr. Watson proposes the Urban Renewal Agency pay for the land, with Mr. Watson making a gift of the house to The University of Texas, with Mr. Watson retaining a life estate in the premises. Since this property has some historical value *and President* Dr. Spurr has indicated an interest in preserving the improvements. *for the 1977 at Austin!*

*The* President Spurr and System Administration recommend that the gift of Mr. Arthur Watson be accepted by the Board and that the Chairman of the Board of Regents be authorized to execute any and all documents necessary to consummate this transaction. after approval as to content by Deputy Chancellor Walker and as to form by a University of Texas attorney.

*Whereas,* *Whereas,*  
*Be It Resolved, that*

*Res.*



11. U. T. Austin: Legal Aspects re Proposed Operation of Balcones Research Center. --The Secretary has been informed that this item will probably be discussed but there will be no action at this meeting.

12. Galveston Medical Branch: Acquisition of Real Property Adjacent to Campus. --The Secretary has been informed that this item will probably be discussed but there will be no action at this meeting.

as Amended

PROBABLY

13. System Nursing School: Certificate Program to Prepare Family Nurse Practitioners to be Conducted in Fort Worth and San Antonio. --

Chancellor LeMaistre concurs in the recommendation of President Willman that a certificate program to prepare Family Nurse Practitioners be approved. The program is similar to those at Dallas and Galveston which were approved by the Board of Regents on December 2, 1971, and April 29, 1972, to prepare nurses to work with pediatricians. This program would prepare nurses to function in a team relationship with family physicians and other health professionals in outpatient and community clinics and physicians' offices where they will assist in providing primary health care for individuals and families.

The course content will be offered during a four-month period of combined didactic and clinical experience, to

be followed by an eight-month preceptorship. Both nursing and medical school faculty will share in the teaching program with existing course offerings being utilized whenever possible. The program will be offered at the Fort Worth and San Antonio Nursing Schools.

The proposed program has been reviewed and approved by the Texas Academy of Family Physicians subject to the four conditions set forth in their letter dated September 10, 1973. President Willman has indicated her acceptance of the inclusion of these conditions in the implementation of the proposal, and the proposal will be amended accordingly. Other community and health related groups supportive of the proposal are indicated in the list set forth below.

Following approval by the Board of Regents, the proposal will be submitted to the Coordinating Board, Texas College and University System for approval. This item is being proposed as an emergency item since the Coordinating Board, following approval by the Board of Regents, has agreed to include the matter for its October agenda. October consideration by the Board of Regents would delay Coordinating Board consideration until April, 1974.



OFFICE OF THE PRESIDENT

THE UNIVERSITY OF TEXAS  
SYSTEM SCHOOL OF NURSING

AUSTIN, TEXAS 78712

May 15, 1973

Charles A. LeMaistre, M.D.  
Chancellor  
The University of Texas System  
O. Henry Hall

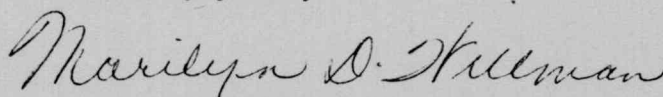
Dear Chancellor LeMaistre:

Enclosed are fifteen copies of a proposal for a family practitioner program to be offered on our Fort Worth and San Antonio campuses. Also enclosed are copies of letters indicating support for the program from several physicians and representatives of a variety of community agencies in Fort Worth, San Antonio, and surrounding

areas. Additional letters of support are being obtained at this time. The functions set forth for this practitioner are those previously described for the pediatric nurse practitioner and reviewed with T.M.A. representatives at the time that program was approved by the Board. They have, of course, been reworded to reflect the family orientation rather than the strictly pediatric orientation.

The program has my approval and is being submitted at this time for your approval and that of the Board of Regents, preceding submission to the Coordinating Board.

