

MATERIAL SUPPORTING THE AGENDA

Volume XXc

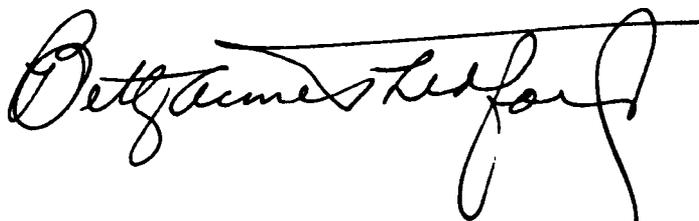
May 1973 - August 1973

This volume contains the Material Supporting the Agenda furnished to each member of the Board of Regents prior to the meetings held on June 1 and July 27, 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.

A handwritten signature in black ink, reading "Betty James Hedford". The signature is written in a cursive style with a horizontal line above the name.



THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM

Material Supporting
Agenda

Meeting Date: July 27, 1973

Meeting No.: 715

Name: Office Copy

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CALENDAR
BOARD OF REGENTS
OF
THE UNIVERSITY OF TEXAS SYSTEM

July 27, 1973

Place: U. T. Austin
Austin, Texas

Meeting Room: Main Building, Room 212

Friday, July 27, 1973. --The order of the meetings is set out below:

- 9:00 a. m. Meeting of the Board
1. To Consider Sale of Board of Regents of U. T. System Permanent University Fund Bonds, New Series 1973, \$11,000,000
 2. To Authorize Execution of Foundation Agreement with Board of Directors of Sealy & Smith Foundation for John Sealy Hospital
 3. To Consider Sale of Board of Regents of U. T. System, Galveston Medical Branch Endowment and Hospital Revenue Bonds, Series 1973, \$34,500,000
- 9:15 a. m. System Administration Committee
Academic and Developmental Affairs Committee
Buildings and Grounds Committee
Medical Affairs Committee
Land and Investment Committee
Committee of the Whole
Meeting of the Board
- 12:00 noon Lunch will be served in Room 209.

Telephone Numbers

Offices:

Board of Regents	471-1265
Chancellor LeMaistre	471-1434
Chancellor Emeritus Ransom	471-1741
Deputy Chancellor Walker	471-1743
President Spurr	471-1233

Hotels:

Sheraton-Crest Inn	478-9611
Driskill Hotel	474-5911
Villa Capri Motor Hotel	476-6171

Airlines:

Braniff International	476-4631
Continental	477-6716
Texas International	477-6441

**System Administration
Committee**

SYSTEM ADMINISTRATION COMMITTEE
Dan C. Williams, Chairman

Date: July 27, 1973

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

Place: Main Building, Room 212
The University of Texas at Austin
Austin, Texas

Page
SAC

U. T. Austin, U. T. San Antonio and San Antonio Health
Science Center (San Antonio Medical School): Amendments
to the 1972-73 Budgets (5-B-73)

Below

REPORT OF ITEMS SUBMITTED TO
SYSTEM ADMINISTRATION COMMITTEE

Since the last report of the System Administration Committee on June 1, 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. Austin, U. T. San Antonio and San Antonio Health Science Center (San Antonio Medical School): Amendments to the 1972-73 Budgets (5-B-73). --It is recommended by the appropriate institutional heads, concurred in by System Administration, that the following amendments to the 1972-73 budgets for The University of Texas at Austin, The University of Texas at San Antonio and The University of Texas Health Science Center at San Antonio (San Antonio Medical School), be approved (Pages 1 - 2).

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 Austin

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
1.	David T. Gibson (Tenure) Microbiology	Associate Professor	Associate Professor	
	Salary Rate (12 mos.)	\$ 22,667	\$ 25,000	5/1/73

Source of Funds:
U.S.P.H.S. Career
Development Award

The University of Texas at Austin (Continued)

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
2.	Extension Teaching and Field Service Bureau Transfer of Funds	From: Unappropriated Balance via Estimated Income	To: Extension Teaching and Field Service Bureau - Extension Classes and Consultant Services \$100,000 Travel <u>5,000</u>	
	Amount of Transfer	\$105,000	<u>\$105,000</u>	---
3.	Auxiliary Enterprises - Jester Center Store Transfer of Funds	From: Jester Center Store Unappropriated Balance via Estimated Income	To: Jester Center Store - Other Expenses	
	Amount of Transfer	\$ 60,000	\$ 60,000	---
4.	Auxiliary Enterprises - Texas Student Publications Transfer of Funds	From: TSP Unappropriated Balance via Estimated Income	To: <u>The Summer Texan</u> - Other Operating Expense (Summer Directory) \$ 1,750 Allocation for Budget Adjustments <u>50</u>	
	Amount of Transfer	\$ 1,800	<u>\$ 1,800</u>	

The University of Texas at San Antonio

1.	Auxiliary Enterprises - Bookstore and Vending Machines Transfer of Funds	From: Estimated Income - Bookstore and Vending Machines	To: Bookstore and Vending Machines - Maintenance, Operation and Equipment \$ 1,000 Purchase of Materials for Resale <u>1,000</u>	
	Amount of Transfer	\$ 2,000	<u>\$ 2,000</u>	---

The University of Texas Health Science Center at San Antonio (San Antonio Medical School)

1.	George E. Webb (Non-tenure) Anesthesiology	Assistant Professor	Assistant Professor	
	Salary Rate	\$ 23,000	\$ 26,000	5/1/73
	Source of Funds: Unallocated Faculty Salaries			

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

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

Date: July 27, 1973

Time: Following the meeting of the System Administration Committee

Place: Main Building, Room 212
U. T. Austin
Austin, Texas

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1. U. T. System: Chancellor's Docket No. 65. --In compliance with the Regents' Rules and Regulations, Part One, Chapter I, Sub-division 8.64, Chancellor's Docket No. 65 was mailed by the Secretary to each member of the Board of Regents on Monday, July 2, 1973. The ballots are due in the Secretary's Office at the close of business on July 16, 1973. The Docket will be formally considered by the Academic and Development Affairs Committee with any exceptions appropriately referred and given detailed consideration.

2. U. T. Arlington: Recommendation to Establish a Master of Science Degree in Computer Science. --

Chancellor LeMaistre concurs in Acting President Nedderman's recommendation that U.T. Arlington be authorized to establish a Master of Science in Computer Science degree.

This interdisciplinary degree will prepare persons in one of the following specialties: operating systems and compilers, data processing applications, and hardware design. The degree will draw on courses already offered in mathematics, engineering, and business dealing with computer science applications. Thirty semester hours of graduate work with a thesis or thirty-six semester hours of graduate work without a thesis will be required for completion of the degree. Employment opportunities for persons who have a knowledge of computer design and operation with a background in science, business, or engineering are growing.

The program will be directed by a graduate studies committee appointed by the Graduate Dean. Records, reporting, and other administrative aspects of the program will be the responsibility of the computer science section of the Industrial Engineering Department.

Subsequent to Regental approval the program will be submitted to the Coordinating Board for authorization.



The University of Texas at Arlington
Arlington, Texas 76010

Office of the President

May 25, 1973

Dr. Charles A. LeMaistre, Chancellor
The University of Texas System
601 E. Colorado Street
Austin, Texas 78712

Dear Dr. LeMaistre:

I am submitting herewith a proposal for a Graduate Program in Computer Science leading to a Master of Science Degree. This has been approved by the various curricula committees as well as the Graduate Assembly. It has the appropriate administrative approvals from the departments involved, the Deans of Science and Engineering, the Dean of the Graduate School, and the Vice President for Academic Affairs. I hereby add my approval and request your consideration of this proposal for submittal to the Board of Regents.

Very truly yours,

A handwritten signature in cursive script, appearing to read "W. H. Nedderman".

W. H. Nedderman
Acting President

WHN:md
Enc. - 12 copies

3. U. T. Arlington, U. T. Dallas and Dallas Health Science Center:
Recommendation to Establish a Joint Doctor of Philosophy Degree
in Mathematical Sciences. --

Chancellor LeMaistre concurs in President Jordan's, Acting President Nedderman's, and President Sprague's recommendation that a joint degree program leading to the Doctor of Philosophy Degree in Mathematical Sciences be established at U.T. Arlington, U.T. Dallas, and the U.T. Health Science Center at Dallas.

This program, drawing on faculty, courses, and library holdings from the three institutions, will provide the graduate student with a strong professional-level background in one or more of the following fields: probability and statistics, computer science, applied mathematics, biometry, and abstract mathematics. The cooperative nature of this program will save duplication of effort and funds at each institution and enable students to draw on the unique strengths of each unit.

The program will be administered by an Administrative Committee composed of one representative from each institution. This Committee will advise on the appointment of new faculty as needed to strengthen the program, joint appointments, library acquisitions, teaching and research assignments, joint faculty meetings, and other functions. A student will matriculate at the institution at which he intends to take the major portion of his work. Registration for all course work will be at the institution of his matriculation. Diplomas presented will state that the degree was jointly awarded by the three institutions.

The proposal has been favorably reviewed by a committee of outside consultants in accordance with System policy for establishing new doctoral programs.

Subsequent to Regental approval the proposal will be submitted to the Coordinating Board for final authorization.



THE UNIVERSITY OF TEXAS AT DALLAS

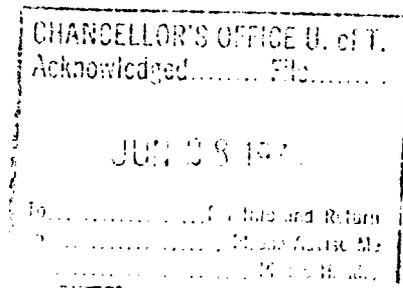
OFFICE OF THE PRESIDENT

June 27, 1973

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

Dear Dr. LeMaistre:

The University of Texas System institutions in North Texas
(The University of Texas at Dallas, The University of Texas



at Arlington, and The University of Texas Health Science Center at Dallas) have, with coordination from your office, developed a joint proposal to the Coordinating Board for a graduate program in mathematical sciences leading to the degree of Doctor of Philosophy.

Pursuant to the "Guidelines For Outside Consultants Evaluating Proposed New Graduate Programs In The University of Texas System", Dr. James Wagener appointed a committee to evaluate the joint proposal. That committee, under the Chairmanship of Dr. Robert Thrall, Professor of Mathematical Sciences at Rice University, completed its evaluation on June 22. A copy of the committee's report should be received by Dr. Wagener in the next few days.

Conversations with the members of the evaluation committee leave no room for question that the committee's report, when finalized, will strongly recommend that the degree program proposal go forward. Those conversations also indicate that any changes which the committee might suggest in the proposal would not be of such a substantive nature as to cause either the three institutions or your office to reconsider the proposal.

Accordingly, President Sprague, President Nedderman, and I request that you join with us in recommending to the Board of Regents that the proposed joint program be submitted to the Coordinating Board, Texas College and University System for approval. We further request that the item be placed on the agenda for the July 27 meeting of the Board so that there is the probability of the program proposal, if approved by the Regents, being received by the Coordinating Board staff as timely for the October agenda of the Coordinating Board. If the unforeseen should occur and the evaluation committee should either recommend that the proposal not be submitted, or that the program be modified in such a substantive way as not to be acceptable by one of the three institutions or your office, the item could later be withdrawn from the agenda.

I write this letter as Chairman of the Council of Presidents of The University of Texas System institutions in North Texas.

Sincerely,



Bryce Jordan

BJ/jw

cc: Dr. Charles C. Sprague
Dr. Wendell Nedderman

ACADEMIC AND DEVELOPMENTAL AFFAIRS COMMITTEE

July 27, 1973

ITEM 4, PAGE A & D - 6. --The statement from Russell Autry, President of the Student Association at The University of Texas at El Paso, did not arrive until the morning of July 26. It is attached.

Russell Autry and Francis Pinario, Treasurer of the Student Association, have been allotted a total of 10 minutes (5 minutes each) to present their case with respect to the Building Use Fee at U. T. El Paso.



The University of Texas at El Paso

STUDENT ASSOCIATION

These figures are an attempt to offer an alternative to the \$6.50 per semester hour system of collecting Building Use Fees. The alternative systems meet the intent of House Bill #83 in that they prorate the Building Use Fee, and yet provide for a ceiling to the fee. These systems allow the students to share the cost of the University buildings. The students share the cost, yet are not faced with a heavy financial burden.

RUSSELL AUTRY
President

JOSE MARIO ACOSTA
Executive Vice President

CAROLINA CASILLAS
Activities Vice President

FRANCIS PINARIO
Treasurer

PROPOSED BUILDING USE FEE SYSTEMS

NEW SYSTEM		INCREASE OVER OLD SYSTEM	OLD SYSTEM	
Total Sem. Hrs.	255,500		20,575	Total Students
Bldg. Use Fee	<u>6.50</u>	\$632,000.00	<u>50.00</u>	Bldg. Use Fee
TOTAL	\$1,660,750.00		\$1,028,750.00	TOTAL

PROPOSED SYSTEM

(A)	255,500 <u>4.50</u> 1,149,750.00	\$121,000.00	20,575 <u>50.00</u> \$1,028,750.00
(B)	255,500 <u>5.00</u> 1,277,500.00	\$248,750.00	20,575 <u>50.00</u> \$1,028,750.00
(C)	255,500 <u>5.50</u> 1,405,250.00	\$376,500.00	20,575 <u>50.00</u> \$1,028,750.00

4. U. T. Arlington, U. T. Austin, and U. T. El Paso: Building Use Fees and Student Services Fees (Required) Effective with 1973 Fall Semester. --It is recommended that effective with the beginning of the 1973 Fall Semester, mandatory building use fees and student services fees for each semester and for each summer session shall be levied and collected as follows:

	<u>Building Use Fee</u>	<u>Student Services Fee</u>
U. T. Arlington	\$8.00 plus \$5.00 per semester credit hour	\$2.00 per semester credit hour, not to exceed a total of \$30.00
U. T. Austin	\$9.00 plus \$6.00 per semester credit hour	\$3.50 per semester credit hour, not to exceed a total of \$30.00
U. T. El Paso	\$6.50 per semester credit hour	\$2.00 per semester credit hour, not to exceed a total of \$30.00

This action will repeal and replace any and all contrary action heretofore taken by the Board of Regents.

For the record, there follows a letter from Regent Erwin which sets forth the historical, legal, and financial background of the building use fees recommended above.



THE UNIVERSITY OF TEXAS SYSTEM
BOARD OF REGENTS

June 25, 1973

FRANK C. ERWIN, JR.
825 BROWN BUILDING
AUSTIN, TEXAS 78701

To the Members of the Board of Regents:

Dear Mrs. Johnson and Gentlemen:

Since there has been some discussion in the Austin press in recent days regarding the student building use fees at U. T. Austin, U. T. Arlington, and U. T. El Paso for the 1973-74 school year, you might like to have the following relevant information readily available:

1. The need for student building use fees arises from the fact that the Texas Constitution expressly prohibits the Legislature from appropriating General Revenue funds for the construction of buildings at U. T. Austin, U. T. Arlington, U. T. El Paso and certain other named institutions of higher education.

2. In lieu of General Revenue funds for construction, the Texas Constitution authorizes the Board of Regents to issue Permanent University Fund bonds (up to 13.3% of the value of the Fund) for buildings at U. T. Austin and U. T. El Paso and to issue Constitutional Tax bonds for buildings at U. T. Arlington. However, U. T. Austin and U. T. El Paso must share the proceeds of the P. U. F. bonds with Galveston Medical Branch, Dallas Medical School, Houston Dental Branch, M. D. Anderson Hospital, Houston Graduate School of Biomedical Sciences, Houston School of Public Health, McDonald Observatory, and the Marine Science Institute, and there simply are not enough P. U. F. bond proceeds to meet the building needs of all of those institutions - particularly in light of the tremendous enrollment increases that occurred in the late 1960's. Similarly,

U. T. Arlington must share the proceeds of the Constitutional Tax bonds with 16 other State colleges and universities, and similarly, there simply are not enough Constitutional Tax bond proceeds to meet the building needs of all of those institutions.

3. Recognizing that no General Revenue can be appropriated for buildings at the above mentioned institutions and recognizing that the P. U. F. bond proceeds and the Constitutional Tax bond proceeds are inadequate for the purpose, several years ago the Legislature authorized the several governing boards of institutions of higher education to levy mandatory student fees with which to finance the issuance of bonds for the construction of buildings to be used by the students. These fees are appropriately known as "student building use fees."

4. As of the 1972-73 school year just completed, the student building use fees at U. T. Austin, U. T. Arlington, and U. T. El Paso were all a flat charge of \$50 per student per semester - without regard to the number of semester credit hours for which the student was registered. For comparison, during the 1972-73 school year the student building use fees at some of the other large state universities in Texas were:

- (1) North Texas State University - \$61.00 per semester
per student
- (2) East Texas State University - \$59.00 per semester
per student
- (3) University of Houston - \$50.00 per semester
per student
- (4) Texas Tech University - \$50.00 per semester
per student
- (5) Texas A&M University - \$38.50 per semester
per student

5. During the past several months, the U. T. System Administration has conducted a careful study of the next 5-years' building needs at each institution in the U. T. System, together with a study of the possible sources of funding for those projects. One of the results of that study was the conclusion that in order to fund the construction projects that have been approved by the Regents and that are presently either in the architects' offices or under construction, it will be necessary to issue the following amounts of additional student building use fee bonds within the next few months:

U. T. Austin - \$34 million

U. T. Arlington - \$7-1/2 million

U. T. El Paso - \$5 million

6. It should be emphasized that the above mentioned new bonds are required after all other available funds - including all available Constitutional bond proceeds - have been applied and exhausted. It should also be recalled that at the last Regents' meeting, a new and innovative plan of construction financing was approved which over the next several years will provide about \$53 million for construction at U. T. Austin without any economic burden whatever on the students. This demonstrates that we have resorted to every possible means of minimizing the impact of the needed construction on the students.

7. If the student building use fee had been left on a flat per capita basis and if all other factors had remained the same, in order to service the presently outstanding student building use fee bonds and the new student building use fee bonds described above, the student general building use fees for 1973-74 would have been approximately as follows:

U. T. Austin - \$72 per semester per student

U. T. Arlington - \$64 per semester per student

U. T. El Paso - \$69 per semester per student

8. However, during the just concluded session of the Legislature, there was considerable pressure to give some relief to part-time students in the payment of mandatory fees. A simple example can best point up the problem. At U. T. Austin in 1972-73, a full-time student enrolled for 15 semester credit hours paid approximately \$133.50 per semester in mandatory fees (consisting of tuition, student building use fee, and student services fee) while a part-time student holding an outside job and taking only one 3-semester credit-hour course, was required to pay approximately \$123.50 per semester in mandatory fees. To correct this seeming inequity, a number of bills were introduced to require that all mandatory fees be levied on a "per semester credit hour" formula in order that each student would pay the mandatory fees on the basis of the relative amount of work for which he or she registers - and, presumably, on the relative amount of use he or she makes of the institution's physical facilities. Without tracing in detail the legislative history of that legislation, H. B. 83 has now become law, and its effect is that all major mandatory fees must now be collected on a "per semester credit hour" basis, with a \$50 per semester minimum for tuition and a \$30 per semester maximum for student services fee. It should be emphasized, however, that with respect to each of the major mandatory fees, there is provision in the law for relief for students who can show that the payment of the full fee would create an undue economic hardship. In proper instances, the institution is permitted to grant a \$25 per semester tuition scholarship, to excuse up to 10% of the students from the payment of all or

any part of the student services fee, and to excuse up to 5% of the students from the payment of all or any part of the student general building use fee. While H. B. 83 did not achieve all of the relief for part-time students that its advocates desired, using the example mentioned earlier in this paragraph, the part-time student registered for only 3 semester credit hours at U. T. Austin in 1972-73 would have had his or her mandatory fees reduced from \$123.50 per semester to about \$74.00 per semester.

9. However, in granting relief to part-time students, H. B. 83 increased the economic burden on full-time students, and this result was made abundantly clear in advance by me to the advocates of the legislation, to the House Education Committee, and to numerous members of the Senate. Another simple example will demonstrate the necessary consequences of the legislation. At U. T. Austin approximately \$6,731,142 per year will be required to service the presently outstanding general student building use fee bonds and the \$34 million of new bonds to be issued later this year. Therefore, if the total bond service requirement of \$6,731,142 is divided equally on a flat fee per capita basis among 93,854 students (i. e. , 39,900 in Fall, 1972; 37,813 in Spring, 1973; and 16,141 in Summer, 1972), each student will be required to pay a student general building use fee of about \$72 per semester. However, if that total bond service requirement of \$6,731,142 is divided by 1,127,508 semester credit hours (i. e. , 535,370 in Fall, 1972; 495,039 in Spring, 1973; and 156,442 in Summer, 1973; less 5% for excused payments due to undue economic hardship), with the result that \$5.96 is charged for each semester credit hour, the full-time student enrolled for 15 semester credit hours would have his or her student general building use fee increased from \$72 per semester to \$89.40 per semester as a direct result of the enactment of H. B. 83. (In the resolution adopted at the last Regents' meeting,

the overall student building use fee was set at \$6.50 per semester credit hour, but that will probably have to be modified as indicated later in this letter.)

10. It should probably be specially noted that at U. T. El Paso the economic impact of H. B. 83 on full-time students is exaggerated and multiplied by the presence of three factors which are peculiar to U. T. El Paso and are not present at the other two institutions. First, about \$274,000 per year of student building use fees have to be diverted to service dormitory bonds which were intended to be serviced by dormitory income, but the present high percentage of dormitory vacancies renders that impossible. Every effort is being made to correct that situation by trying to increase the occupancy of the dorms. Second, there is a relatively high percentage of part-time students at U. T. El Paso, and the conversion to "per semester credit hour" fees is, therefore, relatively more burdensome to full-time students at El Paso than elsewhere. Third, with the opening of the new community college in El Paso, there has been what is hoped - and thought - to be a temporary decline in enrollment, but, nevertheless, without the issuance of any new bonds, the reduction in the number of semester credit hours would require an increase in the per semester credit hour fee if the same amount of revenue from that source is to be maintained. Finally, although it almost goes without saying, while it costs as much in El Paso as it does in Austin to service one million dollars of bonds, an increase in the "per semester credit hour" fee at U. T. El Paso does not produce nearly as much revenue as the same increase produces at one of the larger schools. For example, an increase of one dollar per semester credit hour in the student building use fee at U. T. El Paso produces about \$313,669 annually, while the same increase produces \$1,186,851 at U. T. Austin.

11. Although at the last Regents' meeting the student building use fees for 1973-74 were set at \$6.50 per semester credit hour at U. T. Austin and U. T. El Paso and \$5.50 per semester credit hour at U. T. Arlington, subsequent discussions with the University's bond counsel indicate that some of the older student building use fee statutes were not amended by H.B. 83, and, therefore, at U. T. Arlington instead of a \$5.50 per semester credit hour fee, there will be an \$8 per capita fee and a \$5.00 per semester credit hour fee. Thus, a full-time 15 hour student at U. T. Arlington will pay a total of \$83 per semester (i. e., 15 hours x \$5 plus \$8) instead of \$82.50 (i. e., 15 hours x \$5.50). Similarly, at U. T. Austin instead of a \$6.50 per semester credit hour fee, there will be a \$9 per capita fee and a \$6.00 per semester credit hour fee. Thus, a full-time 15 hour student at U. T. Austin will pay a total of \$99 per semester (i. e., 15 hours x \$6 plus \$9) instead of \$97.50 (i. e., 15 hours x \$6.50). There are no unamended statutes that affect the fee at U. T. El Paso so that a full-time 15 hour student there will pay \$97.50 per semester (i. e., 15 hours x \$6.50).

12. Finally, but most importantly, it is essential to put this whole matter in the proper context and perspective by knowing - and being reminded from time to time - that even after H. B. 83 is fully implemented and all major mandatory fees are assessed and collected on a "per semester credit hour" basis, the total mandatory fees at U. T. Arlington, U. T. El Paso, and U. T. Austin will continue to be substantially below similar fees at comparable public colleges and universities in the other 49 states. The October 2, 1972 issue of "The Chronicle of Higher Education" published a compilation of the mandatory fees for 1972-73 at 327 state institutions in

the United States. That compilation shows that when the 1973-74 mandatory fees for a full-time resident student at U. T. El Paso are compared with the 1972-73 mandatory fees charged a full-time resident student at U. T. El Paso's fellow members of the Western Athletic Conference, the following results appear:

1.	Colorado State	-	\$285.00 per semester
2.	U. of Utah	-	240.00 per semester
3.	New Mexico State	-	233.00 per semester
4.	U. of New Mexico	-	228.00 per semester
5.	Utah State	-	219.00 per semester
6.	U. of Wyoming	-	205.50 per semester
7.	U. of Arizona	-	205.50 per semester
8.	<u>U. T. El Paso</u>	-	<u>187.50 per semester</u>

Moreover, The Chronicle's compilation shows that when the 1973-74 mandatory fees for a full-time resident student at U. T. Arlington and U. T. Austin are compared with the 1972-73 mandatory fees for a full-time resident student at the leading state universities in the country, the results are even more revealing:

1.	U. of Pittsburg	\$491 per semester
2.	Ohio State	375 per semester
3.	U. of Michigan	348 per semester
4.	U. of Illinois	343 per semester
5.	Michigan State	337 per semester
6.	St. U. of New York	337 per semester
7.	U. of Indiana	325 per semester
8.	Cal Berkeley	322 per semester
9.	U. C. L. A.	322 per semester
10.	U. of Minnesota	320 per semester
11.	U. of Maryland	319 per semester
12.	U. of Iowa	310 per semester
13.	U. of Virginia	298 per semester
14.	U. of Colorado	288 per semester
15.	U. of Florida	285 per semester
16.	U. of Washington	282 per semester
17.	U. of Wisconsin	279 per semester
18.	U. of Nebraska	267 per semester
19.	U. of Georgia	259 per semester
20.	U. of Mississippi	258 per semester
21.	U. of Alabama	255 per semester
22.	U. of Kansas	243 per semester
23.	Oklahoma State	242 per semester
24.	Auburn U.	225 per semester
25.	U. of North Carolina	211 per semester
26.	U. of Kentucky	202 per semester
27.	U. of Arkansas	200 per semester
28.	U. of Tennessee	199 per semester
29.	<u>U. T. Austin</u>	<u>189 per semester</u>
30.	<u>U. T. Arlington</u>	<u>173 per semester</u>

Summary

For a full-time student registered for 15 semester credit hours, the student building use fee is as follows:

	1972-73 (Actual)	1973-74 (Would have been without H. B. 83)	1973-74 (Will be with H. B. 83)
U. T. Austin	\$50 (\$41 + \$9)	\$81 (\$72 + \$9)	\$99 (15 x \$6 + \$9)
U. T. Arlington	\$50 (\$42 + \$8)	\$72 (\$64 + \$8)	\$83 (15 x \$5 + \$8)
U. T. El Paso	\$50	\$69	\$97.50 (15 X \$6.50)

For a part-time student registered for 3 semester credit hours, the student building use fee is as follows:

	1972-73 (Actual)	1973-74 (Would have been without H. B. 83)	1973-74 (Will be with H. B. 83)
U. T. Austin	\$50	\$81	\$27 (3 x \$6 + \$9)
U. T. Arlington	\$50	\$72	\$23 (3 x \$5 + \$8)
U. T. El Paso	\$50	\$69	\$19.50 (3 x \$6.50)

Finally, the new student building use fee arrangement has at least four great strengths:

1. Together with P. U. F. bond proceeds and the new innovative plan of construction financing approved at the last Regents' meeting, the new student building use fees will permit the Regents to build badly-needed support facilities for the greatly increased enrollments that the U. T. System's general academic institutions experienced from 1965-71 and which they will continue to have.

2. The amended student building use fee statute gives much-needed relief to the part-time student who has outside employment and is unable to enroll for more than one or two courses a semester, as well as to the graduate student who regularly enrolls for substantially less than the "full-time" 15 semester credit hours.

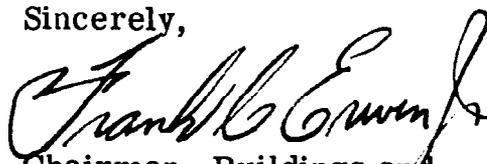
3. For the first time, the amended student building use fee statute affords relief for the economically-disadvantaged student, in that it

authorizes the institution to excuse up to 5% of the students from the payment of all or any part of the student general building use fee if it is demonstrated that the payment of the full fee would create an undue economic hardship.

4. Even after the new student building use fees are placed in effect, the total mandatory fees at U. T. Austin, U. T. Arlington, and U. T. El Paso will continue to be well below similar fees at comparable public colleges and universities in the other 49 states.

I apologize for the undue length of this letter, but I hope that it contains all of the factual information that is needed to understand and dispose of any question that may arise in connection with our recent action regarding the mandatory student fees.

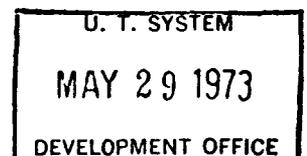
Sincerely,



Chairman, Buildings and
Grounds Committee

5. U. T. Austin: Recommendation to Approve Endowed Presidential Scholarship Program. --

Chancellor LeMaistre concurs in the recommendation of President Spurr and The University of Texas at Austin Development Board that approval be given to the establishment and implementation of an Endowed Presidential Scholarship Program. The details of the operation and administration of this program are set forth in the memorandum dated May 23, 1973 from Mr. Blanton to President Spurr and reproduced below.

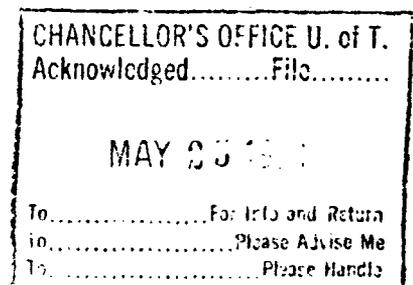


THE UNIVERSITY OF TEXAS AT AUSTIN
OFFICE OF THE PRESIDENT
AUSTIN, TEXAS 78712

President

May 25, 1973

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



Dear Mickey:

I enclose a copy of Mr. Blanton's memorandum to me dated May 23rd, suggesting an Endowed Presidential Scholarship Program. This program was conceived by Rex Baker, Jr., chairman of our Development Board and has the unanimous support of the Development Board. May I ask that it be submitted to the Board for approval.

Sincerely yours,

Spurr

Stephen H. Spurr

SHS:gp
Enclosure

cc: Dr. Lorene L. Rogers
Mr. Graves Blanton

*approved 6/8/73
cal*



THE UNIVERSITY OF TEXAS AT AUSTIN
DEVELOPMENT BOARD
AUSTIN, TEXAS 78712

REC'D	MAY 21 1973
REFERR TO	_____
HANDLE	_____
COMPL. BY	_____
FILE OR DESTROY	_____

May 23, 1973

MEMORANDUM

TO: President Stephen H. Spurr
FROM: W. Graves Blanton *WGB*
SUBJECT: Endowed Presidential Scholarship Program

The Proposal

The Endowed Presidential Scholarship Program would have as its purpose the raising of scholarship fund endowments in \$25,000 increments and the first recipients of these scholarships would be selected during the spring of 1974 to receive the aid during scholastic year 1974-75.

Method of Selection

Scholarship recipients shall be chosen by the President of the University or by a committee which he selects. Qualifications shall include scholastic aptitude, financial need, and such other qualifications as the donor might desire to stipulate which are acceptable to the University. Scholarships will be on an annual basis, but renewable if the student maintains acceptable standards.

Recognition

Recognition of the donor or honoree is most important and will consist of three distinct phases.

A) Permanent Campus Recognition -- This would consist of a bronze plaque approximately 15 x 19 inches which would be permanently affixed in a prominent campus location. These plaques would include

President Stephen H. Spurr
May 23, 1973
Page 2

appropriate wording about the honoree and the permanence of the gift. It would also include a likeness of the honoree either in bas-relief or etched.

B) Presentation Piece for Donor -- An artist's rendition of the plaque suitably framed will be presented to the donor.

C) Banquet -- Early in the fall a banquet will be held honoring the donors, announcing new scholarships, introducing the scholarship recipients and serving as a cultivation event for prospective donors.

Method of Endowing a Scholarship

A) A donor may endow a Presidential Scholarship with a one time only gift of \$25,000 or more.

B) A donor may endow a Presidential Scholarship for \$6,250 per year for five years, which provides \$1,250 per year for a scholarship in addition to the \$5,000 annual increment.

Who May Endow a Scholarship

A Presidential Scholarship may be endowed by an individual, corporation, foundation or group. An honoree can be named.

Who May be Honored

A Presidential Scholarship may honor any individual, living or deceased.

I would appreciate your presenting this program to the Board of Regents at their next meeting. We would like to proceed as soon as we have regental approval.

WGB/mes

6. U. T. Dallas: Recommended 1973-74 Student Services Fees (Required). --

Chancellor LeMaistre concurs in the following recommendations of President Jordan in regard to the Student Services Fees at U. T. Dallas to become effective at the beginning of the fall semester, 1973.

Proposed Rate:

\$3.00 per semester credit hour for each semester of the long session not to exceed \$10.00 per semester.

\$3.00 per semester credit hour for the 12 week summer term not to exceed \$10.00.

\$1.50 per semester credit hour in each 6 week summer session not to exceed \$5.00 per 6 weeks session, not to exceed \$10.00 for any combination of summer enrollments.

Current Rate:

\$10.00 per semester for the long session.

\$10.00 for the 12 week summer term.

\$ 5.00 for each 6 week summer session.



THE UNIVERSITY OF TEXAS AT DALLAS

OFFICE OF THE PRESIDENT

June 28, 1973

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

CHANCELLOR'S OFFICE U. of T.

Advised.....File.....

JUL 2 1973

Dear Dr. LeMaistre:

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

I request that you join me in recommending to the Board of Regents on July 27 that the following change in the schedule for the Student Services Fee (Required) be approved for The University of Texas at Dallas, to be effective with the enrollment for the Fall Semester 1973 —

From: A \$10 fee to each student for each semester of the long session, a \$10 fee to each student for the 12 week Summer term, and a \$5 fee to each student for each 6 week Summer session;

To: A \$3 per semester credit hour fee in each semester of the long session not to exceed \$10 per semester, a \$3 per semester credit hour fee for the

12 week Summer term not to exceed \$10,
and a \$1.50 per semester credit hour
fee in each 6 week Summer session not
to exceed \$5 per 6 weeks session, not
to exceed \$10 for any combination of
Summer enrollments.

This change in the Student Services Fee (Required) is necessi-
tated by the 63rd Legislature's amendment to Section 54.503 of
the Texas Education Code, to be effective on August 27, 1973.

Sincerely,



Bryce Jordan

BJ/jw

214 231-1471

BOX 30365

DALLAS, TEXAS 75230

7. U. T. El Paso: Recommendation to Establish a Bachelor of Science Degree in Industrial Engineering. --

Chancellor LeMaistre concurs in President Templeton's recommendation that authorization be given for a Bachelor of Science degree in Industrial Engineering at U.T. El Paso.

The purpose of the degree is to provide knowledge in the design, management, and control of production operations and engineer-manager decision assistance procedures. The degree is designed to meet the need for bilingual industrial engineers in Juarez and El Paso in the garment industry, utility generation and distribution industry, and other operations. It is also expected to attract Mexican citizens due to the need for the engineer-manager in Mexican industry.

This program will be administered by a director reporting to the Mechanical Engineering Department and Chairman.

Subsequent to Regental approval the proposal will be submitted to the Coordinating Board for final authorization.



Office of the President

The University of Texas at El Paso

May 18, 1973

Dr. James W. Wagener
Assistant Vice Chancellor
for Academic Programs
The University of Texas System
601 Colorado Street
Austin, Texas 78701

U.T.SYSTEM - ACADEMIC AFFAIRS	
REC'D	MAY 23 1973
TO _____	FOR INFO AND RETURN
TO _____	PLEASE ADVISE ME
TO _____	PLEASE HANDLE

Dear Jim:

Enclosed with this letter are eleven copies of the proposal for a B. S. degree in Industrial Engineering.

Sincerely,

A handwritten signature in cursive script, appearing to read "Arleigh B. Templeton".

Arleigh B. Templeton

8. U. T. El Paso: Recommended Revision of Student Association Constitution. --

Amended

Chancellor LeMaistre concurs in President Templeton's recommendation that approval be given to revise the Constitution of The Student Association of U.T. El Paso as set forth below. The revisions were approved by the student body in May, 1973.

SECRETARY'S NOTE: The Constitution of the Student Association at U. T. El Paso was completely revised on March 8, 1962, and the record does not reflect any amendments since that time though I am sure that the Constitution to which these proposed amendments are made has been already conformed to name changes of the institution.



Office of the President

The University of Texas at El Paso

May 29, 1973

MEMORANDUM

CHANCELLOR'S OFFICE U. of T.	
Acknowledged.....	File.....
JUN 1 1973	
To.....	For: Info and Return
To.....	Please Advise Me
To.....	Please Handle

TO: Chancellor LeMaistre
FROM: A. B. Templeton *ABT*
SUBJECT: Student Association Constitution

I submit to you a copy of the revised constitution of the Student Association of The University of Texas at El Paso adapted by the student body in general election this May. Your consideration and recommendation to the Board of Regents for approval will be appreciated.

PREAMBLE

We, the students of The University of Texas at El Paso, in order to establish a democratic student government, representing all students regardless of race, [nationality;] sex, religion, and [or] political or social belief, in providing the official voice through which student opinion may be expressed, encouraging the development of student participation in the overall policies in the decision making process of the University and in providing means for responsible and effective participation in the organizations of student affairs and in the planning of its activities and in defending [the-administration-of-the University;-in-setting-of-its-Policies;-and-in-the-planning of-its-activities-and-programs;-and-which-defends] the rights of each student of the University, do hereby establish this Constitution.

ARTICLE I

- Section 1. The students [student-government] of The University of Texas at El Paso shall be known as the Student Association of The University of Texas at El Paso.
- Section 2. Each [Every] student enrolled at this institution shall be a member of the Student Association and shall have a vote in Student Association elections and referenda [therein].
- Section 3. The Student Association shall contain a governing body and that body shall be organized into three branches: The Executive, the Legislative, and the Judicial.
- Section 4. Each student duly elected or appointed to office in the Student Association shall, before assuming the duties of that office, take the following oath administered by the Vice President for Student Affairs or his representative, or by the Secretary of the Student Senate in open session in the absence of the representative of the Vice President for Student Affairs, [Dean-of-Students:] "I (officer repeats full name) do solemnly swear (or affirm) that I will to the best of my abilities, fulfill, defend and further the purpose and goals of the Student Association of The University of Texas at El Paso, as stated in the [its] Constitution."

ARTICLE II

- Section 1. [The-chief-executive-powers-shall-be-vested-in-a President-of-the-Student-Association:] The President, Executive Vice-President, and Activities Vice-President shall be elected by the Student Association [Electorate] as set forth in the [by this] Constitution, by a majority of those voting.

Section 2. The chief executive powers shall be vested in the President of the Student Association. The President shall have the following powers and duties in the administration of the Executive Branch of the Student Association:

1. To enforce this Constitution and the legislation of the Student Senate with the aid of the Executive Vice-President, [Activities-Vice-President] through actions, programs and policies.
2. To formulate the budget for the following year with the other members of the Executive Branch of the Student Association and the chairman of the Student Senate Finance Committee, and to submit the proposed budget to the Senate within one (1) month following receipt of the allocation for the budget and the commencement of the Fall semester for approval by 2/3 vote [two-weeks-following-the commencement-of-the-spring-semester-for approval].
3. [~~To-serve-on-the-Student-Services-Fees Allocation-Committee;-composed-of-the-Student Association-President;-Student-Association Treasurer;-the-chairman-of-the-Senate-Finance Committee-and-a-Senator-to-assist-the-Dean of-Students-in-arriving-at-a-recommended allocation-schedule-for-the-Student-Services Fee;-and-to-be-a-member-of-the-University Budget-Committee-which-finally-approves-the Student-Services-Fees-allocation;~~]
[4:] To appoint an Attorney General, with two thirds approval of the Student Senate, to represent the Student Association in the University Judicial System and to prosecute violations [violators] of the Constitution, legislation of the Senate, or other student regulations within the jurisdiction [and-to represent-members] of the Student Association [when-their-rights-as-students-are-violated].
4. To appoint Public Defenders, [an-Attorney General] with two thirds approval of the Student Senate, to represent [the-Student Association-in-the-University-Judicial system-and-to-prosecute-violators-of-the Constitution;-legislation-of-the-Senate;-or other-student-regulations-and-to-represent] members of the Student Association when their rights as students [a-student] are violated; *provided, a 2/3 defender*
5. To fill student vacancies in the [Executive Branch-and-the] University Judicial System, and the office of the Treasurer [by-appointment] with two thirds (2/3) Senate approval.

- starting*
6. To appoint student members of faculty and administrative committees and boards with majority Senate approval; [in-such-manner as-to-insure-an-overlapping-of-terms,] with student members to serve for one (1) year unless removed by the President, with majority Senate approval [from-appointment-until graduation;-with-removal-only-by-impeachment].
 7. To call special sessions of the Student Senate whenever he deems it to be in the interest of the Student Association or upon petition of one third (1/3) of the roll of the Student Senate. [To-appoint Administrative-Aides-to-the-President;-with majority-Senate-approval-the-number-and-duties of-such-aides-to-be-determined-by-the-Student Association-President:]
 8. To form, define, and dissolve ad hoc student committees. [To-appoint-all-other-necessary ministers-and-consuls-with-majority-Senate approval:]
 9. To veto acts, but not resolutions of the Student Senate, which he may sign if he so desires. [To-appoint-a-Student-Association Treasurer-with-majority-Senate-approval:]
 10. To veto an act in totality, but not in item. [To-call-special-session-of-the-Legislature whenever-he-deems-it-to-be-in-the-interest of-the-Student-Association-or-upon-petition of-two-thirds-of-the-roll-of-the-Legislature:]
 11. To recommend for approval to the Student Senate by a 2/3 vote the transfer of monies to or from accounts within the S.A. budget when the Senate is in session or by a 2/3 vote of the Student Senate Finance Committee when the Student Senate is not in session. [To-veto-acts;-but-not-resolutions-of-the legislature:]

Section 3. The Executive Vice-President shall have the following powers and duties:

1. To preside over the sessions of the Student Senate if not acting as President of the Student Association.
2. To become [assume-the-office-of-the] President of the Student Association if the office becomes vacant, and to assume the office of the President [or] if the President is absent or disabled.
3. To implement the administration of the Executive Branch, under the direction of the President.

4. To perform such other duties as may be assigned by the President.
5. To call sessions or special sessions of the Student Senate whenever he deems it to be in the interest of the Student Association or upon petition of one third of the roll of the Student Senate.

Section 4. The Activities Vice-President shall have the following powers and duties:

1. To plan, coordinate, and carry out Student Association activities with the consent of the President when using money allocated to the Student Association.
2. To appoint committees and chairmen of such to carry out the activity functions.
3. To perform such other duties as may be assigned by the Student Association President.
4. To preside as permanent chairman over an Activities Council which will aid the Activities Vice-President in planning and coordinating campus activities.
5. The Activities Vice-President may spend, contract or arbitrate the use of Student Association funds, allocated to the Activities Vice-President.
6. To chair the cheerleader selection committee and to assist the committee, in conjunction with the Director of Student Activities Office, in the naming of members of the Cheerleader Selection Committee and providing the means for the selection of the cheerleaders.

Section 5. The Treasurer shall have the following duties:

1. To aid the Student Association President in preparation of the Student Association budget request.
2. To advise [~~Advising~~] the Student Association President in areas concerning financial policy matters.
3. To prepare [~~Preparation-of-the~~] monthly financial reports.
4. To meet monthly with the Senate Finance Committee to discuss financial matters and [~~to~~] present a monthly financial report to the Senate.

5. To perform such other duties as may be assigned by the Student Association President. [To-be-in-charge-of-ticket sales-and-collections-for-all-S.A.-events:]

[6:--To perform such other duties as may be assigned by the President:]

[7:--To serve as a member of the Student Services Fee Allocation Committee:]

Section 6. The salaries for the officers of the Student Association shall be recommended by a Conference Committee composed of three (3) senators selected by a majority vote of the Student Senate and one (1) representative from the office of Student Affairs and must not be altered during the term of office [determined by the Dean of Students in conjunction with the Student Association President].

Section 7. The Activities Council shall be appointed by the Activities Vice-President. The Activities Board, within the Council, shall consist of the chairmen of the following standing committees: Films, Concert, Lyceum, Recreation and Art, and the Chairman of any other committees designated by the Activities Vice-President. Each member of the Activities Board shall be approved by a majority vote of the Student Senate. The tenure for each member of the Council shall begin on June 1st and end on the last day of May of the following year, unless reappointed. The powers and duties of the Activities Council shall be as follows:

1. The Activities Board is to elect a Vice-Chairman, from the board, who will preside over Activity Council and Board meetings, and student activity events in the absence of the Activities Vice-President. This Vice-Chairman shall become the Activities Vice-President should a vacancy occur in that office. The Vice-Chairman of the Council shall be approved by a 2/3 vote of the Student Senate.
2. The Chairman of each committee: Films, Lyceums, Special Projects, and Concerts, shall work with the Activities Vice-President in coordinating activities relating to each respective committee.
3. The chairman of each committee shall call said committee meetings and make a report to the entire Council on its proceedings.
4. The chairmen of the Film and Lyceum committees shall automatically be members of the Student Faculty Film and Lyceum Committee.

5. Committee members will help the Activities Vice-President and the chairman of his committee in carrying out the duties of respective committees.
6. The Student Activities Council shall meet at least twice a month at a time and place set forth by the Council Board.
7. The Activities Council will create any activities committee it deems necessary.

ARTICLE III

- Section 1. All legislative power [powers] shall be vested in a Student Senate whose membership shall be apportioned among six representative areas: Science, Liberal Arts, Education, Business, Engineering and the Graduate School [the Schools of Business-Administration; -Education; -Engineering; Liberal-Arts; -and-Sciences; -and-the-Graduate School]. Membership will be based on their respective enrollments in the Spring Semester preceding the Spring elections [shall be apportioned on the basis of the official enrollments of each school during the semester of spring semester elections]. Apportionment and total membership will be determined by the Student Senate each year prior to the general elections. There will be no more [shall never be less] than fifty (50) nor less than thirty-five (35) members of [forty nor more than fifty-five places in] the [Student] Senate [and the roll of the Student Senate shall never be less than thirty members. -- The apportionment and total membership shall be determined each year by the Senate prior to spring elections].
- Section 2. The Student Senate shall appoint an Election Commission to compile an election code to set forth all necessary regulations for Student Association elections. The election code shall then be submitted to the Student Senate for approval by a 2/3 vote.
- Section 3. [Section-2] The Senators will hold office until the installation of the Senate that will succeed them is accomplished [succeeding administration]. [A vacancy will be filled by the Student Senate President and the senators from the division in which the vacancy occurs.]
- Section 4. [Section-3] The [Student] Senate, [shall compile and approve] by a 2/3 roll call vote will approve all rules and regulations necessary to its proper and expedient operation.

- Section 5. [Section-4] A majority of the roll call of the [Student] Senate will [shall] constitute a quorum thereof for the transaction of business, and shall be called a Session of the Student Senate.
- Section 6. [Section-5] The [Student] Senate will [shall] elect on or before its fourth [third] session a President Pro-Tempore and all other officers of the [Student] Senate, who shall preside over the [Student] Senate in the absence of the President of the Senate. The President Pro-Tempore of the Senate shall become Executive Vice-President of the Student Association should the office become vacant, and shall assume the office of Executive Vice-President should the Executive Vice-President be absent, ill or disabled.
- [Section-6:--The-Senate-shall-designate-a-finance committee-to-meet-monthly-with-the-Student Association-Treasurer-concerning-financial matters:--The-chairman-of-the-Finance-Committee shall-serve-on-the-Student-Association-Allocations Committee:]
- Section 7. The Senate will have the sole power of impeachment by a 2/3 roll call vote. The Chief Justice of the Student Association Supreme Court will preside over the Senate in impeachment proceedings, except in those cases concerning members of the Judiciary in which case the President of the Senate will preside. [The-Senate-shall have-the-power-to-appropriate-certain-funds-as outlined-in-the-official-Student-Association Budget;-and-to-formulate-and-approve-the-budget with-the-two-thirds-majority-consent-of-its-body for-the-Student-Association-in-conjunction-with the-Student-Association-President:]
- Section 8. Any new college recognized at The University of Texas at El Paso shall automatically be included in Article III, Section I without the necessity of amendment. [Membership-of-the Student-Association-in-any-state;-regional;-or national-organization-shall-be-determined-by majority-approval-of-the-Senate:]
- Section 9. All Student Senate Sessions shall be open. [The-Student-Senate-shall-have-the-role impeachment-power-and-conviction-shall-be by-a-two-thirds-roll-call-vote:--The-Chief Justice-of-the-Student-Supreme-Court-shall preside-over-the-Senate-in-impeachment proceedings:]
- Section 10. Upon consideration of the proposed budget as submitted by the President, the Senate shall pass a finance bill by two thirds (2/3) vote and this shall be known as the Student Association budget.

ARTICLE IV

- Section 1. All Judicial powers shall be vested in a Student Supreme Court and such inferior courts as may be established by the Student Senate [Supreme-Court-with-the-approval-of-the Student-Senate]. The [Student] Supreme Court shall consist of nine (9) students appointed by the Student Association President from those students submitting petitions and with $\frac{2}{3}$ Student Senate approval [and-one-non-voting-college-official-designated-by-the Dean-of-Students]. Those Justices shall remain in their positions unless they are disqualified (under section 2) impeached and convicted, or resign.
- Section 2. To qualify for the position of Justice a student must have completed forty-five (45) semester hours, thirty (30) of which must have been in residence at The University of Texas at El Paso prior to his appointment. He must have a 2.5 cumulative average or better, and must carry at least twelve semester hours during his tenure, six if a graduate student, and must not be on disciplinary or administrative probation of any kind.
- Section 3. ~~[Section-2]~~ The Student Supreme Court shall have original jurisdiction over cases involving the Constitution, ~~[the-Amendments]~~ passed pursuant thereof and the statutes of the Student Association and any other case referred to it by the Student Senate, as stipulated by the Constitution, and/or Vice-President for Student Affairs.
- Section 4. ~~[Section-3]~~ If any statute, of the Student Association, in part or in its entirety be found contrary to the Constitution ~~[and-its-amendments,]~~ said statute shall be declared null and void by the Student Supreme Court.
- Section 5. ~~[Section-4]~~ The Student Supreme Court may make recommendations, at the request of the defendant, on those cases taken on appeal to the Faculty Council Committee on Student Conduct by the defendant [to-the-Faculty-Disciplinary-Committee in-all-Disciplinary-cases-brought-before-the Court].
- Section 6. ~~[Section-5]~~ The Student Supreme Court shall have appellate jurisdiction over inferior court decisions.
- Section 7. ~~[Section-6]~~ The Student Supreme Court shall by $\frac{3}{4}$ majority of its membership approve all procedures necessary for the proper and expedient operation of the Judicial Branch. ~~[Said-procedure shall-be-approved-by-a-two-thirds-vote-of-the Student-Senate:]~~ The Student Association President

[Supreme-Court] shall designate a Chief Justice with 2/3 approval of the Senate in the event that position becomes vacant [from-its-membership].