Sincerely yours,



Marilyn D. Willman, Ph.D.  
President

MDW/va.  
Enclosure

LETTERS OF SUPPORT FOR THIS PROGRAM HAVE BEEN  
RECEIVED FROM THE FOLLOWING AGENCIES

1. S. Perry Post, M.D., Bexar County Medical Society
2. Warren G. Harding, Administrator, Bexar County Hospital District
3. Ralph H. Forrester, M.D., Professor and Director, Ambulatory Care & Family Medicine, UT Medical School at San Antonio
4. C.E. Gibbs, M.D., Associate Professor, Director, Family Planning Project #7132, UT Medical School at San Antonio
5. Jerry Newton, M.D., Director of School Health Services, San Antonio Independent School District
6. Fernando A. Guerra, M.D., Children's Diagnostic Clinic
7. Mrs. Aurora V. Hernandez, Health Project Director, Southwest Migrant Association
8. Sister Dolores Girault, Commission for Mexican-American Affairs
9. Joe J. Bernal, Executive Director, Commission for Mexican-American Affairs
10. Mrs. Ora Prattes, R.N., Director, Barrio Clinic
11. William A. Taylor, Administrator, Tarrant County Hospital District
12. Donald K. Nelms, M.D., Director, Department of Pediatrics, Tarrant County Hospital District
13. David J. Pillow, M.D., Director of Family Practice, Southwestern Medical School
14. Billie O. Nash, R.N.B.S., President, North Central Texas Home Health Agency, Inc.
15. Rev. David McCreath, Executive Director, Fort Worth Area Council of Churches
16. Miss Shirley A. Robertson, R.N., Supervisor, Arlington Branch, Tarrant County Health Department
17. Rev. Eugene Witkowski, Diocesan Director, Catholic Charities, Diocese of Fort Worth, Inc.



18. Martha Ann Bobbitt, R.N., President, Texas Nurses Association
19. Fran Board, Executive Director, Texas Nurses Association
20. Mrs. Pauline K. Matthis, Managing Director, Tuberculosis and Respiratory Disease Association
21. Mrs. Luz Gutierrez, Acting Director, Zavala County Health Association, Inc.
22. Sister Jean Keniry, R.N., Project Coordinator, Nurse Utilization Project, Hidalgo County Health Department
23. Ruben Fernandez, Administrator, Maverick County Health District
24. Mrs. Carol Sullivan, R.N., Director of Nursing, Fannin County Hospital

## *Texas Academy of Family Physicians*

WELDON G. KOLB, M.D., PRESIDENT



PHONE 935-2411 (713)  
421 SOUTH OAK  
LAMARQUE, TEXAS 77568

September 10, 1973

Marilyn B. Willman, Ph.D., President  
University of Texas System School of Nursing  
Austin, Texas 78712

Dear Dr. Willman:

The Executive Committee of the Texas Academy of Family Physicians appreciated the opportunity of visiting with you and Dr. Kniseley in the Academy headquarters office in Austin this morning. A great deal was made clear on both sides. Mutual respect and understanding should ensue from such an encounter.

The action of the Executive Committee which by our Constitution and Bylaws is subject to review and approval or disapproval of the entire Board of Directors at our November meeting was as follows:

"The general principles of the proposed program for training Family Nurse Practitioners was approved with the following important limiting conditions: (1) All persons admitted to the Training Program must be graduates of a baccalaureate degree nursing program or have equivalency thereof carefully evaluated. (2) The program must establish clearly that the Nurse Practitioner will work under the direction and responsibility of a specific physician. (3) Each school of such training shall correlate the selection of the preceptors utilized in training the Nurse Practitioners with the Texas Academy of Family Physicians. (4) Each school of such training shall coordinate the development of its curriculum for this Program with the Texas Academy of Family Physicians."

Much soul searching took place in the minds of those present to allow this decision. Your presentation in verbal form which modifies somewhat the written version was taken in good faith. An extension of this good faith and mutual respect by your institution and our organization in the further

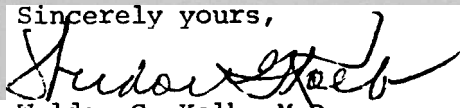
Page 2

September 10, 1973

development of this program can lead to a very productive and effective development of new health personnel which can be fitted into the scheme of practice in an excellent fashion.