Section 8. The Student Supreme Court shall publish four (4) bound copies of its proceedings at the end of each calendar year, to be permanently located at the following places:

1. Office of the Student Association
2. Office of the Vice President for Student Affairs
3. Office of the University Librarian
4. Office of the Student Legal Association

ARTICLE V

Section 1. A student of The University of Texas at El Paso shall be eligible to hold the office of Student Association President after he has completed sixty (60) hours, the last thirty (30) of which must have been in residency at The University of Texas at El Paso prior to his election. He must have a 2.0 cumulative average, must be enrolled during his tenure and must not be on disciplinary or administrative probation of any kind during his tenure. Should any Student Association officer: President, Executive Vice-President, Activities Vice-President, Treasurer, or Senator be placed on probation other than scholastic, he shall retain his office until the charge(s) against him is (are) proven. [To-be-eligible-for-the-office-of President;-Executive-Vice-President;-Activities Vice-President;-or-Treasurer;-a-candidate-must have-and-maintain-an-overall-grade-point-average of-2.5-for-a-minimum-of-60-hours-and-have attended-The-University-of-Texas-at-El-Paso for-at-least-one-year.]

Section 2. A student of The University of Texas at El Paso shall be eligible to hold the office of Executive Vice-President or Activities Vice-President after he has completed sixty (60) hours, the last thirty (30) of which must have been in residence at The University of Texas at El Paso. He must have a 2.0 cumulative average, must be enrolled during his tenure, must not be on disciplinary or administrative probation of any kind. [To-be-eligible-for-the-office-of Supreme-Court-Judge;-a-candidate-must-have-and maintain-a-minimum-overall-grade-point-average of-3.0-for-a-minimum-of-60-hours:]

Section 3. The Student Association offices shall be filled by candidates who receive the majority of the votes cast in a general election or run-off election if a majority was not attained previously. The Student Senate seats shall be

filled by the required number of candidates receiving the greatest number of votes. Those occupying Senate seats must be enrolled and must not be on disciplinary or administrative probation. [A-student-may-hold-the-same elective-or-appointive-Student-Association office-for-more-than-one-term:]

Section 4. A student of The University of Texas at El Paso shall be eligible to hold the office of Attorney General after he has completed forty-five (45) hours, the last thirty (30) of which must have been in residence at The University of Texas at El Paso. He must have and maintain a 2.5 cumulative average, must be enrolled during his tenure, and must not be on disciplinary or administrative probation of any kind during his tenure. [The-Student-Senate-shall-appoint an-election-committee-to-compile-an-election code-to-set-ferth-all-necessary-regulations for-Student-Association-elections-and-such-code shall-require-the-approval-of-the-Student-Senate:]

Section 5. A student of The University of Texas at El Paso shall be eligible to hold the office of Public Defender after he has completed forty-five (45) hours, the last thirty (30) of which must have been in residence at The University of Texas at El Paso. He must have and maintain a 2.5 cumulative average, must be enrolled during his tenure, and must not be on disciplinary or administrative probation of any kind during his tenure. [All-officers-shall-be-installed-at an-Honors-Assembly-or-a-special-spring-assembly announced-by-the-Student-Association-and-shall hold-office-for-one-year-until-the-next-year's installation:]

Section 6. Any officer holder [official] of the Student Association shall be removed from office upon conviction or [of-the-charge-of] impeachment for neglect of Constitutional duties or upon suspension for [unsatisfactory-performance-or] improper conduct.

ARTICLE VI

Section 1. Legislation may be initiated by the following means:

1. By petition of fifty (50) members of the student body at large [Student-Association] to the Student Senate.
2. By a member of the Student Senate.
3. By S.A. Presidential recommendation to the Student Senate.

Section 2. The S.A. Presidential veto of an act passed by the Student Senate may be overridden by a 2/3 [two-thirds] vote of the Student Senate [membership].

1. All legislation passed by the Student Senate and signed by the Student Association President [of-the-Student-Association] shall be embodied in the law of the Student Association.
2. If the Student Association President does not sign an act of the Legislature within ten (10) calendar days [two-weeks] of its passage by the Student Senate, the act shall become law.

Section 3. All records, orders, journals, and proceedings of the Executive, Legislative, and Judicial branches shall become an official record of the University and shall be distributed as follows:

1. The University Library
2. The Student Association Office
3. Office of Vice President for Student Affairs
4. Office of the Student Legal Association

ARTICLE VII

Section 1. An amendment to the Constitution may be initiated by the Constitution Committee of the Student Senate, or by petition of fifty (50) members of the Student Association. [following-means:

- 1.--By-a-five-member-committee-of-the-Student Senate:
- 2.--By-a-majority-recommendation-of-the-Executive Council-to-the-Senate:]

Section 2. If a proposed amendment receives the support of a majority of the roll of the Student Senate in regular session, it shall be submitted to the student electorate for a vote. Proposed amendments must be presented to the University newspaper in full text, requesting that it be printed in two (2) issues [and-be-printed-in the-issue] immediately preceding its presentation to the student electorate for approval. Full texts must be made available to all Student Association [S:A.] members. [The-University newspaper-must-prior-said-amendments-to-the manner-set-forth-above:]

Section 3. A [two-thirds] majority of the ballots cast upon an amendment shall be necessary for the said amendment to become part of this Constitution.

Section 4. All amendments to [which-constitute-a-change in] the Constitution shall be placed in the amendment section of the Constitution [incorporated-by-the-method-of-deletion-and substitution-and-these-which-are-additive shall-be-placed-in-an-additional-section-or in-the-existing-article-to-which-it-refers].

ARTICLE VIII

AMENDMENTS

[Section 1. - This Constitution shall be approved according to the Board of Regents procedures upon receiving a favorable vote of a majority of the ballots cast in a special election:]

ARTICLE IX

Section 1. This Constitution and all amendments thereof shall be approved according to the Board of Regents procedures upon receiving a favorable vote of a majority of the ballots cast upon it in a special or general election.

9. U. T. Permian Basin: Recommended 1973-74 Student Services Fee (Required) and Student Spouse Services Fee (Optional). --

Chancellor LeMaistre concurs in the following recommendations of President Amstead in regard to the Student Services Fees at U. T. Permian Basin to become effective at the beginning of the fall semester, 1973.

Student Services Fees (Required):

Proposed Rate

\$2.50 per semester credit hour subject to a maximum charge of \$30.00 per semester of the long session and \$30.00 for the summer session.

Current Rate

\$30.00 per semester for full time students (12 hours or more).

\$10.00 for part time students.

Student Spouse Services Fees (Optional):

Proposed Rate for All Student Spouses

\$10.00 per semester for the long session.

\$ 5.00 for each term of the summer session.

Current Rate

\$10.00 per semester for the long session for spouses of full time students only.

There is presently no Student Spouse Services Fee for the summer session.

THE UNIVERSITY OF TEXAS OF THE PERMIAN BASIN

Odessa, Texas 79762

June 19, 1973

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

Dear Dr. LeMaistre:

Please include an agenda item for the July 27 Board of Regents' meeting concerning our Student Services Fees. I recommend the following for The University of Texas of the Permian Basin:

1. The Student Services Fee (Required) be set at \$2.50 per semester credit hour subject to a

maximum charge of \$30.00 per semester. The present fee is \$30.00 for full time students (12 hours or more) and \$10.00 for part time students.

2. The Student Spouse Services Fee (Optional) remain at the present rate of \$10.00 per semester for the long session, but that all student spouses be eligible. At the present time, only spouses of full time students are eligible.
3. The Student Spouse Services Fee (Optional) be set at \$5.00 for each term of the summer session. The present fee structure makes no mention of the summer session.

Sincerely,



B. H. Amstead
President

BHA/cat

Odessa (915) 362-6301

Austin (512) 477-5407

Dallas (214) 823-9293

Midland (915) 563-1426

10. U. T. San Antonio: Request to Create The University of Texas at San Antonio Associates for Private Fund Development Purposes. --

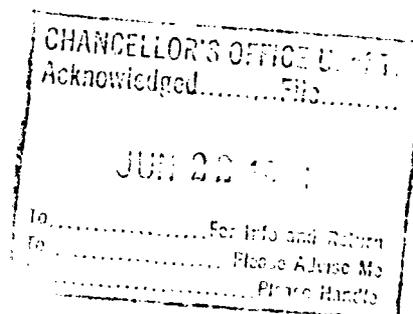
In accordance with the Regents' Rules and Regulations, Part One, Chapter VII, Sections 2.22 and 2.44, Chancellor LeMaistre concurs in the recommendation of President Flawn that the Board of Regents approve the plan to create a new group to be known as The University of Texas at San Antonio Associates related to The University of Texas at San Antonio's development program.

This plan is set forth in full detail in President Flawn's letter and attachment set forth below and is essentially the same concept as approved by the Board of Regents on July 21, 1972 for The University of Texas at Austin.

OFFICE OF THE PRESIDENT

June 21, 1973

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

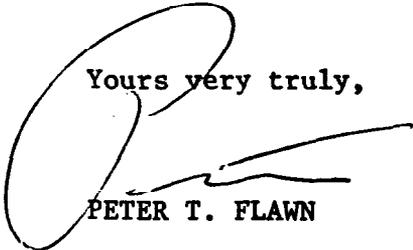


Dear Mickey:

Since our graduate program is now a reality and we are visible as a university in San Antonio, I think it is time to direct our attention to development. As you know, I have a list previously prepared that identifies some fifty individuals as prospective members of the Development Board. It occurs to me, however, that before we proceed to name a Development Board it would be useful to have substantial evidence of willingness to support UT San Antonio. I propose to make a preliminary survey of interest by following Steve Spurr's example and creating a group to be known as UTSA Associates. Members would contribute at least \$500 per year to the President's Account. Attached you will find a tentative letter of invitation and the outline of a brief folder that would accompany the letter. This initial solicitation would give some hard evidence on which to base the selection of our Development Board.

I am writing to request your approval on this first development effort.

Yours very truly,



PETER T. FLAWN

PTF/h

Enclosures

cc: Mr. William D. Blunk

THE UNIVERSITY OF TEXAS AT SAN ANTONIO

4242 PIEDRAS DRIVE EAST, SUITE 250

SAN ANTONIO, TEXAS 78228

OFFICE OF THE PRESIDENT

Dear _____:

The University of Texas at San Antonio is now a reality -- our graduate program is underway and over the next two years while the permanent campus is being constructed, we will continue to offer a quality graduate program, a program of continuing education, and a series of short courses, seminars, institutes and conferences.

Although the legislature provides for the basic needs of public colleges and universities in Texas, those public colleges and universities that have achieved program excellence have supplemented appropriated funds with private benefactions. Even in very modest amounts, these funds have a vitamin-like quality that provides the margin of excellence.

At The University of Texas at Austin the President has established the President's Associates, a group of alumni and friends who believe in The University and contribute at least \$500 per year to a fund for the free use of the President. These discretionary funds have been very important at UT Austin and have made it possible to take advantage of many opportunities that otherwise would have been lost.

I should like to follow the UT Austin example and formally establish a group of friends of The University of Texas at San Antonio who will be known as UTSA Associates, who will support UTSA, and who will contribute at least \$500 per year to The President's Account (UTSA Foundation) for use in developing The University, its faculty, and its programs. I invite you to read the enclosed folder and lend your support to UTSA in this way.

From time to time the UTSA Associates will be brought together to discuss the state of The University of Texas at San Antonio and see some of its programs in operation. I am sure that we all share an ambition to build a great university in San Antonio.

Yours very truly,

PETER T. FLAWN

PTF/h

Enclosure

Purpose:

To form an organization of concerned friends of The University of Texas at San Antonio who wish to support the President in developing The University.

Qualifications for Membership:

- A. An annual gift to the President's Office of \$500.00 or more for unrestricted use by the President.
- B. Membership may be held by an individual, jointly by husband and wife, or by a corporation or foundation (which will name its representative).
- C. A corporation gift matching an individual's qualifying gift will be deposited to UTSA Associates' account and will count toward qualifying the individual for membership.
- D. The matching gift does not qualify a corporation for membership.

UTSA Associates

THE UNIVERSITY OF TEXAS AT SAN ANTONIO

(I), (We) wish to become a member of UTSA Associates in order to support the President in developing The University.

Signed _____

Address _____

City _____ State _____ Zip Code _____

Date _____

Checks should be made payable to The University of Texas at San Antonio and are tax deductible.

To be printed as a folder on fine paper with appropriate artwork.

11. U. T. San Antonio: Recommended 1973-74 Student Services Fee (Required). --

Chancellor LeMaistre concurs in the following recommendations of President Flawn in regard to the Student Services Fees at U. T. San Antonio to become effective at the beginning of the fall semester, 1973.

Proposed Rate:

\$2.00 per semester credit hour for each long session subject to a maximum charge of \$30.00 per semester.

\$1.00 per semester credit hour for each summer session subject to a maximum charge of \$30.00 for the entire summer.

Current Rate:

\$12.00 per student for each long session.

4.00 per student for each summer session.

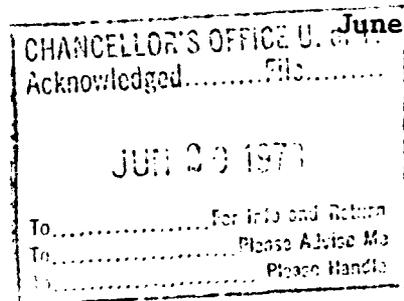
THE UNIVERSITY OF TEXAS AT SAN ANTONIO

4242 PIEDRAS DRIVE EAST, SUITE 250

SAN ANTONIO, TEXAS 78228

OFFICE OF THE PRESIDENT

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



Dear Dr. LeMaistre:

In accordance with Subsection (b), Section 54.503, Texas Education Code, (as amended), The University of Texas at San Antonio requests a change in the Student Services Fee (Required):

The fee covers expenses of the Student Health Service and General Student Activities:

- (a) Current Rate (1972-73)
 - \$12.00 per student for each long session
 - \$ 4.00 per student for each summer session
- (b) Proposed Rate (1973-74)
 - \$ 2.00 per semester hour for each long session
 - \$ 1.00 per semester hour for each summer session

The University of Texas at San Antonio has no financial history of expenditures, and estimates of income are at best difficult to predict. The only firm data collected so far indicates the following:

Summer Session I (1972-73)

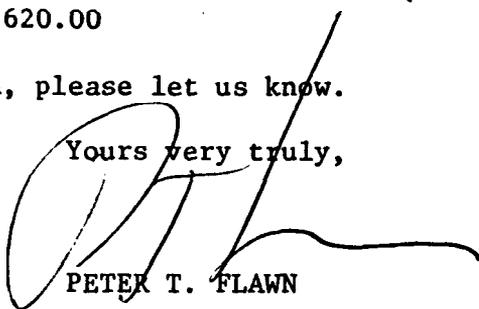
- (a) Actual fees collected at current rate of \$4.00 per student
635 students x \$4.00 = \$2,540.00
- (b) If fees were collected on semester credit hour basis
2,829 semester credit hours x \$1.00 = \$2,829.00

Fall Semester (1973-74) - Estimated

- (a) Fees collected at approved rate of \$12.00 per long session
635 students x \$12.00 = \$7,620.00
- (b) If fees were collected on a semester credit hour basis
635 students (graduate) x 6 semester hours credit (estimated average) x \$2.00 = \$7,620.00

If you require any additional information, please let us know.

Yours very truly,


PETER T. FLAWN

PTF/bjh

12. U. T. San Antonio: Recommendation to Abolish the Division of Certificate Programs in Education, to Change the Name of the Division of Advanced Studies in Education to the Division of Education in the College of Multidisciplinary Studies, and to Change the Title of the Master of Arts in Advanced Studies in Education Degree to Master of Arts in Education Degree. --

Chancellor LeMaistre concurs in President Flawn's recommendations that authorization be given to make the following changes:

1. Abolish the Division of Certificate Programs in Education in the College of Multidisciplinary Studies.
2. Retitle the Division of Advanced Studies in Education as the Division of Education in the College of Multidisciplinary Studies.
3. Change the title of the Master of Arts in Advanced Studies in Education degree to Master of Arts in Education degree.

At present U.T. San Antonio has two Divisions for dealing with teacher education: the Division of Advanced Studies in Education and the Division of Certificate Programs in Education, both within the College of Multidisciplinary Studies. Since only one of these, the Division of Advanced Studies in Education, will have faculty assigned to it who will teach all education courses at both the graduate and undergraduate levels it is proposed that the Division of Certificate Programs in Education be abolished. The coordinating function previously assigned to this Division will be assigned to an Assistant Dean for the Office of Certification and Teacher Placement in the College. The present Director of the Division of Certificate Programs will be appointed Assistant Dean subsequent to approval of these changes.

Redesignating the Division of Advanced Studies in Education as the Division of Education makes clear that faculty in that Division teach both graduate and undergraduate students.

Changing the degree title will make it reflect the proposed organizational redesignation.

Subsequent to Regental approval, the Coordinating Board will be informed of these redesignations as a matter of information.

THE UNIVERSITY OF TEXAS AT SAN ANTONIO

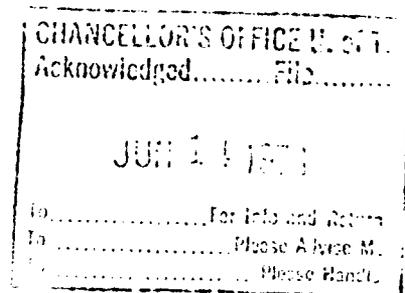
4242 PIEDRAS DRIVE EAST, SUITE 250

SAN ANTONIO, TEXAS 78284

OFFICE OF THE PRESIDENT

June 12, 1973

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



Dear Dr. LeMaistre:

Within the currently approved organization of the College of Multidisciplinary Studies at UT San Antonio there are two divisions which deal with teacher education, the Division of Advanced Studies in Education and the Division of Certificate Programs in Education. This organization has not proven to be satisfactory because it involves two divisions with different directors in teacher education. The name of the Division of Advanced Studies in Education is misleading because it suggests that only graduate courses will be taught in the Division. The faculty in the Division of Advanced Studies in Education will teach the education courses related to certification programs at both the graduate and undergraduate levels. The Division of Certificate Programs in Education will have no faculty, and should not be an academic division.

Therefore, I recommend that the UT System Administration and the Board of Regents approve the following changes:

1. Abolish the Division of Certificate Programs in Education in the College of Multidisciplinary Studies.
2. Retitle the Division of Advanced Studies in Education as the Division of Education in the College of Multidisciplinary Studies.

Upon approval of these changes, we will appoint the current Director of the Division of Certificate Programs in Education as Assistant Dean for the Office of Certification and Teacher Placement in the College of Multidisciplinary Studies, an appointment which would be submitted in accordance with the usual procedures. This office will coordinate certificate programs with the Texas Education Agency, the programs in the Division of Education, and the degree programs of the other Colleges in the University. All teacher education faculty will be located in the Division of Education. The proposed change is recommended by Dean Joseph Michel of the College of Multidisciplinary Studies.

If you have questions or require additional information or justification, please let me know.

With best regards, I am

Yours very truly,

PETER T. FLAWN

cc: Kenneth H. Ashworth
Beverly J. Gibbs
Dean Joseph Michel

jah

THE UNIVERSITY OF TEXAS AT SAN ANTONIO

4242 PIEDRAS DRIVE EAST, SUITE 250

SAN ANTONIO, TEXAS 78284

OFFICE OF THE PRESIDENT

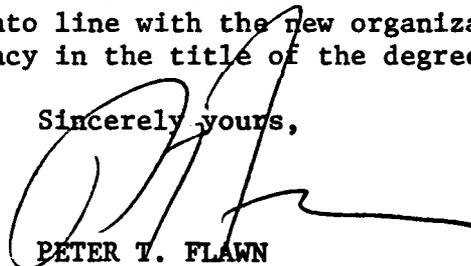
June 15, 1973

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

Dear Dr. LeMaistre:

This will supplement my letter of June 12 recommending to the UT System Administration and the Board of Regents two organizational changes in the College of Multidisciplinary Studies at UT San Antonio. I wish also to recommend that if the organizational changes are approved, the title of the degree "Master of Arts in Advanced Studies in Education" be changed to Master of Arts in Education. This change would bring the title of the degree into line with the new organizational structure and would eliminate redundancy in the title of the degree.

Sincerely yours,



PETER T. FLAWN

jah

cc: Kenneth H. Ashworth
Beverly J. Gibbs
Joseph Michel
James Wagener

**Buildings &
Grounds Com.**

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

Date: July 27, 1973

Time: Following the meeting of the Academic and Developmental
Affairs Committee

Place: Main Building, Room 212
U. T. Austin
Austin, Texas

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President Nedderman and System Administration recommend that the Board approve the final plans and specifications for the expansion of the central plant and extension of the utilities distribution system, and authorize the Office of Facilities Planning and Construction to advertise for bids which will be brought to the Board for consideration at a later meeting.

2. U. T. AUSTIN: AUTHORIZATION TO CONVEY FOUR (4) PARCELS OF LAND ALONG EAST 26TH STREET TO THE TEXAS HIGHWAY DEPARTMENT FOR STREET RIGHT-OF-WAY PURPOSES.--The Texas Highway Department has plans to construct a major interchange at the intersection of East 26th Street and Interstate 35. There will be an exit ramp from Interstate 35 at this location, which will provide easy access for visitors to the campus of The University of Texas at Austin, as well as the Presidential Library. The interchange requires the purchase of land, four (4) parcels of which are owned by the Board of Regents of The University of Texas System, for which the Texas Highway Department has offered payments totaling \$14,102.00. These parcels, containing a total of 3694.4 square feet of land, are located along the north side of East 26th Street between Swisher Street and Interstate 35.

It is recommended by President Spurr and System Administration that the offer of \$14,102.00 be accepted and that the Chairman of the Board of Regents be authorized to execute any and all documents necessary to convey this property to the Texas Highway Department after they have been approved as to content by Deputy Chancellor Walker and as to form by a University of Texas Attorney.

3. U. T. AUSTIN: APPROVAL OF CLAIM SETTLEMENT WITH ARCHITECTS/ENGINEERS FOR CORRECTION OF CERTAIN DESIGN DEFECTS IN WEST SIDE EXPANSION OF MEMORIAL STADIUM AND BUILDING TO HOUSE PHYSICAL EDUCATION FACILITIES AND OFFICES.--At the July 30, 1971 meeting of the Board, System Administration was authorized and directed to notify the architects and engineers that the Board will hold them liable for any costs and expenditures incurred in correcting the defects that rendered the photo-deck unusable for the purpose intended in the West Side Expansion of Memorial Stadium and Building to House Physical Education Facilities and Offices. *How much?*

Negotiations have resulted in an agreement that the architects/engineers and their insurance company will reimburse The University of Texas for the construction change order cost plus architects/engineers fees for the photo-deck changes and the handball court changes occasioned by the design deficiencies.

System Administration recommends that the Board of Regents authorize the Chairman of the Board to execute any and all necessary agreements, releases, and other documents to consummate the settlement for design deficiencies with the Project Engineers, Lockwood, Andrews and Newnam, Inc., and Osborn-Papesh, an association of Osborn Engineering Company, and Alexander A. Papesh. All documents are to be approved by Deputy Chancellor Walker as to content and a University Attorney as to form.

4. U. T. AUSTIN: CLARK FIELD BASEBALL FACILITY (PROJECT NO. 102-221) - APPROVAL OF FINAL PLANS AND SPECIFICATIONS AND AUTHORIZATION TO ADVERTISE FOR BIDS.--In accordance with authorization given at the Regents' Meeting held January 26, 1973, final plans and specifications have been prepared for the Clark Field Baseball Facility at The University of Texas at Austin by the Project Architect, Marmon and Mok Associates. These plans and specifications provide for a covered 5034 seat stadium, with concessions areas, dressing facilities and a lighted, artificially surfaced playing field designed for multi-purpose activities at a total estimated project cost of \$2,500,000.00 which has been appropriated.

President Spurr and System Administration recommend that the Board approve the final plans and specifications for the Clark Field Baseball Facility at U. T. Austin and authorize the Director of the Office of Facilities Planning and Construction to advertise for bids to be presented to the Board for consideration at a later meeting.

5. U. T. AUSTIN: 50 METER INDOOR SWIMMING FACILITY (PROJECT NO. 102-199) - RECOMMENDED FINAL PLANS AND SPECIFICATIONS; REQUEST FOR AUTHORIZATION TO ADVERTISE FOR BIDS, AND TO REFLECT PREVIOUS APPROPRIATIONS FROM PUF BOND PROCEEDS AS AN ADVANCE. --

Regents' Meeting held October 20, 1972, final plans and specifications have been prepared for the 50 meter indoor swimming facility at The University of Texas at Austin by the Project Architect, Fisher and Spillman, Inc. These plans and specifications provide facilities to accommodate competitive swimming, diving and water polo at an estimated total project cost of \$5,790,000.00. In addition to the 50 meter swimming pool and separate diving pool, support facilities consisting of locker rooms, shower rooms, training areas and offices are provided. Spectator seating is designed for a capacity of 2150 arm chair seats with provisions for an additional 520 portable bleacher seats on the pool deck level.

President Spurr and System Administration recommend that the Board:

- a. Approve the final plans and specifications and authorize the Director of the Office of Facilities Planning and Construction to advertise for bids, subject to completion of final review ~~and sale of the non-profit corporation bonds~~
- b. Authorize as an advance from Permanent University Fund Bond proceeds the \$250,000 previously appropriated for fees and miscellaneous expenses to be repaid from proceeds of the non-profit corporation bonds.