We will be looking forward to knowledge of the developments of the program as it moves along the further steps in its implementation.

Sincerely yours,



Weldon G. Kolb, M.D.

WGK/mw

c: Charles A. Lemaistre, M.D., Chancellor, Univ. of Texas Systems, Austin, Texas  
William Kniseley, M.D., Vice Chancellor for Health Affairs, Univ. of Texas  
Systems, Austin, Texas; Joe A. Nelson, M.D., Univ. of Texas Board of Regents  
201 S. Waco, Weatherford, Texas 76086; Max Johnson, M.D., P.O. Box 6737,  
San Antonio, Texas 78209; Ted A. Forsythe, M.D., 3132-50 St., Lubbock,  
Texas 79413; Sam Stone, Atty. at Law, 1905 North Lamar Blvd., Austin,  
Texas; Donald C. Jackson, Exec. Sec. TAFP; members of the Executive  
Committee TAFP

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM  
September 14, 1973

STRICTLY  
EXECUTIVE SESSION

Page No.

U. T. SYSTEM

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- X 2. Recommended Nominees to Board of Directors, The University of Texas Foundation, Inc. 2
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- 7 2b. Personnel Matters 3

U. T. AUSTIN

- 7 3. Personnel Matters: Waiver with Respect to Nepotism Rule 4
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SAN ANTONIO HEALTH SCIENCE CENTER

- 2nd*  
*with*  
5. San Antonio Medical School: Legal Matters with Respect to Acceptance of Gift 10

HEALTH SCIENCE CENTERS

6. Progress Report by Regent Nelson Regarding Personnel Matters in Medical Institutions 11



1. U. T. System - Investment Advisory Committee: Membership. --  
If the Regents' Rules and Regulations are amended as proposed  
on Page 4 of the Committee of the Whole, there will be a  
discussion as to nominees to serve on the Investment Advisory  
Committee.
  
2. U. T. System: Recommended Nominees to the Board of Directors,  
The University of Texas Foundation, Inc. --

Chancellor LeMaistre recommends the reappointment of the individuals listed below to terms on the Board of Directors of The University of Texas Foundation, Inc., from January 1, 1974 through December 31, 1976.

Mr. Thomas H. Law, Fort Worth  
Charles A. LeMaistre, M.D., Austin  
Mr. Benno C. Schmidt, New York, New York  
Mr. Gail Whitcomb, Houston  
Mr. Gene M. Woodfin, New York, New York

Since this Board meets in New York City on September 15, 1973, these nominations are being processed for approval in the hope that Chancellor LeMaistre may get prompt acceptance from these nominees during the course of that meeting.

For the information of the Board, in addition to the individuals listed above, the other members of the Board of Directors are set forth below.

Mr. Rex G. Baker, Jr., Houston  
Mr. E. Philip Cannon, Austin  
Mr. Marvin K. Collie, Houston  
Mr. Hayden W. Head, Corpus Christi  
Mr. B. K. Johnson, San Antonio  
Mr. Jack Josey, Houston  
Mr. E. G. Morrison, Austin  
Dr. Harry Ransom, Austin (Ph.D., et al.)  
Mr. Preston Shirley, Galveston  
Mr. Robert Strauss, Dallas  
Mr. Jack C. Vaughn, Dallas

For the information of the Board a brief summary of the purpose and financial condition of the Foundation is set forth below.

#### Purpose

The U.T. System Board of Regents created the U.T. Foundation, Inc. in March, 1967 as an external foundation to provide greater flexibility in the acceptances of gifts for advancement in education which could not be received by the Board of Regents. All net income in excess of operating requirements is to be distributed among the components of the U.T. System in accordance with the programs and policies established by the Board of Regents.

The Foundation is authorized to receive, hold, manage and control property, whether real, personal or mixed, acquired by gift, devise, bequest, purchase or other means.