6. U. T. AUSTIN: UTILITIES FROM TRINITY TO RED RIVER NORTH OF 19TH STREET (PROJECT NO. 102-263) - APPROVAL OF FINAL PLANS AND SPECIFICATIONS AND AUTHORIZATION TO ADVERTISE FOR BIDS.--In accordance with authorization given at the Regents' Meeting held October 20, 1972, final plans and specifications have been prepared by Fisher and Spillman, Inc., Project Architect for the Extension of Utilities from Trinity Street to Red River Street North of 19th Street. This expansion of the utilities system is required to serve projects on the east side of the campus of The University of Texas at Austin. The estimated total project cost is \$618,000.00 which has been appropriated.

President Spurr and System Administration recommend that the Board approve the final plans and specifications and authorize the Director of the Office of Facilities Planning and Construction to advertise for bids, subject to completion of final review.



STUDENT GOVERNMENT
THE UNIVERSITY OF TEXAS AT AUSTIN
AUSTIN, TEXAS

SANDY KRESS
President
CAPPY MCGARR
Vice-President

512-471-3721

July 19, 1973

To: The Buildings and Grounds Committee,
The University of Texas System Board of Regents

From: Cappy McGarr, Vice-President
Students' Association, The University of Texas at Austin

Re: West Mall Renovation Project

Proposal. We urge the Board to review the plans for the renovation of the West Mall at the University of Texas at Austin, and to consider alternative recommendations.

Justification. Several considerations lead to this request. One of the prime reasons for our objection to the present construction is the required cost of this renovation. We feel that there are many other ways to spend \$279,000 to benefit the university community. At this time we feel that the additional fountain and the decorative lighting is not in the spirit of cooperation during the present energy crisis. Also, many members of the UT Austin community have expressed a desire to preserve the present qualities of the West Mall, especially the preservation of the large grassy areas.

7. U. T. AUSTIN: LANDSCAPING SAN JACINTO - 19TH STREET (PROJECT NO. 102-262) - RECOMMENDED FINAL PLANS AND SPECIFICATIONS; REQUEST FOR AUTHORIZATION TO ADVERTISE FOR BIDS, AND REQUEST FOR ADVANCE FROM PUF BOND PROCEEDS. --

In accordance with authorization given at the Regents' Meeting held October 20, 1972, final plans and specifications have been prepared for the Landscaping of Areas at San Jacinto and 19th Street at The University of Texas at Austin by the Project Architect, Fisher and Spillman, Inc.

These plans and specifications provide for landscape improvements consisting of retaining walls, sidewalks, sprinkler system and planting at an estimated total project cost of \$360,000.00. This development will continue the landscape improvements previously completed along 19th Street.

President Spurr and System Administration recommend that the Board:

- a. Approve the final plans and specifications and authorize the Director of the Office of Facilities Planning and Construction to advertise for bids, subject to completion of final review and sale of non-profit corporation bonds.
- b. Authorize a transfer from Permanent University Fund Bond proceeds (Project 102-199) of \$15,000.00 for fees and miscellaneous expenses to be repaid from proceeds of the non-profit corporation bonds.

8. U. T. AUSTIN: RECOMMENDATION TO NAME THE CHEMISTRY BUILDING, INCLUDING NEW WING (PROJECT NO. 102-196), THE ROBERT A. WELCH HALL.--The Faculty Building Committee of The University of Texas at Austin recommends and President Spurr concurs that the Chemistry Building, including the new wing, be named after Robert A. Welch. Honoring Mr. Welch in this fashion seems appropriate, in light of the impact he has had on Chemistry at the University.

President Spurr recommends, and System Administration concurs, that the Board of Regents designate the Chemistry Building, including the new wing, as the Robert A. Welch Hall.

9. U. T. AUSTIN: CONTINUATION OF REDESIGN OF WEST EXIT OF CAMPUS LANDSCAPE DEVELOPMENT (PROJECT NO. 102-47) - REPORT OF COMMITTEE TO AWARD CONTRACT AND RATIFICATION OF AWARD OF CONTRACT TO STOKES CONSTRUCTION COMPANY, AND AUTHORIZATION FOR ARCHITECTURAL SERVICES OF JAMES KEETER. --

In accordance with the continued development of the Redesign of the West Exit of The University of Texas at Austin, plans and specifications were prepared by the Landscape Architect, James Keeter of San Antonio, Texas, for the Landscape Development Phase II. Bids were called for and were received, opened, and tabulated on May 29, 1973, as shown below:

Bidder	Base Bid	Add Alternate No. 1	Bidder's Bond
J. C. Evans Construction Company, Inc., Austin, Texas	\$315,106.00	\$10,000.00	5%
John J. Stokes dba Stokes Construction Company, San Marcos, Texas	273,372.00	2,200.00	5%
Ed A. Wilson, Inc., Fort Worth, Texas	415,000.00	No Bid	5%

At the Regents' Meeting held June 1, 1973, a committee consisting of Chairman McNeese, Committee Chairman Erwin, Deputy Chancellor Walker, Director Kristoferson, and President Spurr was appointed to award a contract for this project within allocated funds after negotiation with the low bidder for necessary modifications. In accordance with this authorization, the committee appointed has awarded a contract to the low bidder, Stokes Construction Company, San Marcos, Texas, as follows:

Base Bid	\$273,372.00
Add Alternate No. 1 (Cut stone in lieu of random stone)	2,200.00
Add Negotiated Changes (Founda- tion change, security devices on electric boxes, and walk widening)	<u>3,773.00</u>
Total Contract Award	<u>\$279,345.00</u>

This portion of the project cost is estimated at \$318,168.00, including contract, fees, administrative costs and miscellaneous expenses, which has been appropriated.

President Spurr and System Administration recommend that the Board approve the following:

- a. Ratify the committee action in awarding the construction contract in the amount of \$279,345.00.
- b. Approve the payment for services of James Keeter for preparation of final plans and specifications, including modifications resulting from negotiated changes with the construction contractor.

10. U. T. DALLAS: CECIL H. GREEN CENTER (formerly referred to as SOCIAL AND BEHAVIORAL SCIENCES BUILDING) - ACCEPTANCE OF THIRD REVISION OF ANNUAL INTEREST GRANT NO. 5-6-00638-0.--At the Regents' Meeting held July 30, 1971, Annual Interest Grant No. 5-6-00638-0 for the Social and Behavioral Sciences Building at The University of Texas at Dallas in the annual amount of \$21,460.00 for a period of 30 years on a loan supported amount of \$1,000,000.00 was accepted by the Board. At the Regents' Meeting held June 9, 1972, a reduction of Annual Interest Grant No. 5-6-00638-0 was accepted by the Board which reduced the annual amount to \$14,971.00. At the Regents' Meeting held June 1, 1973, a second revision to Annual Interest Grant No. 5-6-00638-0 was accepted by the Board which increased the annual amount to \$36,529.00 on an increased loan supported amount of \$2,440,000.00.

The Department of Health, Education and Welfare has issued a third revision to Annual Interest Grant No. 5-6-00638-0 to reflect an increase in the principal amount of supported loan on which an annual interest grant is approved from \$2,440,000.00 to \$2,758,000.00 and an increase in the amount of annual interest grant from \$36,529.00 to \$41,290.00. This grant is for the purpose of paying the excess of interest over 3% interest rate on \$2,758,000.00 of General Tuition Revenue Bonds issued for U. T. Dallas allocated to the construction of the Social and Behavioral Sciences Building and is calculated on an average interest rate of 5.3358% on these bonds.

It is recommended by President Jordan and System Administration that the Board accept the revised grant as outlined above.

11. U. T. DALLAS: ENVIRONMENTAL SCIENCE BUILDING (PROJECT NO. 302-211) -
 REPORT OF COMMITTEE TO AWARD CONTRACT AND RATIFICATION OF
 AWARD TO LA ROE CONSTRUCTION COMPANY, TERRELL, TEXAS. --

In accordance with authorization given at the Regents' Meeting held March 5, 1973, bids were called for and were received, opened and tabulated on June 12, 1973, as shown below for the Environmental Science Building at The University of Texas at Dallas:

Bidder	Base Bid	Add Alternates				
		No. 1	No. 2	No. 3	No. 4	No. 5
Gower and Folsom Construction Com- pany, Dallas, Texas	\$879,150	\$1,575	\$1,050	\$3,292	\$2,060	\$3,150
Hallman and Hallman, Inc., Garland, Texas	952,000	3,000	1,200	300	2,300	4,000
LaRoe Building Com- pany, Inc., Terrell, Texas	819,244	2,850	1,600	1,600	2,400	3,100
O'Rourke Construction Company, Dallas, Texas	840,000	4,522	1,150	1,725	2,300	3,754

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

At the Regents' Meeting held March 5, 1973, a committee, consisting of President Jordan, Director Kristoferson, Deputy Chancellor Walker, Vice-Chairman Williams, and Committee Chairman Erwin, was appointed with authority to award a contract for this project within the authorized total project cost of \$1,100,000.00. In accordance with this authorization, the committee appointed has awarded a contract to the low bidder, LaRoe Construction Company, Terrell, Texas, as follows:

Base Bid	\$819,244.00
Add Alternates:	
No. 1 (Add Vinyl Wall Covering in Corridors)	2,850.00
No. 2 (Add Lawn Sprinklers)	1,600.00
No. 3 (Add Hydromulch Seeding)	1,600.00
No. 4 (Add Unistrut Inserts)	2,400.00
No. 5 (Add Transformer, Circuit Breaker, and Electrical Duct)	<u>3,100.00</u>
Total Contract Award	<u>\$830,794.00</u>

The total project cost of \$1,100,000.00, which has been appropriated, is to cover the construction contract award, Architect's fees thereon, estimated cost of furniture and furnishings, air balancing and miscellaneous expenses.

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

Amend

12. U. T. DALLAS: AUTHORIZATION TO GRANT RIGHT-OF-WAY EASEMENT FOR ELECTRIC DISTRIBUTION LINE AND TELEPHONE LINE.--The Texas Power and Light Company and Southwestern Bell Telephone Company have requested an easement across a small portion of land at the extreme Southeast corner of The University of Texas at Dallas campus at its boundary line with the Atchison, Topeka and Santa Fe Railway Company right-of-way. The easement is more fully described in the easement document which will be available for examination at the Board meeting.

It is recommended by President Jordan and System Administration that approval be given by the Board for such an easement to be executed by the Chairman of the Board after approval as to content by Deputy Chancellor Walker and as to legal form by a University of Texas Attorney.

13. U.T. EL PASO - SPECIAL EVENTS CENTER AND INSTALLATION OF ARTIFICIAL TURF IN SUN BOWL (PROJECT NO. 201-278) - APPOINTMENT OF PROJECT ARCHITECT AND PREPARATION OF PRELIMINARY PLANS; AND ACQUISITION OF PROPERTY.--It has long been considered that one of the major needs at The University of Texas at El Paso is a multi-use Special Events facility with a large seating capacity.

President Templeton and System Administration recommend that a Special Events Center be located on the northern portion of The University of Texas at El Paso campus within the area leased from the County of El Paso for the Sun Bowl property and adjacent to large existing parking areas. This facility should be designed to provide approximately 12,000 permanent seats for convocations, inter-collegiate basketball and popular attractions.

In the siting of this facility it is necessary to relocate a portion of Sun Bowl Road to the north and west of its present location to facilitate access to the Special Events Building and to preserve existing parking facilities.

The proposed scope of this project includes the installation of artificial turf on the Sun Bowl playing field at an estimated cost of \$330,000.00.

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 \$8,000,000.00 which has been appropriated.

It is further recommended that authorization be given to the acquisition of certain property adjacent to the campus. Appraisals and metes and bounds of the property will be available at the Board meeting.

14. U. T. PERMIAN BASIN: AUTHORIZATION FOR ADDITIONAL PARKING SPACES AND APPROPRIATION THEREFOR.--Additional parking spaces are required to provide adequate parking adjacent to the South Campus Building which will house the library for years to come.

U. T. Permian Basin Administration recommends that approximately 150 additional parking spaces be provided at an estimated cost of \$9,000.00.

System Administration concurs in the recommendation and recommends that the Board:

- a. Appropriate \$9,000.00 from Tuition Revenue Bonds to finance the project.
- b. Authorize the Office of Facilities Planning and Construction to do those things necessary to provide the parking spaces within the funds appropriated.

15. U. T. SAN ANTONIO: LIBRARY-ADMINISTRATION BUILDING - ACCEPTANCE OF THIRD REVISION OF ANNUAL INTEREST GRANT NO. 5-6-00635-0.--At the Regents' Meeting held July 30, 1971, Annual Interest Grant No. 5-6-00635-0 for the Library-Administration Building at The University of Texas at San Antonio in the annual amount of \$21,460.00 for a period of 30 years on a loan supported amount of \$1,000,000.00 was accepted by the Board. At the Regents' Meeting held June 9, 1972, a reduction of Annual Interest Grant No. 5-6-00635-0 was accepted by the Board which reduced the annual amount to \$14,971.00. At the Regents' Meeting held June 1, 1973 a second revision to Annual Interest Grant No. 5-6-00635-0 was accepted by the Board which increased the annual amount to \$43,685.00 on an increased loan supported amount of \$2,918,000.00.

The Department of Health, Education and Welfare has issued a third revision to Annual Interest Grant No. 5-6-00635-0 to reflect an increase in the principal amount of supported loan on which an annual interest grant is approved from \$2,918,000.00 to \$3,344,000.00 and an increase in the amount of annual interest grant from \$43,685.00 to \$50,063.00. This grant is for the purpose of paying the excess of interest over 3% interest rate on \$3,344,000.00 of General Tuition Revenue Bonds issued for U. T. San Antonio allocated to the construction of the Library-Administration Building and is calculated on an average interest rate of 5.3358% on these bonds.

It is recommended by President Flawn and System Administration that the Board accept the revised grant as outlined above.

16. DALLAS HEALTH SCIENCE CENTER (DALLAS MEDICAL SCHOOL) PARKING FACILITY (PROJECT NO. 303-219) - REPORT OF COMMITTEE TO AWARD CONTRACT AND RATIFICATION OF AWARD TO KUGLER-MORRIS, INC., DALLAS, TEXAS.--

In accordance with authorization given at the Regents' Meeting held April 24, 1973, bids were called for and were received, opened and tabulated on June 5, 1973, as shown below for the Parking Structure for the Dallas Medical School of The University of Texas Health Science Center at Dallas.

Bidder	Base Bid	Add Alternates			
		No. 1	No. 2	No. 3	No. 4
Wm. S. Baker, Inc., General Contractors, Dallas, Texas	\$1,058,893	\$17,317	\$36,242	\$48,179	\$53,798
Dal-Mac Construction Company, Richardson, Texas	1,205,195	23,000	46,000	51,000	68,000
Luther Hill and Associates, Inc., Dallas, Texas	1,076,049	24,732	42,279	50,680	60,375
Kugler-Morris, General Contractors, Inc., Dallas, Texas	1,029,500	24,000	45,500	39,700	55,000
Robert E. McKee, Inc., Dallas, Texas	1,149,000	28,900	56,700	51,300	57,900
Zapata Warrior Con- structors, Inc., a Division of Zapata Constructors, Inc., Houston, Texas	1,238,000	19,000	39,000	52,000	61,000

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

At the Regents' Meeting held January 26, 1973, a committee, consisting of President Sprague, Director Kristoferson, Deputy Chancellor Walker, Committee Chairman Erwin, and Board Chairman McNeese, was appointed with authority to award a contract for this project within the authorized total project cost of \$1,300,000.00. In accordance with this authorization, the committee appointed has awarded a contract to the low bidder, Kugler-Morris, Inc., Dallas, Texas, as follows:

Base Bid	\$1,029,500.00
Add Alternates:	
No. 2 (Add Elevators No. 1 and No. 2)	45,500.00
No. 3 (Lower and Repave the existing roadway and rework storm sewers under the street)	39,700.00
No. 4 (Add Landscape and Irrigation System)	<u>55,000.00</u>
Total Contract Award	<u>\$1,169,700.00</u>

The total project cost of \$1,300,000.00 which has been appropriated is to cover the construction contract award, architect's fees, parking equipment, and miscellaneous expenses.

President Sprague and System Administration recommend that the Board:

- a. Ratify the action taken by the committee in awarding the contract as outlined above.
- b. Reduce the appropriation from Private Gifts by \$70,000.00, making the total from Private Gifts \$500,000.00 for this project.

17. DALLAS HEALTH SCIENCE CENTER (DALLAS MEDICAL SCHOOL): PHYSICAL PLANT EXPANSION (PROJECT NO. 303-104) - 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 Physical Plant Expansion for the Dallas Medical School at The University of Texas Health Science Center at Dallas by the Project Architect, Preston M. Geren.

These plans and specifications provide for a building of approximately 8,000 gross square feet at an estimated total project cost of \$326,000.00, which has been appropriated.

President Sprague and System Administration recommend that the Board approve the final plans and specifications and authorize the Director of the Office of Facilities Planning and Construction to advertise for bids, subject to final review.

18. GALVESTON MEDICAL BRANCH: HIGH RISE PARKING FACILITY (PROJECT NO. 601-238) - APPROVAL OF FINAL PLANS AND SPECIFICATIONS AND AUTHORIZATION TO ADVERTISE FOR BIDS.--In accordance with authorization given at the Regents' Meeting held June 1, 1973, final plans and specifications have been prepared for the High Rise Parking Facility at The University of Texas Medical Branch at Galveston by the Project Architect, Louis Lloyd Oliver and Tibor Beerman. These plans and specifications provide for a parking structure to accommodate 400 cars at an estimated total project cost of \$1,000,000.00, which has been appropriated.

President Blocker and System Administration recommend that the Board approve the final plans and specifications and authorize the Director of the Office of Facilities Planning and Construction to advertise for bids, subject to final review.

19. GALVESTON MEDICAL BRANCH: CONSERVATION OF THE ASHBEL SMITH (OLD RED) BUILDING (PROJECT NO. 601-284) - AUTHORIZATION FOR THE PREPARATION OF COST ESTIMATE AND PRELIMINARY PLANS AND APPOINTMENT OF PROJECT ARCHITECT.--The Ashbel Smith Building, a distinguished Romanesque revival brick structure, has been in use since 1890 when it was constructed as the first building on the Campus of The University of Texas Medical Branch at Galveston. Under authorization granted by the Regents at the December 4, 1970 meeting, a feasibility study for the continued use of the building was made and presented to members of the Board on June 4, 1971. The Special Committee appointed at that same meeting was requested to present recommendations at a future meeting.

An analysis of the feasibility study indicates that preservation of the Ashbel Smith Building as a useful historic building can best be accomplished by conservation. This consists of restoring and preserving the exterior features and any unique interior features of the four-story building and of replacing the remainder of the interior with structural, mechanical, and electrical systems used in modern building technology. This conservation program should result in an historically accurate exterior appearance, but provide a building with the usefulness, conveniences and life span expected of a new building. The estimated total project cost is \$1,750,000.00 which has been appropriated.

It is anticipated that functions currently housed in the Ashbel Smith Building can be moved when projects now and soon under construction are completed.

President Blocker and System Administration recommend that the Board:

- a. Approve the concept for the conservation of the Ashbel Smith Building at The University of Texas Medical Branch at Galveston.
- b. Authorize the preparation of a utilization program by the Administration of the Galveston Medical Branch in conjunction with any necessary consultants and personnel of the Office of Facilities Planning and Construction for development of defined academic and other uses of the building.
- c. Appoint a Project Architect from a list to be submitted at the meeting, with authorization for the preparation of an engineering feasibility study, a cost estimate and preliminary plans and outline specifications to be brought to the Board at a future meeting.

20. HOUSTON HEALTH SCIENCE CENTER (HOUSTON MEDICAL SCHOOL) - AUTHORIZATION TO PARTICIPATE IN PAVING COSTS OF KNIGHT ROAD, AND APPROPRIATION THEREFOR.-- A 100 acre tract was acquired from the Trustees of the Hermann Hospital Estate and this property is bounded on the west by Knight Road and on the south and east by property owned by the Plaza del Oro Corporation.

Many developments in the area by Plaza del Oro have benefitted the University property and to date at no cost for utilities, sewer, etc.

The City of Houston has no plans to pave the two lane, temporary, asphalt over shell base, high crowned traffic artery and its improvement is essential for the proper development of the area. It is desirable to pay our proportionate part of the cost of the paving of Knight Road which will be a 7 inch reinforced concrete roadway, 45 feet wide with curb to meet city specifications. The total front footage on Knight Road is approximately one mile, and some 1011.7 feet is along the University owned 100 acres.

System Administration recommends approval of the Board of Regents to participate in the cost of paving Knight Road in an amount of \$45,603.06, and appropriate this amount from proceeds of Tuition Revenue Bonds.

21. UNIVERSITY CANCER CENTER (M. D. ANDERSON): LUTHERAN HOSPITAL ADDITION AND OUTPATIENT CLINIC EXPANSION (PROJECT NO. 703-78) - ACCEPTANCE OF NATIONAL CANCER INSTITUTE GRANT NO. 1 CO6 CA 14591-01 AND APPROPRIATION THEREOF. --

--At the June 1, 1973 Board Meeting authorization was given to accept a Grant from National Cancer Institute in the amount of \$2,661,398.00 for completion of 11th and 12th floors of the Lutheran Hospital and for construction of the Radiotherapy Addition and to appropriate this amount to the project, subject to official award of the grant.

The official "Notice of Construction Grant" has been received from the National Cancer Institute in the amount of \$3,548,541.00 in lieu of the anticipated amount of \$2,661,398.00.

President Clark and System Administration recommend that the Board accept NCI Grant No. 1 CO6 CA 14591-01 in the amount of \$3,548,541.00 for construction of the 11th and 12th floors of the Lutheran Hospital and for construction of the Radiotherapy Addition and appropriate the additional amount of \$887,143.00 to the project, making a total project cost of \$41,469,101.58.

Report from Secretary

22. U. T. Dallas, U. T. Permian Basin and U. T. San Antonio: Documents Finalizing the Contracts to Win-Sam, Inc., Dallas, Texas, for Central Energy Plants. --At the Regents' meeting on April 24, 1973, contracts were awarded to Win-Sam, Inc., Dallas, Texas, for the construction and operation of three Central Energy Plants: one each at The University of Texas at Dallas, The University of Texas of the Permian Basin and The University of Texas at San Antonio. The Chairman of the Board of Regents was authorized to execute all documents necessary to finalize the leases, agreements and contract awards with the understanding that each of these documents would be incorporated in the Minutes at a subsequent meeting.

Chairman McNeese signed these documents on June 22, 1973, all of which are in each official Contract Set, File No. 400, Office of the Secretary. The documents for each institution in the form executed will be incorporated in the Minutes of this (July 1973) meeting, and the exhibits thereto will be properly referenced. The original copies of the Prepurchased Equipment Contracts as exhibits to Exhibit "B" have been appropriately taken from the Regents' files and transferred to Win-Sam, Inc., in accordance with Article V, Section E of each of the Service Agreements.

*Another
minutes*

23. U. T. AUSTIN - BRACKENRIDGE TRACT - REGENT ERWIN'S REVIEW
OF THE HISTORY OF THE TRACT. --At the April 24, 1973, meeting of
the Board of Regents, Regent Frank C. Erwin, Jr., presented an oral
review of the history of the Brackenridge Tract. At the request of the
Board of Regents, Regent Erwin thereafter prepared this written review
for inclusion as a part of the record in the minutes of a subsequent
meeting of the Board:

July 10, 1973

TO THE MEMBERS OF THE BOARD OF REGENTS:

On January 26, 1839, less than 3 years after the Battle of San Jacinto,
the Third Congress of the Republic of Texas set aside 50 leagues of land
with which to endow two state universities.

The earliest known map of the City of Austin, drawn in that same year
(1839) indicates a "College Grove" at the place where the U. T. campus
was later established, and a map of Austin drawn in 1840 pursuant to an
act of the Congress of the Republic indicates the school located on the site
of "College Grove," but it was then labeled "College Hill." On the 1840
map, "College Hill" consists of a 12 square block area lying between what
are now 21st Street on the south, 24th Street on the north, Guadalupe Street
on the west, and Speedway Street on the east.

Unfortunately, the poverty of the Republic and the early difficulties of
the newborn State of Texas for years delayed the opening of the college.

Elisha M. Pease, who became Governor in 1853, urged the building of
the University, and after several efforts by the Legislature to that end, a
bill was signed on February 11, 1858, establishing "The University of
Texas" and creating an endowment of bonds and land for its maintenance
and support.

Unfortunately, the chaotic conditions ensuing from the War Between The States intervened, and no further action to establish the University was taken until the adoption of the 1876 Constitution.

That Constitution, which was adopted by popular vote on February 15, 1876, expressly provided for the creation of "The University of Texas," which was to be a "university of the first class" and was to be located by a vote of the people. That Constitution also set aside a million acres of the public domain for the support of the University, and in 1883 the Legislature added an additional million acres of public land to the endowment. That 2,100,000 acres of University Lands, situated in 19 West Texas counties, is the foundation of the Permanent University Fund today.

In 1881, at the request of Governor Oran M. Roberts, the 17th Legislature passed a bill, signed by the Governor on March 30, 1881, establishing "The University of Texas" and appropriating \$59,000 for the construction of the initial university building. (That appropriation of \$59,000 appears to have been a clear violation of Section 14 of Article VII of the 1876 Constitution which provides that "no tax shall be levied and no money appropriated out of the general revenue for the establishment and erection of the buildings of The University of Texas.")

Numerous towns and places in the State competed for the location of the University. However, after the state-wide election was held on September 6, 1881, Governor Roberts filed a proclamation with the Secretary of State declaring that "Austin has been selected as the site for the Main University." (The best report of the campaign to locate the Main University in Austin appears to be the one related by A. P. Wooldridge in the November 15, 1913, issue of The Alcalde. Probably more than any other person, Mr. Wooldridge is responsible for the University's being in Austin.)