Financial Condition

The Treasurer's Report of December 31, 1972 is summarized below:

	<u>Carrying Value</u>	<u>Market Value</u>
<u>Unrestricted</u>		
Principal Account (U.S. Treasury Bills, stocks, real property)	\$ 67,427.08	\$ 54,163.73
Lund Property	15,234.91	15,234.91
Gubbels Property	63,268.83	63,268.83
Special (Awards)	242.00	242.00
Chancellor's Council	4,552.99	4,552.99
<u>College of Business Administration</u> <u>U.T. Austin</u>		
Project Classroom 1975	20,091.66	20,091.66
General	1,015,606.10	124,380.06
Cybernetic Studies	23,108.96	23,108.96
<u>Intramural Athletics</u> <u>U.T. Austin</u>		
Puett Property	9,940.40	9,940.40
<u>Intercollegiate Athletics</u> <u>U.T. Austin</u>		
Puett Property	9,940.41	9,940.41
<u>College of Engineering</u> <u>U.T. Austin</u>		
Real Estate and Real Property	3,035.00	1,700.00
T.U. Taylor Scholarship Fund	15,591.27	14,832.20
<u>Dallas Medical School</u>		
Cary Fund	<u>9,916.32</u>	<u>9,916.32</u>
Total Assets and Market Values	\$1,257,955.93	\$ 351,372.47

2a. U. T. System: Progress Report of Special Committee on Brackenridge Tract - Legal Matters Relating Thereto. --

2b. U. T. System: Personnel Matters. --



3. U. T. Austin: Request for Waiver of Nepotism Rule to Appoint Dr. and Mrs. John A. Gallery to the Architecture Faculty.--

Chancellor LeMaistre concurs in President Spurr's recommendation that Part One, Chapter III, Section 5.32 of the Regents' Rules and Regulations be waived to permit the following faculty and administrative appointments in the School of Architecture at U.T. Austin.

1. Appoint Dr. John A. Gallery as Associate Professor and as Associate Dean of the School of Architecture, the appointment to begin with the fall semester.

2. Appoint Mrs. Leslie Gallery, the wife of Dr. John A. Gallery, to a two-year part-time term appointment as an Assistant Professor in the School of Architecture, the appointment to begin with the fall semester.

President Spurr indicates agreement of U.T. Austin administration and Dr. and Mrs. Gallery to the following stipulations in regard to Mrs. Gallery's term appointment:

1. Dr. Gallery as Associate Dean will not during the next two years participate in any discussion or determination related to his wife's appointment status.
2. If, at the end of two years, Dr. Gallery continues as Associate Dean or in a similar administrative position in the School of Architecture Mrs. Gallery will not be considered for reappointment to the faculty. If he does not occupy such a position, reappointment of Mrs. Gallery will be considered on the merits of the case as any other faculty appointment.

The circumstances surrounding these appointments are outlined in the letters of President Spurr and Vice President Ross reprinted below.

**SECRETARY'S NOTE:** The rule to be waived follows (Regents' Rules and Regulations, Part One, Chapter III, Section 5.3, Subsection 5.32):

- 5.32 No person shall be initially appointed, or promoted, when it is the duty of any relative employed by The University of Texas System to act in any official capacity upon such appointment or promotion, regardless of the source of funds for payment of salary; nor shall any appointment or promotion be made if either person would be under the administrative supervision of the other or if either would have any official voice in recommending salary increases or promotions in rank for the other.



THE UNIVERSITY OF TEXAS AT AUSTIN  
OFFICE OF THE PRESIDENT  
AUSTIN, TEXAS 78712

August 16, 1973

Charles A. LeMaistre, M.D.  
Chancellor  
The University of Texas System

Dear Dr. LeMaistre:

Enclosed for your information is a copy of a letter to me from Provost Ross concerning the proposed new appointments in the School of Architecture of Dr. John A. Gallery and his wife, Mrs. Leslie Gallery. As is clear from the Provost's thorough and detailed explanation, the University is faced with the option either of rescinding the appointment offers already extended to Dr. and Mrs. Gallery or securing a waiver of the Regents' nepotism rule (Part One, Chapter III, Section 5.32) to permit their employment this coming fall semester. After reviewing the matter, it is my recommendation to you that the latter course of action be chosen.

In anticipation of final approval of this recommendation, Dr. Ross and Dean Burnette have reached an agreement with Dr. and Mrs. Gallery under which her part-time employment as an Assistant Professor would not extend beyond a two-year period. If, at the end of that time, her husband continued to exercise responsibility as Associate Dean or in some similar administrative capacity in the School of Architecture, her appointment would be terminated. Should Mr. Gallery have relinquished administrative duties by the end of this two-year period, of course, a continuation of Mrs. Gallery's appointment status could be considered at that time on its own merits. I would further call to your attention Dr. Gallery's assurance to Provost Ross that he would not participate in any discussions within the School of Architecture that involved the status of his wife.

*approved*  
*SHS* 8/17/73

SHS:ls  
Enclosure

Sincerely yours,

*Robert D. Spurr for*

Stephen H. Spurr  
President



THE UNIVERSITY OF TEXAS AT AUSTIN  
OFFICE OF THE PROVOST  
AUSTIN, TEXAS 78712

PRESIDENT'S OFFICE U. T. AUSTIN	
REC'D	AUG 10 1973
REFER TO _____	
HANDLE _____	
COMMENT & RETURN _____	
FILE OR DISCARD _____	

August 10, 1973

Dr. Stephen H. Spurr  
President  
MAI 400

Dear Steve:

I am writing to recommend to you that you request waiver of the applicable regental rule affecting the appointment of a member of the family of an individual exercising administrative responsibility in the case of the appointment of Mrs. Leslie Gallery of the School of Architecture. I make this recommendation in the light of the circumstances under which Mrs. Gallery was offered the appointment and accepted it in good faith. The circumstances relate to the recruitment activities by a newly designated dean who had not yet taken up residence in Austin. Dean-designate Burnette called me regarding appointments for Dr. and Mrs. Gallery after I had had an opportunity to interview the former. Gallery was then being considered for a visiting associate professorship, and when Dean Burnette raised the question of a possible part-time appointment for Mrs. Gallery I anticipated no problem if she qualified for the appointment.

Subsequently, it was recommended and approved that Dr. Gallery be appointed as a regular associate professor and as associate dean of the School of Architecture. To expedite matters after you had approved this arrangement, I authorized Dr. Burnette to make the offer to Dr. Gallery without awaiting the formality of an approved Prior Approval Request. Dean Burnette, presuming that the change in the husband's status would not complicate matters, cleared the well-qualified Mrs. Gallery with the Budget Council of the School of Architecture and proceeded to make her an oral offer of a part-time assistant professorship. When the Prior Approvals reached my desk, I immediately called the problem to your attention, and we both agreed that such an appointment would now involve a violation of the provision of the Rules and Regulations of the Board of Regents, Part 1, Paragraph 5.32. When I called this to Dr. Burnette's attention, he was quite dismayed since the Gallerys already were enroute moving to Austin, had purchased a home here and had accepted his invitation to join the faculty of the University of Texas at Austin, presuming that there would be no difficulties with either appointment.

Under the circumstances, a compromise arrangement has been worked out to the satisfaction of all concerned. I have approved a limited two-year term part-time appointment for Mrs. Gallery with the understanding that

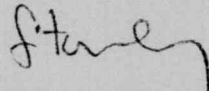


August 10, 1973

you would seek a waiver from the Board of Regents for this special arrangement and there would be no consideration of an extension of said appointment if at that time her husband continues to exercise administrative responsibility in the School of Architecture. If he no longer is an associate dean at that time, Mrs. Gallery's appointment status would be considered on its merits as any other faculty appointment.

Accordingly, I am respectfully requesting that due to the unfortunate circumstances that produced the situation and in the light of the limited and defined nature of the part-time appointment involved, you request from the Board of Regents a waiver of the rule specified in Part 1, Paragraph 5.32, to permit the appointment of Professor Leslie Gallery. Dr. Gallery has assured me that during the next two years he would not participate in any discussion or determination relating to his wife's status.