However, once Austin was selected by popular vote, no one seems to have doubted that the campus should be situated on the forty-acre site that was designated on the 1839 and 1840 maps of the city, first as "College Grove" and then as "College Hill." In any event, the laying of the cornerstone of the West Wing of the Old Main Building was accomplished on that site on November 17, 1882, before 3,000 witnesses, and the construction was completed in 1883 at a cost of \$62,000. With the assistance of Governor John Ireland, the first classes were opened in September, 1883, in the rooms of the Senate and the House of Representatives and "in such apartments as could be spared" in the temporary Capitol Building. In January, 1884, all classes of the University were moved from the temporary Capitol Building to the completed West Wing of "Old Main." The University opened in 1883-84 with an enrollment of 218.

Colonel George W. Brackenridge of San Antonio served as a member of the Board of Regents for a total of almost 26 years (from November, 1886, to January, 1911; from August, 1917, to January, 1919; and from November, 1920, until his death in December, 1920).

In 1890, when the University was barely 7 years old and when the enrollment had risen to only 278 students, Colonel Brackenridge saw the need for a dormitory for the "poor boys" and offered the Regents a substantial sum of money toward providing such a facility. Colonel Brackenridge's stated purpose was that "the young men of Texas might have substantial aid in obtaining an education to fit them morally and mentally for any honorable calling or station in life." The total cost of the original portion of the dormitory (first called "University Hall," then "Brackenridge Hall," and finally just "B Hall") was \$17,000, of which Colonel Brackenridge contributed \$10,000, plus \$800 to equip and furnish the "mess hall." In 1900,

two wings were added to B Hall, and Colonel Brackenridge contributed to their cost.

By the fall of 1909, Colonel Brackenridge had conceived the idea of moving the main campus of the University from the "forty acre" site to a 1,000 acre site situated in what is now West Austin. At that time Colonel Brackenridge owned a 500 acre tract in that area, of which about 90 acres lay on the west bank of the Colorado River near the Lake Austin dam, and about 410 acres lay on the east bank of the river in the general area where the Austin Municipal Golf Course is now situated. At the same time, the heirs of Governor Pease owned more than 1,000 acres lying between the Pease Mansion (situated on what is now Pease Road) on the east and Colonel Brackenridge's tract on the west.

It was Colonel Brackenridge's dream that he and the Pease heirs would each give 500 acres to the University, thereby creating a 1,000 acre campus in West Austin, stretching from the Pease Mansion to the Colorado River, and that the proposed new 1,000 acre campus would be connected to the "forty acres" by a 400 foot wide boulevard that would run down the present route of 24th Street from the intersection of Pease and Windsor Roads to Guadalupe Street. (A map of this grandiose plan can be found in the map section of Walter Long's history of the Brackenridge Tract entitled "For All Time to Come," privately printed by Steck in 1964.)

Colonel Brackenridge approached the Pease heirs with his proposal in October, 1909, and even offered to purchase the Pease house and land and donate them to the University in the name of his friend, Governor Pease. But, according to one of the Pease heirs, after consideration the heirs concluded that they could not afford to contribute the land and their pride would not permit them to allow Colonel Brackenridge to purchase the house and land and donate them in their ancestor's name, so a substantial part of Colonel Brackenridge's plan fell through.

However, he decided to proceed alone, and in December, 1909, Colonel Brackenridge wrote U. T. President Mezes, in pertinent part, as follows:

"In this connection, I tender to the University the land fronting on the Colorado River and embracing the Austin dam, amounting to somewhere in the neighborhood of (500) acres, provided it could be occupied for University purposes advantageously. If you think well of this, won't you kindly have the boys (i. e., apparently a reference to the surveying students in the engineering school) make a survey of it so that I may draw the deeds accurately by boundaries, and also that the Board may see something of the topography of the tract to enable them to decide whether they desire it or not. I am perfectly willing and ready to do this if it meets any of the wants of the University, but would be unwilling to give it to them to be sold or exchanged for other property."

Complying with Colonel Brackenridge's request, the then Chairman of the Board of Regents appointed a committee to examine the land in question and to report back to the Board on its suitability for university purposes.

The deed from Colonel Brackenridge dated June 17, 1910, was formally accepted by the Board of Regents on October 22, 1910. However, entries in the minutes of the meetings of the Board of Regents during 1910 and 1911 indicate that the problem of determining the best use of the land continued to be studied. Among the suggested uses were a park and botanical garden; a state fish hatchery; a scientific research activity in Economic Botany, Economic Zoology, and Economic Entomology, dealing with commercially valuable plants and animals and with the insects which prey on them; a combined dairy, truck farm, and school which would provide work and economic support for pre-college students who wished to prepare themselves to enter the University; a commercially and professionally managed farm operation; and, of course, a new site for the main campus of the University.

Finally, on June 11, 1911, the Regents sent the following telegram to Colonel Brackenridge, who had retired from the Board in January of that

year and was then in San Antonio:

"Regents have inspected property you recently gave University, and suggestion is entertained looking to its future use for site of main establishment. We will be here until Tuesday night, and would be glad to have your counsel on this and other matters if you can come without serious discomfort."

On the following day (June 12, 1911), Colonel Brackenridge responded as follows:

"Thanks for your very kind and highly appreciated invitation to join you in the consideration of any subject pertaining to the future prosperity and welfare of The University of Texas. The land there will eventually be of great value, and I will as a citizen of the State of Texas take pleasure in following as far as possible any suggestion or undertaking of your Board. (I regret that my health and the extreme heat and dust prevent my acceptance."

It appears that no real conclusion as to best use of the land was arrived at by the Board of Regents at that time, and the Board turned the management of the land over to Regent George W. Littlefield (of Austin) for lease. Major Littlefield reported to the Board that the land was being fenced, that the land on the east side of the river had been rented for \$500, and that the land on the west side of the river had been rented for \$10.

Leaving the history of the Brackenridge Tract for a moment, it is interesting to note that Colonel Brackenridge's dedication to the University was not limited to making grants of land or gifts of buildings that bear his name. On the contrary, by deed of gift dated March 15, 1915, Colonel Brackenridge donated his schooner, known as the "Navidad," to the Board of Regents for the purpose of "promoting the collecting and investigating of marine life along the coast of the State of Texas." Unfortunately, Fate did not smile on that undertaking, because the minutes of the Regents' meeting of October 26, 1915, contain the following:

"By the violence of the storm of August 18, (1915) the 'Navidad'... was driven on land. Fortunately, the damage was slight, and arrangements have been made ... to float the boat again. It was hoped that it would prove practical this fall to establish the work in marine biology for which the boat was given to the University, but, owing to the lack of provision for it in the legislative appropriation and the demands on the Available Fund by reason of the damage to the Medical (Branch

at Galveston) resulting from the storm, it seems advisable to postpone for a time the inauguration of the work. Under these circumstances, Mr. Brackenridge has expressed a willingness to take back the boat and keep it for his own use until such time as the University is in position to prosecute the undertaking" (There is no indication that the 'Navidad' was ever transferred to the University a second time.)

Two years later, when, on June 2, 1917, Governor Jim Ferguson vetoed the Legislature's itemized appropriations for the University's next biennium, leaving untouched only the salary of the Dean of the College of Arts and the totals at the bottom of the appropriation, both Colonel Brackenridge and Major Littlefield immediately offered to underwrite the entire expense of operating the University (then some \$700,000 per year) out of their personal resources - either separately or together. Fortunately, on June 9, 1917, Attorney General B. F. Looney rendered the opinion that the total amount of the appropriation had not been nullified by the veto of the several items so that it did not become necessary for those two great benefactors of the University to replace the State's money with their own, but there can be no doubt of their willingness to have done so had it been necessary.

That Colonel Brackenridge well knew how to donate and dedicate land for "park purposes" when he chose to do so and that he was always conscious of his great affection for and dedication to the University is clearly demonstrated in the deed by which he gave Brackenridge Park to the City of San Antonio. In an instrument dated November 20, 1899, after conveying the land to the City of San Antonio, Colonel Brackenridge provided that if the City (1) ever permitted the donated premises, or any part thereof, to be used for any other purpose or purposes than a public park, or (2) ever permitted any beer or intoxicating liquor of any kind to be sold, given away or drunk within or upon any part of the premises, or (3) ever permitted the premises, or any part thereof, to be used or occupied for any illegal purpose whatsoever, or (4) ever conveyed, alienated or encumbered same or any part of the premises, then "the title to said

premises shall at once pass from said City and vest in the State of Texas for the benefit of The University of Texas. "

Let us now return to the history of the Brackenridge Tract. From the language of Colonel Brackenridge's deed to the University, from his communications to the Board of Regents described above, and, particularly, from his negotiations with the Pease heirs, it is perfectly clear that it was Colonel Brackenridge's fond hope and desire that the main campus of the University would be moved to the land he donated. However, the only serious effort to accomplish that goal resulted in total failure and placed his dream effectively out of reach forever.

Colonel Brackenridge died on December 28, 1920, a month after he began his last term as a Regent. Ironically, the fight to move the main campus to the Brackenridge Tract was begun, carried on, and lost during the 3 months immediately following his death.

Dr. Robert E. Vinson became president of the University in 1916 and led the University with great vigor in support of the war effort during 1917 and 1918. However, after the Armistice, President Vinson turned his thoughts to the future of the University. In that regard, he concluded that the "forty acre" site was far too small to accommodate the future university complex that he envisioned, that it would be prohibitively expensive to acquire sufficient additional land adjacent to the "forty acres," that the main campus must be moved to the Brackenridge Tract, and that the land given by Colonel Brackenridge must be at least doubled in size. Since this was almost exactly the plan that Colonel Brackenridge had conceived in 1910 and since Colonel Brackenridge served on the Board of Regents during two of President Vinson's first three years in office, it seems very likely that Colonel Brackenridge played a major role in the development of the Vinson Plan.

In any event, during early 1920 President Vinson persuaded the Austin Chamber of Commerce to secure purchase options in the name of an

undisclosed principal on hundreds of acres adjacent to the Brackenridge Tract. Perhaps unknown to Colonel Brackenridge, President Vinson anticipated that Colonel Brackenridge would leave the bulk of his estate to the University, and Dr. Vinson intended that that bequest would be used to purchase the additional land and to begin the construction of buildings on the new site. Unfortunately for that grand design, at his death in December, 1920, Colonel Brackenridge's estate was not as large as Dr. Vinson had anticipated, the bulk of the estate was not left to the University, and the \$400,000 bequest that was made to the University was left for purposes other than the construction of buildings.

Nevertheless, on January 5, 1921, inspired by Dr. Vinson's strong convictions, the Board of Regents unanimously adopted a lengthy Memorial addressed to the Governor and the 37th Legislature advocating the removal of the University to the Brackenridge Tract and calling for the appropriation of 8 millions of dollars to construct new buildings there.

Thereafter, for three months, a bitter battle raged both in and out of the Legislature over the question. Many bills and resolutions were introduced on both sides, and at one time it was proposed that a new state-wide referendum be held to determine whether the University should remain in Austin. Not only legislators, but citizens of Austin and ex-students all over the state, hastened to join the battle and exchange charges with great vehemence. All in all, it was one of the most violent and bitter public controversies in which the University has been involved, and it is recounted in great detail in Walter Long's "For All Time to Come."

Finally, in the very last hours of the legislative session, a compromise bill was passed which rejected the Regents' recommendation that the Main Campus be moved to the Brackenridge Tract, but appropriated \$1,350,000 for the acquisition of 135 acres which lay immediately east of the "forty

acres" and were situated generally between Red River and Speedway on the east and west and between 19th and 24th on the north and south. However, the bill required that the citizens of Austin post a bond to guarantee that they would pay all cost of acquiring the land in excess of the appropriation. Before the Governor would sign the bill, he also required that the Austin banks agree that if more than one-half of the appropriation should be expended during the first fiscal year of the biennium, the excess over one-half would be advanced by the banks until the second year without interest. Both of these conditions were met by the people of Austin, and the campus expansion land was acquired during the next several years - though not without considerable difficulty.

In that fateful year of 1921, the Legislature adjourned on March 12th, and Governor Pat Neff signed the bill on April 1st, at which time he commented that "The purchase of this land will fix forever the habitat of this seat of learning." Thus died forever all hope of implementing Colonel Brackenridge's dream of moving the main campus of the University to the tract of land on the banks of the Colorado.

Colonel Brackenridge's deed of June 17, 1910, is not a copybook example of clarity in legal writing, but from the language of the deed several things are clear. First, it is clear that he intended to convey for the use and benefit of The University of Texas a tract of land containing approximately 408 acres on the east side of the Colorado River and a tract of approximately 95 acres on the west side of the river. Second, it is clear that the conveyance was made "for the purpose of advancing and promoting University education," with the "request merely on my part that it be never disposed of but be held permanently for such educational purpose." Finally, it is clear that under the terms of the deed if the land

was not sold or conveyed by the State of Texas or the duly constituted authorities (i. e., the Board of Regents) of The University of Texas prior to the death of the last survivor of six named children (then aged 9, 7, 7, 7, 5 and 1 years, respectively), fee simple title would vest in the State of Texas for the use and benefit of the University upon the death of the last survivor. On the other hand, if the land was sold or conveyed before the death of the last survivor of the six named children, the fee simple title would vest at the time of such attempted sale or conveyance (or upon the death of the last survivor) to Jackson County, Texas, for the use and benefit of the public free schools in that county.

The minutes of the meetings of the Board of Regents from 1910 forward indicate that each successive Board was keenly aware of the danger of jeopardizing the University's interest in the land. The Board's knowledge that the land could not be sold, that there might be some risk in selling any timber, improvements, or other things off the land, and that some day the tract might be the site of the Main University campus undoubtedly all joined in keeping the Board of Regents from committing the land to any meaningful use from 1910 to 1921. Of course, the University's lack of funds and the fact that the tract was still well outside Austin's commercial and residential development did not increase the opportunities for any such meaningful use.

After the possibility of moving the main campus to the Tract was eliminated by the Legislature in the spring of 1921, the Board of Regents attempted to enter into a contract with the Texas Game, Fish and Oyster Commission for the land to be used as a game sanctuary, but on January 14, 1924, the Texas Attorney General ruled that two state agencies could not contract with each other, and, in addition, the Attorney General

warned that the Board of Regents should not sell or attempt to sell any part of the Brackenridge Tract or anything on it without obtaining the prior written advice of the Attorney General. It was against that background of long frustration over the use of the Brackenridge Tract that the Board of Regents was approached by the Austin Lions Club in the spring of 1924 about the possible use of part of the land as a municipal golf course.

The minutes of the April 15, 1924, meeting of the Board of Regents reflect that "After discussion, the Board voted in favor of the (municipal golf course) lease, subject to the approval of the Attorney General, for a consideration of sixty dollars per year (which is an increase over the present income)."

Thereafter, on May 31, 1924, a 25-year lease expiring June 15, 1949, was entered into between the Board of Regents and the Austin Municipal Golf and Amusement Association (a non-profit corporation formed by the Austin Lions Club for the purpose) covering roughly the triangular tract of land presently bounded on the east by Exposition Boulevard, on the north by Enfield Road, and on the south and west by Lake Austin Boulevard (formerly Dam Boulevard). The Golf Association agreed to use the premises only for "the purpose of establishing, conducting, and operating golf links and grounds suitable and appropriate for the game of golf, and such other outdoor games, amusements and recreations as may be wholesome and proper, and as may not be objectionable to (the Board of Regents)." The Golf Association also agreed, among other things, to pay to the Treasurer of the State of Texas for the account of the Board of Regents the cash sum of sixty dollars on the 16th day of June of each year. Finally, the lease provided that the Board of Regents could terminate the lease upon one year's written notice if "in its judgment the interest of The University of Texas should require that said premises be possessed by

and devoted to some direct University activity or occupancy." The lease was approved by Attorney General W. A. Keeling.

Thirteen years later, by an agreement entered into between the Board of Regents and the City of Austin, dated March 30, 1937, it was agreed (1) that the Regents approve the assignment of the May 31, 1924, lease from the Austin Municipal Golf and Amusement Association to the City of Austin, (2) that the term of the lease be extended to March 30, 1987 (i. e., fifty years from the date of the agreement between the Regents and the City), (3) that the City would assume the indebtedness of the Golf Association and, with W. P. A. assistance, would spend about \$30,000 to improve the golf course, (4) that the Board of Regents would not cancel the lease prior to March 30, 1957, without reimbursing the City for the cost of part of the improvements, and (5) that the Board of Regents would not cancel the lease for the purpose of operating a golf course or other athletic activities on the premises."

By instrument dated February 9, 1961, at the request of the Board of Regents, the City of Austin released from the aforesaid lease of May 31, 1924, as modified by the aforesaid agreement of March 30, 1937, a tract of 11.637 acres situated at the southwest corner of the intersection of Enfield Road and Exposition Boulevard. The tract was released for the purpose of providing a site for a residence of the President of U. T. Austin, but the project was later abandoned. The released tract was never occupied by the golf course, and has not been officially in the possession and control of the City since 1961.

A search of the records at the University and at the State Treasurer's office indicates that the \$60.00 annual rental due from the City on the golf course tract has never been paid. ~~Also, U. T. Austin's physical plant staff reports that many oak trees on the golf course tract are dying and that ailing trees are receiving little or no attention.~~

On August 7, 1972, the Board of Regents, acting by and through its chairman, gave written notice to the City that the "golf course" lease would be terminated one year from that date. In connection with the termination, the Regents stated: "Notwithstanding the notice of intent to terminate the lease and without waiving any right to terminate the lease and repossess the lease property one year from this date, representatives of the Board of Regents will be happy to meet with representatives of the City of Austin to work out a plan for the utilization by the City of the premises, in whole or in part, for a reasonable period of time after the formal termination of the lease, thereby permitting an orderly transfer of the golf activities from the lease property to a new site." At least during the first eleven months following the giving of the notice of termination, the Regents received no response from the City, and the City is still in possession of the property.

There are several other leases, easements, encroachments, and uses affecting the Brackenridge Tract that should be mentioned.

Since 1939 W. W. Bennett and his successor lessees (i. e., Twin Star Industries, J. H. Frost, Jr., and James A. Maines) have built and operated a boat dock facility on approximately one acre of land lying between Lake Austin Boulevard and Lake Austin at the foot of Enfield Road. The lease is presently held by James A. Maines dba Boat Town of Austin. The present lease is on a one-year basis, with a monthly rental of \$225, and with each party entitled to cancel the lease on 90 days notice. The Texas Union has made at least two attempts (in Spring, 1954, and Summer, 1969) to gain control of the boat docks and adapt the premises for student use as a Union Annex. However, at the time of the first attempt in 1954, the lease term had 5 more years to run, and in 1969 the Regents postponed a decision until yet another use study of the entire Brackenridge Tract could be made.

By instrument dated May 24, 1941, the Board of Regents granted to the City of Austin, without cost to the City, a 20-year right-of-way easement in and to a 1-1/3 acre triangular-shaped tract of land bounded on the northeast by Lake Austin Boulevard, on the south by the continuation of the south line of a tract of land acquired by the City from Colonel Brackenridge, and on the northwest by the east line of the same tract of City land. The apex of the triangle is at the north, and Red Bud Trail runs through the south part of the easement parallel to the easement's south boundary. The stated purpose of the easement was to permit public access from Lake Austin Boulevard to the City-owned tract of land lying between the easement and the Colorado River and to a tract of land lying between the easement and the river that was being used by the Lower Colorado River Authority. It was agreed in the easement document that no structures would be placed on the easement land and that possession of the premises would be delivered to the Regents upon the expiration of the term of the easement. It appears that the easement expired by its own terms on May 24, 1961, but casual visual inspection suggests that the University may not have regained possession of the land.

In 1946, as a result of the large number of married students who enrolled in the University following the conclusion of World War II, the University installed many dwelling units for married students on the Main Campus and in the Brackenridge Tract area between Lake Austin Boulevard and the Colorado River west of Deep Eddy and southeast of Red Bud Trail. Other such dwelling units were located in the Brackenridge Tract area on the north side of Lake Austin Boulevard west of Hearn Street and east of Exposition Boulevard. These structures were formerly wooden bachelor officers quarters and were provided to the University

under Veterans' Housing Project Tex-V-41761. Today the dwelling units in the Brackenridge Tract area are fully occupied, and they are still in great demand because of their low rental cost.

On February 27, 1948, the Board of Regents agreed to furnish at no cost to the City a right-of-way across Brackenridge Tract land for the construction of a low-water bridge about 900 feet downstream from the Tom Miller Dam, together with the approaches to the bridge, which bridge and its approaches now form a part of Red Bud Trail.

By instrument dated March 25, 1950, the Board of Regents entered into two agreements with the City of Austin, both without cost to the City. First, the Regents created a public easement 50 feet wide extending from Lake Austin Boulevard to Lake Austin immediately south of the Boat Town of Austin lease. In pertinent part, the City agreed to construct on Lake Austin at the west end of the easement a municipal pier or dock that would be "maintained by the City and would be made available for use by all licensed boat operators on Lake Austin without charge." The City further agreed to maintain and care for the easement property and to assume all responsibility and liability for its use. Finally, the City agreed that it would not permit any buildings to be built on the property and would permit no vehicular parking thereon. On August 7, 1972, the

Board of Regents, acting by and through its chairman, gave the City written notice that the easement would terminate 90 days from that date.

In connection with the termination, the Regents stated that "Inasmuch as it appears that the easement was granted without consideration, that the purpose for which the easement was granted has been substantially abandoned, and that one or more of the conditions upon which the easement was granted have not been fulfilled, (the easement will terminate)." Thus far, the Regents have received no response from the City, and the City is still in apparent possession of the property.

The second agreement in the instrument was that the Board of Regents leased to the City of Austin "for park and recreational purposes" a tract of land bounded on the north by the 50-foot easement described above, on the west by Lake Austin, on the south by the property occupied by the Lower Colorado River Authority, and on the east by Lake Austin Boulevard. In pertinent part, the City agreed to maintain and care for the lease property and to assume all responsibility and liability for its use. The City further agreed that no building would be erected and no vehicular traffic or parking would be allowed on the lease property. Finally, the City agreed that the lease could be terminated by either party upon 90 days written notice. On August 7, 1972, the Board of Regents, acting by and through its chairman, gave the City written notice that the lease would be cancelled 90 days from that date. However, in connection with the cancellation, the Regents stated that "Notwithstanding the notice of intent to terminate the lease and without waiving any right to terminate the lease and repossess the lease property ninety days from this date, representatives of the Board of Regents will be happy to meet with representatives of the City to work out a plan for the utilization by the City of the premises, in whole or in part, for a reasonable period of time after the formal termination of the lease, thereby permitting an orderly transfer of the City's activities from the lease property to a new site." Thus far, the Regents have received no response from the City, and the City is still in apparent possession of the property.

On December 7, 1951, the Board of Regents agreed to furnish, at no cost to the City, a 66 foot right-of-way for the construction of Exposition Boulevard from Enfield Road to Lake Austin Boulevard.

On October 4, 1952, the Board of Regents reaffirmed its prior policy of not selling any portion of the Brackenridge Tract, but the U. T. Austin Business Manager was instructed to undertake a study of "the long-range development and utilization of the Tract for commercial, residential, or other use," giving "first consideration to the possibility of commercial development, such as a community center, at or near the intersection of Lake Austin Boulevard and the proposed extension of Exposition Boulevard."

On May 29, 1953, the Board of Regents agreed to furnish to the Lower Colorado River Authority, at no cost to the L. C. R. A., the use of a 4.4 acre tract of land on the south side of Enfield Road about one block west of Lake Austin Boulevard, for the purpose of storing poles, wire, cables and other electrical equipment. The L. C. R. A. agreed to clear the site of brush and weeds, leaving all large trees, to build a cyclone fence around the area used for storage, to keep the premises in neat condition, to assume all liability in connection with its use of the tract, and to surrender the land upon the University's request. The area occupied by the 4.4 acre tract was never a part of the golf course but is included in the City's lease. After refusing in 1941 to permit the Austin Junior Chamber of Commerce to construct a baseball park at the southeast corner of the intersection of Enfield Road and Lake Austin Boulevard under a 45-year lease, on March 16, 1959, the University agreed, with the joinder of the L. C. R. A., to permit the West Austin Optimist Club to build a Little League baseball park on a portion of the 4.4 acre tract, with the agreement of the Optimist Club that it would cut no trees, it would assume full liability for its activities on the premises, and it would surrender the premises and remove all of its improvements on receipt of 30 days written notice from the University. In 1968 or 1969, the University

informally requested the L. C. R. A. to terminate its use of the 4.4 acre tract for storage, and at the present time practically all of the L. C. R. A. equipment has been removed although the cyclone fence and some of the structures are still in place. No notice of termination has been given to the Optimist Club and the Little League baseball park is still in full operation.

On June 1, 1956, the Board of Regents adopted the following policies with respect to the Brackenridge Tract:

1. Frequent lease proposals and inquiries are received, mostly relating to property at or near the intersection of Lake Austin Boulevard and Exposition Boulevard, but until further notice, the Board will not consider any lease proposal for a term longer than 10 years plus two consecutive 5-year renewal options.
2. With respect to the 75 lots rented for residence purposes on that portion of the Brackenridge Tract situated between Lake Austin Boulevard and the Colorado River and lying south of Tom Miller Dam, "it is not thought that the total rental of \$9,600 annually is commensurate with the (attendant) problems of sanitation, fire hazard, and management." Therefore, the 75 leases are to be renewed only until August 31, 1957, at which time all will be terminated with no further renewal and with all improvements removed. Legal proceedings will be initiated where necessary to accomplish the purpose.
3. Due to the trust nature of the Brackenridge Tract, the areas used for student housing and Main University purposes will be under the administrative supervision of the U. T. Austin Business Officer (now the Vice-President for Business Affairs) and the rest of the Tract will be under the administrative supervision of the Endowment Officer (now the Associate Deputy Chancellor for Investments, Trusts and Lands).