Respectfully submitted,



Stanley R. Ross  
Vice President and Provost

SRR/js

4. U. T. Austin: Personnel Matters Related to Dual Positions. --

While the requirement for regental approval of dual positions related to State or Federal government assignments remains uncertain, Chancellor LeMaistre wishes to bring this unusual situation to the attention of the Board of Regents.

Set forth below are letters from Dean Keeton and President Spurr regarding Professor Charles Alan Wright's continued part-time service during the 1973-74 academic year as legal counsel to the Executive Branch of the Federal Government.

Chancellor LeMaistre concurs and requests that the Board formally authorize his acceptance of the position.



THE UNIVERSITY OF TEXAS AT AUSTIN  
 OFFICE OF THE PRESIDENT  
 AUSTIN, TEXAS 78712

CHANCELLOR'S OFFICE U. T. A.	
7	Acknowledged.....File.....
AUG 11 1973	
To.....	For Info and Return
To.....	Please Advise Me
To.....	Please Handle

August 11, 1973

Charles A. LeMaistre, M.D.  
 Chancellor  
 The University of Texas System

Dear Dr. LeMaistre:

Enclosed is a memorandum from Dean Keeton recommending approval of the request of Professor Charles Alan Wright to serve during the coming academic year as legal counsel to the Executive Branch of the Federal Government in matters involving the constitutional doctrine of separation of powers. Professor Wright will also be serving as a full time member of the Law School faculty.

I share Dean Keeton's view that Professor Wright's consultation with the Executive Branch represents a significant public service and furthermore relates directly to his teaching and scholarly work in the School of Law. May I ask that all necessary approvals be obtained.

Sincerely yours,

*Stephen H. Spurr*  
*(by RM)*

Stephen H. Spurr  
 President

SHS:ls

Enclosure

cc: Dr. Stanley R. Ross



THE UNIVERSITY OF TEXAS AT AUSTIN  
SCHOOL OF LAW  
2500 Red River  
AUSTIN, TEXAS 78705

PRESIDENT'S OFFICE U. T. AUSTIN	
REC'D	AUG 8 - 1973
REFER TO _____	
HANDLE _____	
COPIES TO RETURN _____	
FILE OR DISCARD _____	

Office of the Dean

August 7, 1973

MEMORANDUM

TO: Dr. Stephen H. Spurr, President  
The University of Texas at Austin

SUBJECT: Employment by the Federal Government of Charles Alan  
Wright as Counsel in a Case or Cases in Behalf of the  
Office of President of the United States

Charles Wright, as you know, has been employed during the latter part of this summer on a full-time basis in connection with various matters growing out of the Westgate investigations.

As of the beginning of the fall semester he wishes to return to Austin and to The University of Texas on a full-time basis, but with the privilege of serving as counsel on behalf of the President of the United States and the Executive Department of the federal government in the case or cases that will involve large issues related to the constitutional doctrine of separation of powers.

I recommend the approval of this, but you might want to have this approved by the Board of Regents because it is likely to provoke criticism.

The case or cases in which he will be involved would possibly take more than an average of ten hours per week of his time and thus this violates a rule or principle that I have tried to follow in approving outside employment, although Professor Wright's expectation is that by the beginning of the fall semester the case will be in the appellate courts and the demand upon his time will not be great. On the other hand, this could be regarded as a type of public service and, moreover, is directly related to his work in the areas of constitutional law and federal procedure. Thus, the time spent on this would be more valuable than the same amount of time spent in the usual scholarly research activities such as writing articles or books.

I am recommending approval.



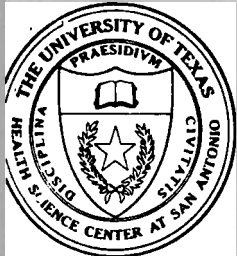
*Resident J*  
*set*  
5. San Antonio Health Science Center (San Antonio Medical School):  
Recommendation to Accept Gift for Establishment of "Evelyn  
Knott Woolley Scholarship Fund". --

*Health President Harrison*  
*accepting was accepted*  
*check*  
*was not paid*  
Mrs. Evelyn I. K. Woolley of San Antonio, Texas, is desirous of establishing the "Evelyn Knott Woolley Scholarship Fund" in an amount of \$30,000.00 which will be held and invested by the Board of Regents in such manner and in such investments as are deemed advisable by the Board. The income from the principal shall be used for medical school scholarships for female students and shall be based upon financial need. Mrs. Woolley reserves the right during her lifetime to withdraw \$10,000.00 of the principal but only in the event of some unforeseen emergency which may arise in the future. Upon her death all property shall be the property of the Board of Regents of The University of Texas System for the purposes set forth.