On December 2, 1961, the Board of Regents acted on two requests of the City of Austin. First, in connection with the City's desire to dredge the bed of the Colorado River from the Town Lake dam to the low water bridge on Red Bud Trail, for both aesthetic and flood control reasons the City wished to widen and deepen the river channel in the area of the Brackenridge Tract to an average width of 500 feet and an average depth of 17 feet. In order to accomplish that, approximately 4,600 linear feet of the east bank of the river in the Brackenridge Tract area would have

to be dredged out or cut back to a depth of 17 feet, or to rock or clay, ranging from 0 feet to 130 feet from water's edge. Most of the ground to be removed was low river bottom. The University was to be paid ten cents per yard royalty on all material removed, or, in lieu of royalty, the University might be able to arrange for the stockpiling of some of the better dirt for its own use. As outlined above, the Board approved the City's first recommendation, but it has not been determined as to how much of that dredging work has thus far been accomplished.

Second, the City recommended that the Board of Regents give the City, without cost to the City, a right-of-way easement with which to extend Stratford Drive from Rollingwood to Red Bud Trail over and across the portion of the Brackenridge Tract lying west of the Colorado River. The City was not financially able to construct the roadway immediately, but needed the right-of-way immediately in order to lay a new 24-inch water line to replace the water line that crossed the Colorado near Deep Eddy but that would have to be removed to permit the above described dredging of the river bed. Since the City was not prepared to build the roadway immediately, the Board agreed to give the City a 15-foot wide easement for the water line, provided that the City pay the University for the easement on the same basis it paid other landowners, and provided that the City agree to relocate or modify the water line later if the Board later decided that the original location interfered with the future development of the property.

Finally, on December 2, 1961, as it had so often done since 1910, the Board asked for a staff study of the golf course lease, the relations between the City and the Board with respect to the Brackenridge Tract, and the possible future use of the Brackenridge Tract.

Apparently, the City took no action with respect to the installation of the above mentioned water line in 1961 or 1962, because on June 16, 1966,

the Board of Regents was again requested by the City to grant the street and water line easements originally requested in 1961. The Board deferred action on the request until the engineering firm of Bryant-Curlington, Inc., of Austin, could study the request to see if the granting of the request would unduly interfere with the future subdividing and development of the land on the west side of the river. Upon receipt of the engineer's report, the Board of Regents on January 24, 1968, granted the City street and water line easements, in the route recommended by the engineers, with which to extend Stratford Drive from Rollingwood to Red Bud Trail, and that public street and water line have since been installed. On April 29, 1972, the Board of Regents gave the City permission to install an electric power line in the Stratford Drive easement, provided that the City would abandon and remove its existing line crossing the middle of the tract to the west (for which no easement existed), provided that if Stratford Drive is ever relocated, the utility lines will be relocated to conform thereto, and provided that the City would be asked to install the electric power lines underground. The electric power line has been installed, but not underground.

On June 29, 1962, the Departments of Botany, Biology and Microbiology at U. T. Austin asked the Board of Regents to set aside for 10 years approximately 80 acres of the Brackenridge Tract lying between Lake Austin Boulevard and the Colorado River and between the Brackenridge Apartments and the site of the Colorado Apartments, for use as a Biological Sciences Experimental Field Laboratory to supplement teaching and research in those several departments. It was represented that the National Science Foundation would furnish all of the cost of the facilities (i. e., buildings, tanks, wells, fences, etc.), which cost was estimated at \$456,000. The Regents approved the project subject to

N. S. F. funding. On September 27, 1963, it was reported to the Regents that the N. S. F. grant had been approved but in the reduced amount of \$258,000 and that it was contingent upon the University providing \$92,000 for buildings and upon the period of dedication of the 80 acres for laboratory purposes being increased from 10 to 20 years. By eliminating Microbiology and reducing the programs for the other departments, the project was brought within the reduced funding, and the Regents approved the modified project. Contracts were let for the security fencing on April 25, 1964, and for the balance of the project on October 7, 1965. The project has now been in operation for several years.

During 1961 and 1962 it was realized by the Board of Regents and the University administration that there would be a tremendous increase in the number of students that would have to be accommodated at U. T. Austin during the latter half of the 1960's, because the students were already enrolled in the first 12 grades of public school where their numbers could actually be counted. It was also realized that the private colleges could not accommodate any significant increase and that because U. T. Austin had the benefit of 2/3's of the Permanent University Fund, it had an obligation to take care of more than its share of the high school graduates who would apply for admission to the state colleges and universities. As it turned out, the enrollment at U. T. Austin grew from 24,001 students in 1964 to 39,089 in 1970, a 63% increase in 6 years. (That increase alone is twice as many students as Yale University has enrolled after 250 years.)

With this problem of unprecedented enrollment growth in mind, Dr. L. D. Haskew, then a Vice Chancellor of the University, was asked to utilize all available resources in considering the increased land and physical plant needs that would be required and to suggest possible solutions. Specifically, he was asked to consider the use, if any, that could be made of the Brackenridge Tract in reaching a solution.

After Dr. Haskew's findings and conclusions were received and considered by the Board of Regents, and after the then Chancellor H. H. Ransom's views were solicited and received, it was concluded, among other things, that because of the considerable distance and the lack of rapid access between the "forty-acres" campus and the Brackenridge Tract, it would not be feasible to erect on the Brackenridge Tract any academic buildings that would be regularly used by sizeable numbers of students and faculty. The idea of putting "resident colleges" on the Brackenridge Tract was rejected both because of academic considerations and because of the unreasonable cost of duplicating support facilities and physical plant facilities. Therefore, it was concluded that the best way to use the Brackenridge Tract to "advance and promote University education" would be to use that Tract for low-cost student housing, for athletic and recreational grounds, for research, support, and non-academic facilities that would not be used regularly for academic purposes by sizeable numbers of students and faculty, and for such other Main University activities as would develop in time. However, as a result of that review it was discovered that because of long-term leases to third parties, many of the most desirable portions of the Brackenridge Tract would be unavailable for University use for many years. It was also discovered that because of title questions raised by the existence of the reversionary interest in favor of the free public schools in Jackson County and by use of the term "permanent university fund" in the Brackenridge deed, it would be virtually impossible to issue bonds with which to build low-cost student housing and other needed physical facilities on the Brackenridge Tract. Therefore, while some steps were taken toward a solution of the problem prior to that time, the meeting of the Board of Regents on December 1, 1963, was a truly momentous meeting with respect to the Brackenridge Tract because

at that meeting the Regents formally concluded that since Colonel Brackenridge's dream of moving the main campus to the Brackenridge Tract could not be achieved, the best way "to advance and promote education for the benefit of The University of Texas" was to eliminate the reversionary interest held by the public free schools of Jackson County, to eliminate the contention that the Brackenridge Tract was part of the Permanent University Fund, and to establish fee simple title to the Tract in the Board of Regents so that the Board could freely manage it in the best interest of the University, and the Board of Regents did so resolve. It was also informally agreed that all necessary steps should be taken to cancel all leases to third parties and thereby restore day-to-day control of all of the Brackenridge Tract to the Board of Regents.

At that meeting the Regents also resolved that "the Brackenridge Tract be reserved and set apart for University needs in its building program and for projects connected with the University, and that said tract be used exclusively for the orderly development of The University of Texas (at Austin)."

To assist it in dealing with the legal problems involved, the Board of Regents, in January of 1963, employed the Austin law firm of Clark, Thomas, Harris, Denius and Winters. An extensive and thorough legal memorandum filed by that firm with the Board of Regents in September of 1963 formed the basis of the aforesaid actions taken by the Board on December 1 of that year.

The most immediate Brackenridge Tract problem then facing the Board of Regents was the issuance of a \$1,800,000 bond issue, with the proceeds of which it was intended to finance the construction of 200 units

of low-cost married student housing (now referred to as the "Colorado Apartments") on the land lying between Lake Austin Boulevard and the Colorado River just west of Deep Eddy (HHFA Project CH-TEX-121(D) Brackenridge Tract).

To eliminate the legal problems that were impeding the issuance of the revenue bonds, the Texas Attorney General, Waggoner Carr, and the University's special attorneys, Clark, Thomas, Harris, Denius and Winters, filed Cause No. 136, 137, in the 126th District Court of Travis County, Texas, styled "The Board of Regents of The University of Texas vs. All Persons Interested In Or Affected By The Issuance of The Securities Described in Plaintiff's Original Petition." On April 30, 1964, a Judgment was entered in that case declaring, in pertinent part, that "the Brackenridge Tract is not, and never has been, and was never intended to be, a part of the Permanent University Fund," and that the Board of Regents had authority to issue the \$1,800,000 Student Housing Revenue Bond issue. That cleared the way for the sale of the bonds, and the first of the 3 goals established by the Regents on December 1, 1963, was accomplished - there was a final judicial determination that the Brackenridge Tract was not a part of the Permanent University Fund.

Parenthetically, it is interesting to note that the minutes of the Regents' meeting of May 23, 1964, reflect that the Regents "voted to place on the agenda of the June meeting an item calling for a discussion of the subject of the development of the entire Brackenridge Tract. Regent (Ruth Carter) Johnson is working on a master plan."

When the \$1,800,000 Student Housing Revenue Bond Issue was sold, the bonds contained a covenant that read, in part, as follows:

"It is additionally covenanted and agreed by the Board of Regents, on its own behalf, and behalf of the University, and the State of Texas, that, while any Bonds or Additional Bonds are outstanding, no part of the Brackenridge Tract will ever be sold, conveyed, or disposed of in any manner so as to cause or permit any remainder or other interest in title to the Brackenridge Tract to vest in or accrue to Jackson County, Texas, or to revert to any other entity."

In the recent past, some people have been misled by that covenant, because subsequent events soon made it moot and of no effect whatever.

In 1965, at the behest of the University, the 59th Texas Legislature passed Senate Bill 428 (Chapter 330, page 691, Acts 59th Legislature, Regular Session) which provides in pertinent part as follows:

"The Board of Regents of The University of Texas is hereby authorized to acquire by purchase or otherwise, at private or public sale, any and all of the interests held beneficially or any other interest, executory or otherwise, owned, held, or claimed other than by the Board of Regents of The University of Texas, in and to those certain tracts or parcels of land situated in Travis County, Texas, described (as the Brackenridge Tract). The title to the said interests in the land acquired hereunder shall be owned in the name of the Board of Regents of The University of Texas, and all the right, title and interest in and to the said (Brackenridge Tract) is hereby vested in fee simple in the Board of Regents of The University of Texas The Board of Regents of The University of Texas is hereby invested with the power of eminent domain to acquire for the use of The University of Texas any and all of the above-described interests in and to the 'Brackenridge Tract' in Austin, Texas. . . ." The Act became effective on June 9, 1965.

On October 1, 1966, the Board of Regents reflect that "Negotiations between Regent W. H. Bauer (representing the Board of Regents) and the County Commissioners of Jackson County, Texas, have resulted in a proposed agreement whereby the Commissioners' Court of Jackson County will convey its executory interest for a total consideration of \$50,000.

In order to expedite the conveyance, the following actions were unanimously ordered:

"1. The sum of \$50,000 be appropriated from the University Available Fund Unappropriated Balance for the purchase of the executory interest of Jackson County, Texas.

2. As soon as a deed has been obtained and placed of record the Attorney General of Texas be requested to institute appropriate legal action to obtain a judicial determination that fee simple title is vested in the Board of Regents of The University of Texas subject to outstanding leases and easements. "

A deed conveying the executory interest of Jackson County to the Board of Regents was executed by the Jackson County Commissioners' Court on December 27, 1966. Thereafter, on October 11, 1967, in Cause No. 159, 947, in the 126th District Court of Travis County, Texas, styled "Board of Regents of The University of Texas vs. County Commissioners of Jackson County, Texas, et al" a Judgment was entered declaring:

"(1) That the Board of Regents holds fee simple title to the Brackenridge Tract subject to any and all leases, easements and rights of way of record, and

(2) That the contingent future interest held by Jackson County for the public free schools of the county is vested in the Board of Regents. "

Thus, the second and third goals established by the Regents on December 1, 1963, were accomplished - the outstanding contingent interest was eliminated and fee simple title to the Brackenridge Tract was vested in the Board of Regents. The fourth and final goal will be accomplished when all of the present leases to third parties have been terminated and day-to-day control of all of the Brackenridge Tract has been restored to the Board of Regents.

Thereafter, in 1967 the 60th Texas Legislature passed Senate Bill 211 (Chapter 155, page 332, Acts 60th Legislature, Regular Session) which provides in pertinent part as follows:

"The Board of Regents of The University of Texas is hereby authorized to sell any part or all of that certain property owned and held by the Board of Regents of The University of Texas located in Travis County, Texas, and more particularly described (as the Brackenridge Tract). All sales shall be made at public auction or by sealed bids and under such rules and regulations governing such sales as may be promulgated by the said Board, with the right of the Board to reject any and all bids. The Board of Regents is also authorized to lease said land upon such terms and conditions as it deems warranted. Any and all proceeds received from the sale of the 'Brackenridge

Tract' . . . shall be used and the same applied to the purchase of lands acquired for campus expansion near or adjacent to The University of Texas campus at Austin." The Act became effective on May 12, 1967.

Therefore, since May 12, 1967, subject to the other provisions of the Act, the Board of Regents has been authorized to sell or lease all or any part of the Brackenridge Tract without risk of endangering its title either to the property so sold or leased or to the remainder of the Tract, but thus far none of the Brackenridge Tract has ever been sold, and no recommendation for any such sale has ever been before the Board of Regents.

On October 23, 1964, the Board of Regents instructed the U. T. Administration to make a survey of land adjacent to or near the main campus with a view toward asking the Legislature for authority to acquire it as expansion land for that campus. This was the logical course to follow in view of the expected dramatic increase in enrollment and in view of the Board's conclusion that academic facilities requiring day-to-day use by sizeable numbers of faculty and students could not feasibly be placed on either the Brackenridge Tract or the Balcones Research site. Thanks to the invaluable assistance of President Lyndon B. Johnson, U. T. Austin's expansion needs were met by its participation in the University East and Brackenridge Urban Renewal Programs, but without that massive Federal financial assistance, no such expansion program would have been within the financial ability of the University. Thus, the third major segment of the Main University campus was added. (The first was the original forty-acre tract that was made available by the State in 1881. The second was the 135-acre addition provided by the Legislature in 1921 after it refused to move the main campus to the Brackenridge Tract.)

In 1967 the 60th Texas Legislature enacted House Bill 287 (Chapter 73, page 140, Acts 60th Legislature, 1967, Regular Session) which became effective on April 21, 1967, and which, with minor exceptions, (including the exclusion of the University Methodist Church, the All Saints Episcopal Church, and the Canterbury Student Center), authorized

the Board of Regents to acquire all of the property within the following boundaries:

Beginning at the northeast corner of the intersection of Guadalupe and 21st streets; north with the east line of Guadalupe Street to the south line of 27th Street; east with the south line of 27th Street to the west line of San Jacinto Boulevard; south-east with the west line of San Jacinto Boulevard to the south line of 26th Street; east with the south line of 26th Street to the west line of Swisher Street; south with the west line of Swisher Street to the south line of Manor Road; east with the south line of Manor Road to the west line of Comal Street; south with the west line of Comal Street to the north line of 19th Street; west with the north line of 19th Street to the west line of I. H. 35; south with the west line of I. H. 35 to the north line of 15th Street; west with the north line of 15th Street to the east line of Trinity Street; north with the east line of Trinity Street to the north line of 19th Street; west with the north line of 19th Street to the east line of the alley between University Avenue and Wichita Street; north with the east line of said alley to the north line of 21st Street; west with the north line of 21st Street to the place of beginning.

With the exception of the acquisition of the Lemuel Scarbrough property at the corner of Whitis and 27th Streets, the Board of Regents either has acquired or is in the final stages of acquiring all of the land included in the above described boundaries authorized by the Legislature. This expansion program has added about 152 acres of land to the Main Campus in the past 6 years, leaving the Main Campus with a total area of approximately 398.58 acres.

On May 21, 1965, the Board of Regents authorized the construction on the Brackenridge Tract, between the Biological Sciences Experimental Field Laboratory and the Brackenridge Apartments, a warehouse for the U. T. Austin Housing and Food Service, a storage and shop building for the married student housing on the Brackenridge Tract, and a fenced area for outside storage and a motor pool. This facility has been erected and has been in service for a number of years.

On July 16, 1965, the Board of Regents instructed its Consulting Architects to study the feasibility of moving some or all of certain intercollegiate athletic facilities (i. e., Memorial Stadium, Penick Courts, Clark Field, and Freshman Field) from the main campus to either the Brackenridge Tract or the Balcones Research Center. As the then Chairman of the Board pointed out, the increasing enrollment placed an even greater premium on sites for academic buildings that were within a 10-minutes walking distance of the Main Building, because that is the time interval within which the students must move from class to class. The intercollegiate athletic facilities mentioned above occupied about 32 acres of land that are within 10-minutes walking distance of the Main Building. However, the Consulting Architects concluded that it was not economically feasible to move Memorial Stadium, that Freshman Field was needed in its present location to serve as a practice field for intercollegiate football and baseball and as a recreational area for the surrounding dormitories, and that Penick Courts did not occupy enough ground to justify their removal. It was also recommended that the intercollegiate baseball field not be moved by itself away from the main campus area, so it was decided that the baseball field would be moved to the urban renewal area east of I. H. 35 on the northwest corner of the intersection of 19th and Comal Streets in order to make room for the construction of the Fine Arts Complex on the present Clark Field.

On April 19, 1968, the Board of Regents employed Metcalfe Engineering Company of Austin to survey the entire Brackenridge Tract, to mark adequately all boundaries, and to furnish complete maps of the property. That surveying work was completed in December, 1968, and in June, 1969, Metcalfe furnished the maps and a detailed list of the boundary conflicts,

encroachments, easement and right-of-way discrepancies, and other problems revealed by the survey. All of the boundary conflicts have been resolved since that time.

On May 2, 1969, the Austin Independent School District notified the Board of Regents of its interest in acquiring about 40 acres of the Brackenridge Tract as a site for a new high school in West Austin. Just prior to that, the Lower Colorado River Authority notified the Board of Regents of its desire to acquire the ~~1.28~~^{1.5} acre tract lying between Lake Austin Boulevard and Lake Austin on the east and west and between the Boat Town lease and the present L. C. R. A. headquarters on the north and south. (This is the same land that was in the City's lease and easement that were terminated by the Board of Regents 90 days after August 7, 1972.) The L. C. R. A. needs the land for expansion of its headquarters building and, in exchange for the Brackenridge Tract, desires to give the University some land on Lake Travis which the L. C. R. A. owns and which the University has been using for years, at no cost to the University, as a field laboratory for sonar research, plus some surrounding L. C. R. A. land that could be used for recreational purposes by U. T. Austin students, faculty, and staff.

Therefore, on May 2, 1969, the Board of Regents appointed a Special Committee, consisting of Regents Peace (Chairman), Ikard, Josey, Garrett and Williams, to study and recommend proposed uses of the Brackenridge Tract, with special recommendations concerning the above mentioned requests of the Austin Independent School District and the L. C. R. A. On March 6, 1970, upon recommendation of the Special Committee, the Board of Regents employed Marvin Springer and Associates, of Dallas, to make evaluations and studies concerning the range of uses

and development potential of the Brackenridge Tract. A written report was made by Springer more than a year ago, but, upon instructions of the Chairman of the Special Committee, copies of the report were not delivered to the Regents, the report has never been considered by the Regents, and the Special Committee (3 of whose 5 members are no longer on the Board of Regents) never made a report. The Austin Independent School District has since acquired another site for the high school, but the L. C. R. A. is still actively desirous of completing the exchange of properties described above.

It was not originally intended that this review of the history of the Brackenridge Tract would be either this detailed or this lengthy. However, no document could be found wherein all of the significant actions of the Board of Regents with respect to the Brackenridge Tract had been reported or catalogued. It is hoped that this review will be of assistance in the future management of that valuable endowment.

Respectfully submitted,

Frank C. Erwin, Jr.

BUILDINGS AND GROUNDS COMMITTEE

EMERGENCY ITEMS

July 27, 1973

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13. U.T. EL PASO - SPECIAL EVENTS CENTER AND INSTALLATION OF ARTIFICIAL TURF IN SUN BOWL (PROJECT NO. 201-278) - APPOINTMENT OF PROJECT ARCHITECT AND PREPARATION OF PRELIMINARY PLANS; AND ACQUISITION OF PROPERTY.--It has long been considered that one of the major needs at The University of Texas at El Paso is a multi-use Special Events facility with a large seating capacity.

President Templeton and System Administration recommend that a Special Events Center be located on the northern portion of The University of Texas at El Paso campus within the area leased from the County of El Paso for the Sun Bowl property and adjacent to large existing parking areas. This facility should be designed to provide approximately 12,000 permanent seats for convocations, inter-collegiate basketball and popular attractions.

In the siting of this facility it is necessary to relocate a portion of Sun Bowl Road to the north and west of its present location to facilitate access to the Special Events Building and to preserve existing parking facilities.

The proposed scope of this project includes the installation of artificial turf on the Sun Bowl playing field at an estimated cost of \$330,000.00.

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 \$8,000,000.00 which has been appropriated.

It is recommended that the Board of Regents appoint B. W. Crain, Jr., Longview, Texas, with authorization to prepare preliminary plans and outline specifications to be brought to the Board for approval at a later date.

It is further recommended that authorization be given to the acquisition of certain property adjacent to the campus. Appraisals and metes and bounds of the property will be available at the Board meeting.

24. U. T. AUSTIN (PORT ARANSAS MARINE INSTITUTE): LABORATORY BUILDING AND DORMITORY (PROJECT NO. 102-30) - AWARD OF CONTRACT FOR FURNITURE AND FURNISHINGS TO ABEL CONTRACT FURNITURE AND EQUIPMENT COMPANY, INC.--Documents for procurement of the general furniture and furnishings for the Laboratory Building and Dormitory at The University of Texas Marine Science Institute at Port Aransas were prepared by the Office of Facilities Planning and Construction and bids called for. These bids were received, opened, and tabulated on July 17, 1973, as shown below:

Bidder	Base Bid "A"	Bidder's Bond or Cashier's Check
Abel Contract Furniture and Equipment Company, Inc., Austin, Texas	\$10,439.24	B.B. 5%
Rockford Furniture Associates, Austin, Texas	11,658.90	C.C. \$582.95

A mailed bid from Dallas Office Supply Company, Dallas, Texas, was received the day after the date specified for bid opening and was therefore nonresponsive to the call for bids and was not opened.

It is recommended by President Spurr and System Administration that award of a contract be made in the amount of \$10,439.24 to the low bidder, Abel Contract Furniture and Equipment Company, Inc., Austin, Texas.

The funds necessary to cover this award are available in the Allotment Account for the project.

25. U. T. AUSTIN: LYNDON BAINES JOHNSON LIBRARY AND EAST CAMPUS LIBRARY AND RESEARCH BUILDING (SID W. RICHARDSON HALL) (PROJECT NO. 102-301) - AWARD OF CONTRACT FOR REPAIRS TO EXTERIOR TRAVERTINE AND MARBLE TO STOKES CONSTRUCTION COMPANY AND APPROPRIATION THEREFOR.--In accordance with authorization given at the Regents' Meeting held March 5, 1973, bids were called for and were received, opened and tabulated on July 20, 1973, as shown below, for Repair to the Exterior Travertine and Marble Cladding at the Lyndon Baines Johnson Library and East Campus Library and Research Building (Sid W. Richardson Hall) at The University of Texas at Austin:

Bidder	Base Bid	Bidder's Bond
Anken Construction Company, Inc., Austin, Texas	\$2,355,000.00	5%
B. L. McGee Construction Company and B. L. McGee, Inc., Joint Venture, Austin, Texas	1,888,000.00	5%
John J. Stokes dba Stokes Construction Company, San Marcos, Texas	1,773,771.00	5%
T. C. Bateson Construction Company, Inc., Dallas, Texas	2,159,000.00	5%

This project provides for removal, repair or replacement of damaged pieces of stone, and reinstallation of all exterior travertine and other affected cladding material at the Lyndon Baines Johnson Library and East Campus Library and Research Building.

President Spurr and System Administration recommend that the Board:

- a. Award the contract for the Repair to the Exterior Travertine and Marble at the Lyndon Baines Johnson Library and East Campus Library and Research Building at U. T. Austin to the low bidder, Stokes Construction Company, San Marcos, Texas, in the amount of \$1,773,771.00.
- b. Authorize a total project cost of \$2,213,589.00 to cover the recommended contract award for repairs, consultants fees, purchase and delivery of replacement cladding, landscaping replacement, inspection services, fees and miscellaneous expenses.
- c. Appropriate funds in the amount of \$2,213,589.00 as an advance from Interest on Proceeds of Permanent University Fund Bonds to cover the total project cost, to be repaid from funds recovered in the litigation against T. C. Bateson Company.

26. HOUSTON HEALTH SCIENCE CENTER (HOUSTON MEDICAL SCHOOL): PHASE II BUILDING (PROJECT NO. 701-146) - AWARD OF CONTRACT TO BLOUNT BROTHERS CORPORATION AND AUTHORIZATION FOR REVISED TOTAL PROJECT COST AND FUNDING.-- In accordance with authorization given at the Regents' Meeting held April 24, 1973, bids were called for and were received, opened and tabulated on July 17, 1973, as shown below for The University of Texas Medical School at Houston, Houston Health Science Center:

Bidder	Base Bid	Alternates		
		No. 1 Deduct	No. 2 Deduct	No. 3 Add
J. W. Bateson Company, Inc., (a Texas Corporation) and Centex Corporation (a Nevada Corporation), a Joint Venture dba J. W. Bateson Company, Dallas, Texas	\$21,897,000	\$6,000	\$31,500	\$250,000
Blount Brothers Corpora- tion, Houston, Texas	20,678,000	6,000	18,000	300,000
Robert E. McKee, Inc., El Paso, Texas	21,525,000	6,100	31,500	63,000
Manhattan Construction Company, Houston, Texas	21,186,600	6,100	32,000	35,000
Tellepsen Construction Company, Houston, Texas	21,779,000	6,000	32,000	No Bid
Thomas Construction Com- pany, Inc., of Missouri, St. Joseph, Missouri	21,386,000	6,756	33,330	25,000
Zapata Warrior Constructors, a Division of Zapata Con- structors, Inc., Houston, Texas	21,545,000	6,000	32,000	No Bid

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

This project provides for a building of approximately 479,660 gross square feet of finished space and 41,220 gross square feet of shelled space.

The previously authorized total project cost of \$27,847,000.00 can be reduced to \$25,847,000.00 with this favorable contract award. Project funding includes \$6,000,000.00 Legislative Appropriation and the balance from Tuition Revenue Bond proceeds.

Acting President Olson and System Administration recommend that the Board:

- a. Award the construction contract for the Houston Medical School Phase II Building to the low bidder, Blount Brothers Corporation, Houston, Texas, as follows:

Base Bid	\$20,678,000.00
Deduct Alternate No. 1 (Delete vinyl floor covering in Conference Rooms and Classrooms)	<u>6,000.00</u>
Total Recommended Contract Award	<u><u>\$20,672,000.00</u></u>

- b. Authorize a revised total project cost of \$25,847,000.00 to cover the recommended building construction contract award, teaching and research equipment, movable furnishings and equipment, air balancing, landscaping, fees and miscellaneous expenses.
- c. Decrease the appropriated project funding by \$2,000,000.00 from Tuition Revenue Bond proceeds.

27. U. T. EL PASO: ENGINEERING/SCIENCE COMPLEX (FORMERLY ADDITION TO PHYSICAL SCIENCE BUILDING AND NEW ENGINEERING BUILDING) (PROJECT NO. 201-206) - APPOINTMENT OF COMMITTEE TO APPROVE FINAL PLANS AND SPECIFICATIONS AND AUTHORIZE ADVERTISEMENT FOR BIDS.--In accordance with authorization given at the Regents' Meeting held December 8, 1972, final plans and specifications for the Engineering/Science Complex (formerly Addition to Physical Science Building and New Engineering Building) at The University of Texas at El Paso have been prepared by the Project Architects, Carroll, Daeuble, DuSang, and Rand and Garland and Hilles and are in process of being reviewed by U. T. El Paso officials and Office of Facilities Planning and Construction. In order that they may be approved between meetings of the Board, it is recommended by President Templeton and System Administration that a Committee be appointed, consisting of President Templeton, Director Kristoferson, Deputy Chancellor Walker, Buildings and Grounds Committee Chairman Erwin, and Chairman McNeese, to approve the final plans and specifications and authorize the Director of the Office of Facilities Planning and Construction to advertise for bids to be presented to the Board for consideration at a future meeting.

28. U. T. Dallas: J. Erik Jonsson Center: Name Changed to Erik Jonsson Center. --Mr. Erik Jonsson of Dallas, Texas, prefers that the Liberal Arts Building at The University of Texas at Dallas that was named J. Erik Jonsson Center on January 26, 1973, be changed to Erik Jonsson Center. With the approval of the Board of Regents, the Secretary will enter a Minute order changing the name as preferred,

**Medical Affairs
Committee**

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

Date: July 27, 1973

Time: Following the meeting of the Buildings and Grounds Committee

Place: Main Building, Room 212
U. T. Austin
Austin, Texas

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1. U. T. System: Recommended Agreement between the Veterans Administration Center, Temple, Texas, and The University of Texas System Components. --

Chancellor LeMaistre concurs in the proposed affiliation agreement between the Veterans Administration Center, Temple, Texas, and the Board of Regents of The University of Texas System, for and on behalf of the component institutions of The University of Texas System.

Mr. V. J. Belda, Director, Veterans Administration Center, Temple, Texas, has indicated his desire to bring all of their affiliation agreements with universities up-to-date and to provide them with a June 30 termination date as of each fiscal year. It is also his desire to have an affiliation agreement with The University of Texas System which will serve the Temple Veterans Administration Center and all component institutions and simplify record keeping. For these reasons this agreement has been proposed by Mr. Belda.

The proposal has been checked for form and content by appropriate university officials.

SECRETARY'S NOTE: This agreement is to replace the two existing agreements with the Veterans Administration Center, Temple, Texas, to wit:
(1) U. T. System affiliation agreement authorized January 29, 1971, and
(2) System Nursing School agreement authorized July 30, 1971.

JUN 4 1973



VETERANS ADMINISTRATION
CENTER
TEMPLE, TEXAS 76501

JUN 1 1973

IN REPLY
REFER TO: 674/134

William H. Knisely, Ph.D.
Vice-Chancellor for Health Affairs
The University of Texas System
601 Colorado Street
Austin, Texas 78701

Dear Dr. Knisely:

We completely agree with you about the correction to our affiliation agreement in which we limit the agreement by reference to the AMA Council on Medical Education. This has been corrected in a way which should make the agreement suitable for any student attending the University in the various educational fields.

Also, another minor change was made in Paragraph C under Section III, in which we changed the wording to read, "The Facility may request the University to withdraw from the Facility any student whose performance is unsatisfactory.....," rather than saying, "The Facility may request the University to withdraw from the Clinical Education Program any student whose performance is unsatisfactory....." We think this better suits the requirements of the University.

I hope these corrections will make the agreement acceptable so that we may continue with our fine association.

Sincerely,


V. J. BELDA
Director

AGREEMENT

THE STATE OF TEXAS

COUNTY OF TRAVIS

This AGREEMENT is executed on _____, 1973, between the BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, for and on behalf of the component institutions of The University of Texas System, sometimes referred to as "University" in this agreement, and Veterans Administration Center, Temple, Texas, sometimes referred to as "Facility" in this agreement, WITNESSETH:

WHEREAS, the University and the Facility have the following common objectives: (1) to provide clinical experience in terms of patient and related instruction for students of the University; (2) to improve the overall educational program of the University by providing opportunities for learning experiences that will progress the student to advanced levels of performance; (3) to increase contacts between academic faculties and clinical faculties for fullest utilization of available teaching facilities and expertise; and (4) to establish and operate a Clinical Education Program of the first rank:

NOW, THEREFORE, for and in consideration of the foregoing, and in further consideration of the mutual benefits, the parties to this agreement agree as follows:

I. GENERAL PROVISIONS

- A. The Clinical Education Program will be consistent with the academic plan for the University and with Veterans Administration directives and standards for training.
- B. There will be no exchange of funds under this agreement.
- C. The period of time for each student's clinical education will be mutually agreed upon at least one month before the beginning of the Clinical Education Program.

- D. The number of students eligible to participate in the Clinical Education Program will be mutually determined by agreement of the parties and may be altered by mutual agreement.
- E. The Facility and the University certify that they subscribe to and will adhere to the letter and spirit of Title 6 of the Civil Rights Act of 1964 and will do so in all areas relating to student participation in the training program.

II. RESPONSIBILITIES OF THE UNIVERSITY

- A. The University will send the name, biographical data, and a report of health status of each student to the Facility at least four weeks before the beginning date of the Clinical Education Program.
- B. The University is responsible for supplying any additional information required by the Facility prior to arrival of the students.
- C. The University will assign to the Facility only those students who have satisfactorily completed the prerequisite didactic portion of the curriculum, in accordance with accreditation standards.
- D. The University will designate a faculty member to coordinate with a designee of the Facility the assignment to be assumed by the student participating in the Clinical Education Program.
- E. The University will enforce rules and regulations governing students that are mutually agreed upon by the University and the Facility.

III. RESPONSIBILITIES OF THE FACILITY

- A. The Facility shall provide a jointly-planned, supervised program of clinical experience.

- B. The Facility shall maintain complete records and reports on each student's performance and provide an evaluation to the University.
- C. The Facility may request the University to withdraw from the Facility any student whose performance is unsatisfactory or is considered detrimental to VA patient care, whose personal characteristics prevent desirable relationships within the Facility, or whose health status is a detriment to the student's successful completion of the training assignment.
- D. The Facility shall provide equally to each student while assigned to the Facility and participating in the Clinical Education Program the benefits provided by VA Manual M-3, Part II, Chapter 5 (copy available upon request).
- E. The Facility shall, on reasonable request, permit the inspection of the clinical facilities, services available for clinical experiences, student records, and such other items pertaining to the Clinical Education Program by the department or agency, or both, charged with the responsibilities for accreditation of the curriculum.
- F. The Facility shall designate and submit in writing to the University for acceptance, the name and professional and academic credentials of a person to be responsible for the Clinical Education Program. That person shall be called the Clinical Education Supervisor.
- G. The Facility shall immediately notify the University in writing of any change or proposed change in the Clinical Supervisor.

H. The Facility is responsible for all patient care, which will be under VA supervision and control. It is recognized that patient care is the primary responsibility of the VA and any training must be incidental thereto.

IV. RESPONSIBILITY OF THE STUDENT

A. The student will not submit for publication any material relating to the clinical experience without prior written approval of the Facility and the University.

V. TERM OF AGREEMENT, MODIFICATION, TERMINATION

A. This agreement is effective for the period July 1, 1973, through June 30, 1974, and may be renewed from year to year unless terminated by either party on 30 days' notice to the other.

B. It is understood and agreed that the parties to this agreement may revise or modify this agreement by written amendment when both parties agree to such an amendment.

AUTHORITY: This agreement is entered into under the authority of 38 U.S.C. 4101.

EXECUTED by the parties on the day and year first above written.

ATTEST:

ATTEST:

Approved as to Form:

BOARD OF REGENTS OF THE
UNIVERSITY OF TEXAS SYSTEM

BY _____

Chairman

VETERANS ADMINISTRATION CENTER
TEMPLE, TEXAS

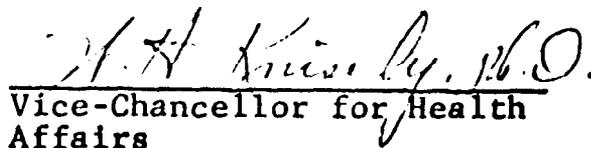
BY _____

V. J. BELDA, Director

Approved as to Content:


University Attorney


Deputy Chancellor


Vice-Chancellor for Health
Affairs

2. Dallas Health Science Center (Dallas G. S. B. S.): Request to Establish a Master of Arts Degree Program in Biomedical Communications. --

Chancellor LeMaistre concurs in President Sprague's recommendation that a Master of Arts degree program in Biomedical Communications be established in the Dallas Graduate School of Biomedical Sciences. The proposal has been approved by the appropriate committees within The University of Texas Health Science Center at Dallas and by the Graduate Council for the Biomedical Institutions.

The program will prepare biomedical communications specialists in an actively functioning medical center for later service as facilitators of information transfer within the health care system. Students will be trained in the techniques of the communication arts, biomedical illustration, instructional technology, communication and learning methodologies, and the design and management of information systems for learning/teaching tasks within the health sciences. Students will work with practicing physicians and faculty members in applying these principles and techniques to the real world communications problems of practicing health care professionals.

After approval by the Board of Regents, the proposal will be submitted to the Coordinating Board, Texas College and University System for approval.

MAY 23 1973

THE UNIVERSITY OF TEXAS
HEALTH SCIENCE CENTER AT DALLAS

CHARLES C. SPRAGUE, M. D.
PRESIDENT

SOUTHWESTERN MEDICAL SCHOOL
GRADUATE SCHOOL OF BIOMEDICAL SCIENCES
SCHOOL OF ALLIED HEALTH SCIENCES

May 21, 1973

William H. Knisely, Ph.D.
Vice-Chancellor for Health Affairs
The University of Texas System
601 Colorado Street
Austin, Texas 78701

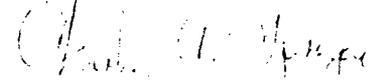
Dear Dr. Knisely:

I would like to indicate that the revised proposal for a Master's degree in biomedical communications at The University of Texas Health Science Center at Dallas has received the approval of both the Graduate School Office as well as the Graduate Executive Com-

mittee of the Medical School and myself. I respectfully request that you forward this proposal after review for action by the appropriate individuals and offices.

If there is additional information that is needed, I would very much appreciate your letting me know.

Sincerely,



Charles C. Sprague, M.D.
President

CCS:cc

cc: Dr. Parkhurst Shore
Dr. Fred Christen

5323 HARRY HINES BLVD.

DALLAS, TEXAS 75235

(214) 631-3220

3. Dallas Health Science Center (Dallas Allied Health Sciences School):
Request to Establish a Bachelor of Science Degree Program in Health
Care Administration. --

Chancellor LeMaistre concurs in the recommendation of President Sprague that a Bachelor of Science degree program in Health Care Administration be established in the Dallas School of Allied Health Sciences. The program would be administered in the Department of Rehabilitation Science. The goal of the program is to provide a basic curriculum, fundamental to all areas of health care administration, which would provide the academic requirements necessary to continue on for graduate work in hospital administration or other similar areas if a student should desire to do so at a later date. The curriculum has been reviewed and approved by the Advisory Council on Allied Health Programs.

Emphasis will be placed on preparing the graduates for administrative work in long-term care administration and rehabilitation facility administration. The five general core areas are administrative functions, gerontology, health care, community resources and relationships, and rehabilitation science. This is the core of knowledge which is recommended by the Advisory Council on Nursing Home Administration.

Following approval by the Board of Regents the proposed curriculum will be submitted to the Coordinating Board, Texas College and University System for approval.

JUN 13 1973

THE UNIVERSITY OF TEXAS
HEALTH SCIENCE CENTER AT DALLAS

CHARLES C. SPRAGUE, M.D.
PRESIDENT

SOUTHWESTERN MEDICAL SCHOOL
GRADUATE SCHOOL OF BIOMEDICAL SCIENCES
SCHOOL OF ALLIED HEALTH SCIENCES

June 11, 1973

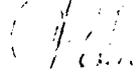
William H. Knisely, Ph.D.
Vice Chancellor for Health Affairs
The University of Texas System
601 Colorado Street
Austin, Texas 78701

Dear Bill:

I have received the revised copy of Dean Schermerhorn's proposal for an Undergraduate Curriculum in Health Care Administration Leading to the Bachelor of Science Degree. I am also attaching a copy of his

letter to me for I think it explains why he has this program in Rehabilitation Science rather than the Department of Health Care Sciences. I trust this will explain this aspect of the program. I apologize for the ambiguity in the original submission and hopefully we will be able to avoid this in the future.

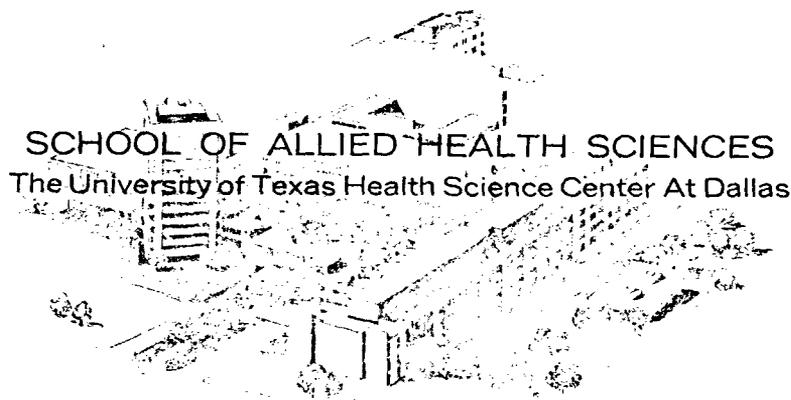
Sincerely,



Charles C. Sprague, M.D.
President

CCS:cc

cc: Dean Schermerhorn



May 31, 1973

Charles C. Sprague, M.D., President
The University of Texas Health Science Center at Dallas

Dear Charlie:

Although we moved all around it the fact remains that nowhere did we spell out that our proposal is for a baccalaureate program. This has been corrected on page 1 by replacing the word "Undergraduate" with "Baccalaureate". An additional ten copies of the amended first page are enclosed.

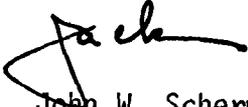
In regard to the departmental location of the program, I see far more logic in its placement in Rehabilitation Science because it is in significant part related to rehabilitation education. Not only are rehabilitation courses a part of the curriculum but also, we have proposed that Rehabilitation Science students earn a portion of their credits in this field. We believe many of the graduates of this program will find employment in rehabilitation facilities.

While it is unfortunate that the title Health Care Administration closely resembles that of the Department of Health Care Sciences, the fact is that any similarity or affinity ends there. Health Care Sciences has as its only program at this time the Physician's Assistant curriculum. This is a technology oriented offering which has little in common with our present proposal. The

Department of Rehabilitation Science, on the other hand, has had a deep involvement in the development of the Program and, as indicated in Item 11, pages 12-15, will provide significant faculty support. The Department of Health Care Sciences has not been involved in the development of the Program and I do not plan, at this time, any course offerings from this area.

I believe that locating the Program in the Department of Rehabilitation Science at this time is essential to its success. It may be that as it gains in strength and independence a later move might be indicated but it most certainly needs all the support Rehabilitation Science is in a position to provide now.

Cordially,



John W. Schermerhorn, Ph.D.
Dean

JWS:clf

5323 HARRY HINES BLVD.

DALLAS, TEXAS 75235

4. Dallas Health Science Center, Houston Health Science Center and San Antonio Health Science Center: Recommended Official Seals.--

In accordance with the Regents' Rules and Regulations, Part Two, Chapter I, Section 8.1, Chancellor LeMaistre concurs in the recommendation of Presidents Harrison and Sprague and Acting President Olson that official seals be approved for the Health Science Centers at San Antonio, Dallas, and Houston. The design and color of each recommended seal is the same as The University of Texas System seal and has the appropriate name of the health science center inscribed in the outer ring.

Color replicas of these seals will be available at the Board meeting.

5. Galveston Medical Branch (Galveston Medical School): Recommended Appointment of Dr. William E. Stone to the Gladys and R. Lee Kempner Professorship in Child Psychiatry. --

Chancellor LeMaistre concurs in the recommendation of President Blocker that Dr. William E. Stone be appointed to the Gladys and R. Lee Kempner Professorship in Child Psychiatry. Dr. Stone is known to be an effective clinician, and the appointment has the approval of the Department and the Executive Committee of the Faculty of Medicine, as stated in President Blocker's letter.

The appointment will become effective September 1, 1973.



THE UNIVERSITY OF TEXAS MEDICAL BRANCH
GALVESTON, TEXAS 77550

OFFICE OF THE PRESIDENT
PHONE: SO 5-1902

June 5, 1973

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

CHANCELLOR'S OFFICE U. OF T.	
Acknowledged.....	Filed.....
JUN 7 1973	
To.....	For Info and Return
To.....	Please Advise Me
To.....	Please Handle

Dear Dr. LeMaistre:

Upon the nomination of Dr. Hamilton Ford, Chairman of the Department of Neurology and Psychiatry, seconded by Dr. Eugene Hornsby, Chief of the Division of Child Psychiatry, and with the approval of the Executive Committee of the Faculty of Medicine, I am pleased to recommend Dr. William E. Stone for appointment to the Gladys and R. Lee Kempner Professorship in Child Psychiatry.

Dr. Stone is an experienced and highly regarded clinician and his presence on our faculty should strengthen immeasurably our teaching program in psychiatry. A copy of his curriculum vitae is attached.

Your approval and that of the Board of Regents is requested.

Sincerely yours,

T. G. Blocker, Jr., M.D.
President

TGB:rc
Enclosure

6. Galveston Medical Branch (Galveston Allied Health Sciences School):
Recommended Affiliation Agreements for the Clinical Training of
Allied Health Students. --

Chancellor LeMaistre concurs in the recommendation of President Blocker that the affiliation agreements 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 agreements. The agreements are the same as the model agreement approved by the Board on March 6, 1970, and have received appropriate approvals as to form and content by System Administration officials. This request for advance approval of these agreements 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>
Diagnostic Center Hospital	Houston	Medical Record Administration
Baptist Memorial Hospital	San Antonio	Medical Record Administration
Richardson General Hospital	Richardson	Medical Record Administration

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

Diagnostic Center Hospital, Houston; Baptist Memorial Hospital, San Antonio; and Richardson General Hospital

The Medical Record Department at all three hospitals can provide a supervised learning experience through which students can develop insight, understanding and skill in the Medical Record procedures; learn the overall functioning of the Medical Record service; learn to deal with personnel problems; accept responsibility and recognize the need for preserving the confidential nature of Medical Records; learn to work with other professional and non-professional personnel and provide practice in the administration of a Medical Record Department.

7. Houston Health Science Center (Houston Medical School): Recommended Amendment to the Bylaws of the Medical Service, Research and Development Plan. --

System Administration concurs in the recommendation of Dean Smythe and the members of the Houston Medical School MSRDP that the following new paragraph be approved as an amendment to the By-laws of that institution's Medical Service, Research and Development Plan and requests Board approval.

Section 3.16 Those physicians in training salaried by The University of Texas Medical School at Houston under the provision of its Affiliated Hospitals Residency Training Programs shall not be Members of the Plan. Those professional fees generated as a result of the activities of such physicians in training shall be distributed according to the provisions of the Affiliated Hospitals Residency Training Programs.

This amendment is necessitated by the fact that physicians in residency training for which the Medical School will be responsible will be contract employees of the Medical School, and their salaries will be paid on a pro rata share by the hospitals participating in the training into an escrow fund which will be administered and disbursed by the Medical School. In return the professional fees earned by these residents will be retained in the hospitals in which the fees are earned. For clarification purposes this amendment excludes these residents and their professional fees from the general requirements and limitations of the MSRDP.

8. Houston Health Science Center (Houston Dental Branch): Recommended Affiliation Agreement, Harris County Hospital District. --

Chancellor LeMaistre concurs in the recommendation of Acting President Olson that the affiliation agreement between the Board of Regents, for and on behalf of the Houston Dental Branch, and the Harris County Hospital District be approved and that the Chairman be authorized to execute the agreement following approval as to form and content by the Law Office and appropriate officials of System Administration.

AGREEMENT

THE STATE OF TEXAS |

COUNTY OF HARRIS |

This AGREEMENT is executed on _____, 1973, between the BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, for and on behalf of The University of Texas Health Science Center at Houston, The University of Texas Dental Branch at Houston, sometimes referred to as "Dental Branch" in this agreement, and the Harris County Hospital District, a political subdivision organized under the laws of the State of Texas, sometimes referred to as the "District" in this agreement,

WITNESSETH:

WHEREAS, the District is the owner and operator of two hospitals, Ben Taub General Hospital and Jefferson Davis Hospital (Herein called the "Hospitals"), situated in Harris County, Texas, providing medical and hospital care to the indigent ill of Harris County, Texas; and

WHEREAS, it is mutually recognized that the District and the Dental Branch have certain objectives in common, namely (a) the advancement of medical service through high quality professional care of patients, (b) the education and training of medical personnel, (c) the advancement of medical knowledge through research, and (d) the promotion of personal and community health; and that each can accomplish these objectives in a larger measure and more effectively through affiliated operations; and

WHEREAS, it is mutually recognized that the primary function of the District is the provision of the best possible health care for the citizens of Harris County; and

WHEREAS, it is the desire of both parties and it is for the benefit of the citizens of Harris County that the Hospitals maintain excellent programs of dental education both for graduate students and for undergraduate dental students in order that both parties can accomplish their objectives in a larger measure;

NOW, THEREFORE, for and in consideration of the foregoing, and in further consideration of the mutual benefits, the parties to this agreement agree as follows:

(1) SEPARATE JURISDICTION

Dental Branch will continue, as in the past, to operate a dental school of the highest quality and shall retain all jurisdictional powers incident to its separate ownership and operation, including the power to determine the general and fiscal policies of the dental school and to appoint its administrative, faculty and other personnel under the terms of the subsequent paragraphs of this agreement.

The District shall retain for its Hospitals all jurisdictional powers incident to separate ownership and operation, including the powers to determine general and fiscal policies and to appoint its administrative officers and other personnel under the terms of the subsequent paragraphs of this agreement.

• The Board of Managers of the District retains final jurisdiction over the administration and supervision of the Hospitals and over the admission of patients to the Hospitals and the assignment of beds therein.

(2) HIGH QUALITY PATIENT CARE

The District will operate its Hospitals in a manner and with standards consistent with high quality patient care and in accordance with standards established by the Joint Commission on the Accreditation of Hospitals.

(3) TEACHING PROGRAMS

The District will bear all costs for maintaining a staff of dental interns and resident doctors, herein called the "House Staff"; it will also provide facilities to support programs with classrooms, laboratories and office space for the supervisory personnel of the House Staff.

The decisions regarding the extent of and the number of students in undergraduate teaching in the Hospitals, the House Staff programs, and the research programs will be made by Dental Branch except that no decisions which affect the budget of the District shall be made unless the District's agreement thereto is first obtained.

(4) ORAL SURGERY

Dental Branch will provide the District with an adequate number of qualified oral surgeons from the dental school faculty to supervise and direct the professional services to inpatients and outpatients of (a) its Hospitals and (b) the other facilities, if any, operated by the

District for which medical staffing requests have been made by the District and to supervise all training and research activity conducted under the auspices of Dental Branch in the Hospitals and any such other facilities.