Mrs. Woolley has requested that no publicity be given to this gift.

System Administration concurs in the recommendation of President Harrison that the gift be accepted by the Board for the purposes of establishing medical scholarships for female students and it further recommends that President Harrison be authorized to accept such gift for and on behalf of the Board of Regents.

*As this*



The University of Texas  
Health Science Center at San Antonio  
7703 Floyd Curl Drive  
San Antonio, Texas 78284

Office of the Vice-President  
for Business Affairs

Phone: (512) 696-6105

August 16, 1973

Mr. E. D. Walker  
Deputy Chancellor for  
Administration  
The University of Texas System  
601 Colorado Street  
Austin, Texas 78701

Dear Don:

Enclosed is an original and one duplicate original of a gift agreement which has been executed by Mrs. Evelyn I. K. Woolley, and a photocopy of a receipt which President Harrison executed acknowledging the receipt of the \$30,000.00 check which Mrs. Woolley presented to him.

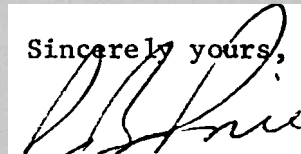
Mr. Waldrep met with us on the day that this check was presented, and I believe concurred in the terms of the agreement as written.

Will you please include the necessary item on the agenda for the Board of Regents for the acceptance of this gift and the establishment of the scholarship fund provided therein.

It is Mrs. Woolley's express desire that no publicity be given to this gift at this time so we suggest that this matter be included for approval in the Executive Session or that she be shown as an anonymous donor if it is necessary for the item to appear in the regular agenda.

Should you have any questions or need additional information concerning this matter, will you please let us know.

Sincerely yours,



R. B. Price  
Vice-President for  
Business Affairs

RBP:cr  
Enclosures

cc: Dr. Frank Harrison  
Mr. Burnell Waldrep

6. Health Science Centers: Progress Report by Regent Nelson  
Regarding Personnel Matters in Medical Institutions. --



Progress Report re: MSRD Plans and Physicians Referral

Service.--During the past three months I have been working with the staff in reviewing in detail the Medical Service, Research, and Development Plans at Galveston, Houston, San Antonio, Dallas and the Physicians Referral Service at M. D. Anderson Hospital and Tumor Institute.

The focus of this review has been two-fold; one was to review the plan itself, and second to review the detailed expenditures being made from the funds accumulated under each plan.

As to the various plans it does not appear that any recommendation should be made at this time in the various plans. We came to this conclusion primarily due to the uncertainties of the regulations regarding the administration of the provisions of H.R. 1, Sec. 227 (Social Security Administration Regulations regarding reimbursement to teaching hospitals). The original deadline for the formulation of these regulations was mid-August, however, due to the efforts of many concerned organizations including a specific request by Chairman McNeese, the deadline has been extended to mid-October.

As to the review of the detailed expenditures from each of the plans we did find certain items which do not appear to be consistent with the University policy covering expenditures from trust funds which are under the control and management of the Board of Regents. As you recall, we approve the budget for the various plans including salaries and other expenditures. The deviation from our usual pattern of expenditures is related to individual interpretation by each plan rather than any neglect in management at the various institutions.

I have asked the staff to bring to the October 26th meeting of the Board of Regents specific recommendations on the appropriate procedure for the approval and control of the expenditures from these funds which will be consistent with the individual plans, pertinent regulations of the Internal Revenue Service and policies of the Board of Regents. This suggestion is not intended to be critical of the management of the various plans, but the overall amount of money involved and the impact it has on our operating budgets convinces me that we should have a more uniform interpretation and approval of how these funds are used.