(5) REIMBURSEMENT TO DENTAL BRANCH

The funds to be paid to Dental Branch by the District each year during the term of this agreement shall be agreed to by the District and Dental Branch upon the principle that Dental Branch will provide qualified oral surgeons from the dental school to supervise and direct professional services to the inpatients and outpatients of the Hospitals and other facilities, if any, operated by the District for which oral surgeons staffing requests have been made by the District, and to supervise all training and research activities conducted under the auspices of Dental Branch in the Hospitals and any such other facilities. In this connection, the District shall have the right to bill, in its own name, charges for professional services rendered to patients to the extent that same may be ethical and lawful, and the Oral Surgery Staff appointed by Dental Branch shall cooperate with the District in processing insurance, Medicare, Medicaid, and other applications and forms in order that the District may fully recover all sums of money due and owing to it for services rendered; and the District shall upon request give a full accounting thereof to Dental Branch.

(6) APPOINTMENT OF MEDICAL STAFF

Appointment to the Medical Staff of the Hospitals, and any such other facilities operated by the District and staffed by Dental Branch, shall be made annually by the Board of Managers of the District only upon the recommendation of the Medical Board of the Hospitals, which shall be appointed by Dental Branch and approved by the Board of Managers of the District.

(7) CHIEF OF ORAL SURGERY DEPARTMENT

The District shall appoint as chief of the Oral Surgery Service of the Hospital Medical Staff the Dean of the Dental Branch, or his designee.

(8) GRANTS, RESEARCH OR DEMONSTRATION PROGRAMS

Dental Branch shall submit annually to the District a list of the programs or projects being conducted by Dental Branch in the Hospitals.

Dental Branch recognizes that it is the policy of the District that the District shall not be committed to participating in any grants, research or demonstration programs, or similar type activities without having first had the plans for any such program submitted to and approved by the District. In accordance with this policy, if Dental Branch desires to initiate any such program which involves the District or any of its facilities or personnel, Dental Branch shall first submit the plan and completed application therefor to the District for approval. If the District does not approve same, Dental Branch shall not proceed with any such program involving the District.

(9) TERM

This agreement shall be effective as of August 1, 1973, and shall continue in full force and effect until August 31, 1978, unless sooner terminated by the mutual consent of the parties, or by either party hereto giving to the other party written notice of termination which shall not be effective until at least 90 days after the receipt of such notice by the other party, any such notice to specify such date of termination.

(10) PROVISION FOR OTHER AGREEMENTS

It is recognized that either party may enter into other agreements and affiliations so long as same are not inconsistent with the terms and provisions hereof.

(11) AMENDMENTS

This agreement may be amended only by a written instrument duly authorized for execution by the governing Boards of the respective parties hereto.

(12) BINDING ON SUCCESSORS

This agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns, and shall supersede all previous agreements.

EXECUTED by the parties on the day and year first above written.

9. Houston Health Science Center and University Cancer Center:
Request for Authorization in Principle for Houston Units of The
University of Texas System to Participate in Program of Hemo-
therapy Institute; Approval of Consent of Trustees Document;
Approval of Commitment of Funds Toward its Initial Support. --

The organizational aspects to create a Hemotherapy Institute as a non-profit service corporation within the Texas Medical Center have been agreed to by the several facilities, including The University of Texas units in Houston, which make up the Texas Medical Center. Specifically, both the Houston Health Science Center and the University Cancer Center have been involved in these organizational efforts and are agreed that their continued involvement in this Institute will be very appropriate and advantageous. The basic format and purposes of the Institute are set forth in the letter dated June 28, 1973, reproduced below, from President Clark and Acting President Olson. The policy governance of the Institute will be by a thirteen member Board of Trustees which initially will include Mr. McNeese as Chairman of the Board of Regents and President Clark.

Specifically, Chancellor LeMaistre requests the Board of Regents to

- (1) Authorize in principle the Houston Health Science Center and the University Cancer Center to participate in the programs of the Hemotherapy Institute;
- (2) Authorize the Houston Health Science Center and the University Cancer Center to allocate such institutional funds as may be appropriate toward the initial support of the Institute. The initial draft budget is set forth below; (Page 24)
- (3) Authorize Chairman McNeese and President Clark to execute the "Consent of Trustees" document set forth below and such other documents as may be required for participation in the Institute following approval as to form and content by the Law Office and System Administration. (Page 25)



THE UNIVERSITY OF TEXAS SYSTEM CANCER CENTER

Texas Medical Center Houston, Texas 77025



*R. Lee Clark, M.D.
President*

June 28, 1973

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

Dear Doctor LeMaistre:

For more than a year discussions have been ongoing concerning the establishment of a Hemotherapy Institute as a non-profit corporation to serve institutions in the Texas Medical Center and their affiliated hospitals. Participants in these discussions have included appropriate representatives of Texas Medical Center, Inc. and the institutions and hospitals concerned. Such an Institute would have tremendous potential benefit to the units comprising the Cancer Center and the Health Science Center at Houston, and the purpose of this letter is to present to you and the Board of Regents a summary of the developments to date, and our recommendations for participation. In so doing, we represent the Houston units of The University of Texas System.

Functions of the Institute have been summarized in the Articles of Incorporation as follows:

" . . . The corporation, in carrying out its purposes shall conduct research in the fields of hemotherapy and immunohematology; provide teaching and training programs in the techniques of immunohematology and blood component preparation; analyze methods and develop effective programs for recruitment of volunteer blood donors; procure and provide blood and its components to meet the demands of those organizations included herein; provide a central inventory control of the blood supply; participate in local disaster planning; maintain a rare blood donor file; and provide such other activities as are consistent with the purposes of the organizations included herein. . . "

M. D. ANDERSON HOSPITAL AND TUMOR INSTITUTE Annex and Rehabilitation Center

EXTRAMURAL PROGRAMS DIVISION Oncology Council-Biomedical Institutions Collaborative Studies Substations Environmental Science Park

UNIVERSITY CANCER FOUNDATION The Anderson Mayfair

Dr. Charles A. LeMaistre, Chancellor

Page 2

June 28, 1973

The Articles of Incorporation provide for a representative Board of Trustees to serve "until their respective successors are duly elected and qualified" one of whom would be the Chairman of the Board of Regents, Mr. A. G. McNeese, Jr., representing the System, and one would be Dr. R. Lee Clark, representing the Houston units of the System, with the concurrence of Dr. Victor Olson, Acting President of the Health Science Center at Houston. A document entitled "Consent of Trustees" is attached as Appendix A and is recommended later in this letter for approval by the Board of Regents. It should be noted that Hermann Hospital is represented independently of the Health Science Center units.

Initial funding for basic support of the Institute at the level of \$300,000 per annum is proposed to come from a general assessment to the principal user hospitals and other supporting organizations. It is anticipated that after three to five years the Institute will be fully operational and self supporting through fees for service.

At a meeting of the Administrative Council of the Health Science Center on June 12, 1973 it was agreed to recommend to you and the Board of Regents that we participate in the program of the Hemotherapy Institute and that we commit funds from our respective institutions in its support for at least two years.

Attached to this letter as Appendix B is a projection of sources of income prepared for discussion purposes by the Hemotherapy Institute Board. We propose that our assessments be authorized as indicated, but subject to negotiation and final decision, to be reported to the Board through the usual channels.

Through arrangements made by a Search Committee, interviews have been held during the past year with a number of well qualified candidates for the position of Executive Director, and the appointment of a candidate has now been recommended by all concerned, at \$50,000 per annum. This would be payable to him by the Institute. We are in agreement that the tenured aspect of his appointment as full professor, and fringe benefits, be granted through Baylor College of Medicine, and we propose that he be offered a faculty appointment as full professor, without salary or tenure, at appropriate units of The University of Texas at Houston.

Space for the Institute will be negotiated by the Texas Medical Center in one of several possible locations adjacent to the Center.

In recapitulation, the Houston units of The University of Texas System recommend that the Board of Regents:

1. Approve in principle their participation in the program of the Hemotherapy Institute as outlined in this letter.

Dr. Charles A. LeMaistre, Chancellor
Page 3
June 28, 1973

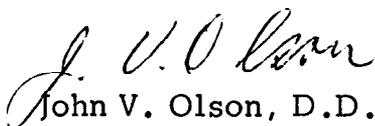
2. Approve the "Consent of Trustees" document attached to this letter (Appendix A) which, when approved by the Boards of the other participating institutions, would be signed by the Chairman of the Board of Regents, representing the System, and by Dr. R. Lee Clark, representing the Houston units of the System.
3. Authorize assessments for the Houston units of The University of Texas as indicated in Appendix B, but subject to negotiation and final decision, to be reported to the Board through the usual channels.

If additional information, or clarification of the data presented here is desired, we shall be pleased to provide it as promptly as possible.

Sincerely yours,



R. Lee Clark, M.D., President
The University of Texas System
Cancer Center



John V. Olson, D.D.S., Acting President
The University of Texas Health Science
Center at Houston

RLC/JVO:ns

Attachments

cc: Dr. William H. Knisely
Dr. Richard T. Eastwood
Dr. Joseph Merrill

Copy attached for Miss Betty Thedford, if approved

Projected Sources of Income for Basic Support

(Suggested approach for discussion purposes)

General Assessment for all participating institutions \$10,000 each - thirteen participants \$130,000

Principal Users

The Methodist Hospital	\$30,000	
St. Luke's Hospital	15,000	
Texas Childrens' Hospital	10,000	
Ben Taub General Hospital	15,000	
M.D. Anderson Hospital & Tumor Institute	15,000	
Hermann Hospital	15,000	
St. Joseph's Hospital	15,000	
Memorial Hospital System	<u>15,000</u>	130,000

Other Support

Baylor College of Medicine	20,000	
University of Texas	20,000	
Houston Chapter American Red Cross	20,000	
Texas Medical Center, Inc.	5,000	
Harris County Medical Society	<u>5,000</u>	<u>70,000</u>

TOTAL

\$330,000

CONSENT OF TRUSTEES
THE INSTITUTE OF HEMOTHERAPY

We, the undersigned, members of the Board of Trustees of the Institute of Hemotherapy (the "Institute"), and on behalf of the organizations which we represent, consent to and adopt the following resolutions, indicative of our intent to participate in and support the Institute:

RESOLVED, we hereby pledge our participation and support to the successful development and operation of the Institute;

RESOLVED FURTHER, each member organization will allow the administrative office of blood inventory control of the Institute free access to its blood utilization records;

RESOLVED FURTHER, the Institute office of inventory control will regulate the interchange of blood among member organizations to assure maximum utilization of the blood resource;

RESOLVED FURTHER, at such time as it is feasible and appropriate, all member organizations will satisfy their needs for blood and its components through the Institute;

RESOLVED FURTHER, the Institute will research, develop, and utilize voluntary blood donor recruitment tactics to be carried out within the member organizations; and

RESOLVED FURTHER, the organizational structure of the Institute, proposed by Dr. Edward E. Morse, in a letter to Dr. Joseph Merrill dated April 10, 1973, is approved, and the budget for the first year of operation of the Institute, included in such letter, is tentatively approved.

DATED _____, 1973

Harris County Hospital District

Harris County Medical Society

The University of Texas M.D. Anderson
Hospital and Tumor Institute

American National Red Cross
Houston-Harris County Chapter

The Methodist Hospital

Hermann Hospital Estate

St. Luke's Episcopal Hospital

Texas Childrens' Hospital

The University of Texas System

St. Joseph's Hospital

Texas Medical Center, Inc.

Baylor College of Medicine

Memorial Hospital System

L&I Com.

LAND AND INVESTMENT COMMITTEE
Jenkins Garrett, Chairman

Date : July 27, 1973

Time : Following the meeting of the Medical Affairs Committee

Place : Main Building, Suite 212
The University of Texas at Austin

PERMANENT UNIVERSITY FUND

Page
L & I

INVESTMENT MATTERS:

1. Report on Clearance of Monies to Permanent University Fund and Available Fund for the Current Fiscal Year through June, 1973. 3

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6. Galveston Medical Branch (Galveston Medical School) - Acceptance of Gifts from Mrs. Florence Thelma Hall and Daughter, Miss Florence Marie Hall, and Establishment of Dr. Granville T. Hall Professorship in General Surgery 10
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11. U. T. Arlington - Recommendation for Sale
of \$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; Appointment of Bond
Counsel and Bond Consultant; and Establishment
of an Account for Miscellaneous Costs. 12

12. U. T. Arlington - Recommendation for Sale
of \$1,500,000 Universities of The State of
Texas State Ad Valorem Tax Bonds, Series
1973, The University of Texas at Arlington;
Appointment of Bond Counsel and Bond
Consultant; and Establishment of an Account
for Miscellaneous Costs. 13

13. U. T. Austin - Recommendation for Sale of
\$34,000,000 Board of Regents of The University
of Texas System, The University of Texas at
Austin Combined Fee Revenue Bonds, Series
1973; Appointment of Bond Counsel and Bond
Consultant; and Establishment of an Account
for Miscellaneous Costs. 13

14. U. T. El Paso - Recommendation for Sale of
\$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; Appointment of Bond Counsel and Bond
Consultant; and Establishment of an Account
for Miscellaneous Costs. 14

OTHER MATTERS:

15. Report of Securities Transactions for Permanent
University Fund and for Trust and Special Funds
for the Months of April and May, 1973. 14

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 June 1973.

<u>Permanent University Fund</u>	<u>May, 1973</u>	<u>June, 1973</u>	<u>Cumulative This Fiscal Year</u>	<u>Cumulative Preceding Fiscal Year (Averaged)</u>
Royalty				
Oil	\$1,414,873.47	\$ 758,035.56	\$12,384,677.21	\$13,371,827.40
Gas - Regular	318,029.78	289,180.49	3,082,184.87	2,868,644.20
- F. P. C.	.76	26.99	40,871.76	23,353.70
Water	10,329.48	13,107.73	100,336.20	98,818.50
Salt Brine	1,334.18	1,502.44	11,892.84	11,217.70
Rental on Mineral Leases	9,373.81	8,832.70	252,633.31	283,025.40
Rental on Water Contracts	- 0 -	4,580.00	13,541.47	21,340.00
Rental on Brine Contracts	- 0 -	- 0 -	- 0 -	166.70
Amendments and Extensions of Mineral Leases	408,810.00	215,515.89	917,588.45	237,859.00
	<u>2,162,751.48</u>	<u>1,290,781.80</u>	<u>16,803,726.11</u>	<u>16,916,252.60</u>
Bonuses, Mineral Lease Sales (actual)	- 0 -	- 0 -	6,035,200.00	4,769,600.00
Total-Permanent University Fund	<u>2,162,751.48</u>	<u>1,290,781.80</u>	<u>22,838,926.11</u>	<u>21,685,852.60</u>
 <u>Available University Fund</u>				
Rental on Easements	9,287.45	16,935.81	81,027.99	198,469.10
Interest on Easements and Royalty	403.05	1,571.71	4,041.89	12,008.80
Correction Fees - Easements	- 0 -	- 0 -	- 0 -	112.90
Transfer and Relinquishment Fees	309.07	178.40	2,901.43	5,695.50
Total-Available University Fund	<u>9,999.57</u>	<u>18,685.92</u>	<u>87,971.31</u>	<u>216,286.30</u>
Total-Permanent and Available University Funds	<u>\$2,172,751.05</u>	<u>\$1,309,467.72</u>	<u>\$22,926,897.42</u>	<u>\$21,902,138.90</u>
 <u>Oil and Gas Development-June 30, 1973</u>				
Acres Under Lease	625,281			
Number of Producing Acres	320,671			
Number of Producing Leases	1,421			

PERMANENT UNIVERSITY FUND - LAND MATTERS.--

2. 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
3536	Texas Electric Service Company (renewal of 1758)	Power Line	Crane	31	172.97 rds. distribution construction	6/1/73-5/31/83	\$ 121.08
3537	Basin Tank Rental Company	Surface Lease (trucking yard site)	Reagan	11	3 acres	9/1/73-8/31/74*	350.00 (annually)
3538	Texas Electric Service Company (renewal of 1747)	Power Line	Crane	35	160 rds. distribution construction	6/1/73-5/31/83	112.00
3539	Delhi Gas Pipeline Corporation	Pipe Line	Ward	18	1,086.12 rds. 10-3/4 inch	5/1/73-4/30/83	1,629.18
3540	Oasis Pipe Line Company	Pipe Line	Ward	17, 18	757.40 rds. 6 inch	5/1/73-4/30/83	1,136.10
3541	Oasis Pipe Line Company	Pipe Line	Ward	17, 18	748.67 rds. 6 inch	5/1/73-4/30/83	1,123.00

*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
3542	Oasis Pipe Line Company	Surface Lease (two residences)	Pecos	16	2 sites, each 150' x 150'	5/1/73-4/30/83	\$ 1,500.00 (full)
3543	C. T. Williams (renewal of 1742)	Surface Lease (business site)	Ward	16	150' x 100'	7/1/73-6/30/74*	200.00 (annually)
3544	Gulf Oil Corporation (renewal of 1797)	Pipe Line	Crockett	47	456.3 rds. 2 inch	9/1/73-8/31/83	342.23
3545	Texas Electric Service Company (renewal of 1748)	Power Line	Ward	16	310 rds. distribution construction	6/1/73-5/31/83	217.00
3546	Community Public Service Company	Power Line	Ward	16	51.64 rds. single pole	5/1/73-4/30/83	75.00 (Min.)
3547	Exxon Pipeline Company (renewal of 2219)	Pipe Line	Andrews	1	58.18 rds. 4½ inch	7/1/73-6/30/83	75.00 (Min.)
3548	Exxon Pipeline Company (renewal of 1762)	Pipe Line	Andrews	9	358.42 rds. 4½ inch	6/1/73-5/31/83	268.81
3549	Southwestern Bell Telephone Company (renewal of 1751)	Power Line	Ward	17	1,414 rds. telephone line construction	8/1/73-7/31/83	989.80
3550	Phillips Petroleum Company (renewal of 1772)	Pipe Line	Andrews	1, 10	80.0 rds. 3½ inch 108.7 rds. 4½ inch	7/1/73-6/30/83	141.53

*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
3551	Phillips Petroleum Company (renewal of 1732)	Pipe Line	Andrews	11	556.03 rds. various size	9/1/73-8/31/83	\$ 1,102.07
3552	Texaco, Inc. (renewal of 1709)	Pipe Line	Ward	18	853 rds. 4½ inch	5/1/73-4/30/83	639.75
3553	Texas Electric Service Company (renewal of 1757)	Power Line	Loving	19	664.12 rds. distribution construction	6/1/73-5/31/83	464.88
3554	Exxon Pipeline Company (renewal of 1763)	Pipe Line	Andrews	1	154.8 rds. 4½ inch	8/1/73-7/31/83	116.10
3555	Phillips Petroleum Company (renewal of 1756)	Pipe Line	Andrews	4,5,6,7,8,13,14	4,770.16 rds. 8-5/8 inch 3,212.2 rds. 4½ inch	7/1/73-6/30/83	9,564.39
3556	El Paso Natural Gas Company (renewal of 1779)	Pipe Line	Reagan	11	1,037.333 rds. 6-5/8 inch 27.000 rds. 4½ inch	12/1/73-11/30/83	1,576.25
3557	Southwestern Bell Telephone Company (renewal of 1840)	Power Line	Crockett, Winkler, Pecos	14, 21, 16	3,608 rds. telephone line construction	8/1/73-7/31/83	2,525.60
3558	Texas Electric Service Company (renewal of 1777)	Power Line	Andrews	7, 10	355.76 rds. distribution construction	8/1/73-7/31/83	249.03

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Land Matters - Continued--

No.	Company	Type of Permit	County	Location (Block#)	Distance or Area	Period	Consideration
3559	Texas Electric Service Company (renewal of 1765)	Power Line	Crane	31	1,247.88 rds. distribution construction	8/1/73-7/31/83	\$ 873.52
3560	BTA Oil Producers	Surface Lease (salt water disposal)	Ward	16	2 acres	6/1/73-5/31/74*	500.00 (annually)
3561	Texas-New Mexico Pipe Line Company (renewal of 1697-A)	Surface Lease (pump station site)	Crockett	46	0.92 acre	6/1/73-5/31/83	750.00 (full)
3562	Texas-New Mexico Pipe Line Company (renewal of 1734)	Pipe Line	Crockett	46	982 rds. 6-5/8 inch	6/1/73-5/31/83	1,473.00
3563	El Paso Natural Gas Company (renewal of 1770)	Pipe Line	Reagan	11	73.636 rds. 4½ inch	11/1/73-10/31/83	75.00 (Min.)
3564	Skelly Oil Company	Power Line	Andrews	14	160.3 rds. single pole construction	6/1/73-5/31/83	112.21
3565	El Paso Natural Gas Company (renewal of 1768)	Pipe Line	Reagan	11	175.758 rds. 4 inch	11/1/73-10/31/83	131.82
3566	El Paso Natural Gas Company (renewal of 1769)	Pipe Line	Upton	3, 58	202.618 rds. 4½ inch	11/1/73-10/31/83	151.96

*Renewable from year to year, but not to exceed a period of five (5) years

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Land Matters - Continued

No.	Company	Type of Permit	County	Location (Block#)	Distance or Area	Period	Consideration
3567	Texas Electric Service Company (renewal of 1766)	Power Line	Ector	35	78.18 rds. distribution construction	8/1/73-7/31/83	\$ 75.00 (Min.)
3568	Western Communications Service	Surface Lease (microwave tower site)	Crockett	41	500' x 500'	7/1/73-6/30/83	1,500.00 (full)
3569	Northern Natural Gas Company (renewal of 1776)	Pipe Line	Pecos Upton Martin and Andrews	18, 19, 20 3, 15, 58 5, 6, 7	6,873.51 rds. 20 inch 4,899.76 rds. 30 inch	8/1/73-7/31/83	31,243.32
3570	Northern Natural Gas Company (renewal of 1774)	Pipe Line	Pecos	19	160.97 rds. 16 inch	8/1/73-7/31/83	370.23
3571	Northern Natural Gas Company (renewal of 1788)	Surface Lease (heater facility)	Pecos	19	2.066 acres	8/1/73-7/31/83	750.00 (full)
3572	LSG TRANSTEXAS GAS COMPANY	Pipe Line	Ward	18	2,751.39 rds. 18 inch	7/1/73-6/30/83	6,328.20
3573	Mobil Pipe Line Company	Pipe Line	Andrews	4	130 rds. 4 inch	7/1/73-6/30/83	97.50
3574	El Paso Natural Gas Company (renewal of 1801)	Pipe Line	Crockett	29	256.969 rds. 6-5/8 inch 1,139.485 rds. 4½ inch	11/1/73-10/31/83	1,240.06

Land Matters - Continued--

No.	Company	Type of Permit	County	Location (Block#)	Distance or Area	Period	Consideration
3575	Southwest Texas Electric Cooperative, Inc. (renewal of 1832)	Power Line	Upton	5	1,294.4 rds. single pole construction	7/1/73-	\$ 906.08
Crockett			14	6/30/83			
Pecos			24				
Reagan			49				
3576	Delhi Gas Pipeline Corporation	Pipe Line	Ward	16	775.64 rds. 6-5/8 inch	7/1/73- 6/30/83	1,163.46

3. MATERIAL SOURCE PERMITS

No.	Grantee	County	Location	Quantity	Consideration
429	Texas Highway Department	Reagan	Block 10	3,370 cubic yards caliche	\$ 337.00
430	M. F. Machen	Andrews	Block 1	906 cubic yards caliche	271.80
431	McVean and Barlow, Inc.	Ward and Winkler	17, 18, 19, 20, 21	23,358 cubic yards pad dirt	6,671.60

4. WATER CONTRACT

No.	Grantee	County	Location	Period	Consideration
143	Gulf Oil Corporation (renewal of 29)	Crane	Block 31	9/1/73-8/31/78	*

*\$4,480 per year plus ten cents (10¢) per one thousand (1,000) gallons of water produced, but in no event shall royalty be less than \$200 per year. The University derives a double benefit from this agreement since the water goes to a gasoline plant which processes hydrocarbons from University Lands, and a portion of the water goes to a brine producer on University Lands from which additional royalty is collected.

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

5. GALVESTON MEDICAL BRANCH (GALVESTON MEDICAL SCHOOL) - ACCEPTANCE OF BEQUEST UNDER THE WILL OF AGNES THELMA ANDERSON.-- Mrs. Agnes Thelma Anderson, a resident of Houston but formerly of Galveston, died in April leaving a will now probated in Harris County, providing as follows:

II

"I give, devise and bequeath all of my Estate, whether real, personal or mixed, that I shall die seized and possessed of to the Board of Regents of the University of Texas to be used at its Galveston Medical Branch for the purpose of giving either grants, loan, or contributions to worthy medical students for the purpose of enabling such medical students to complete their education as Doctor of Medicine."

The United States National Bank of Galveston is Independent Executor of the Estate and expects to complete administration by about the end of this year and deliver to the University the net estate which it appears will amount to a little in excess of \$200,000. The Associate Deputy Chancellor for Investments, Trusts and Lands recommends acceptance of the bequest.

6. GALVESTON MEDICAL BRANCH (GALVESTON MEDICAL SCHOOL) - ACCEPTANCE OF GIFTS FROM MRS. FLORENCE THELMA HALL AND DAUGHTER, MISS FLORENCE MARIE HALL, AND ESTABLISHMENT OF DR. GRANVILLE T. HALL PROFESSORSHIP IN GENERAL SURGERY.--In August 1972, Mrs. Florence Thelma Hall, widow of Dr. Granville T. Hall, a 1906 graduate of the Galveston Medical School, and their daughter, Miss Florence Marie Hall, each gave \$25,000 to apply on the endowment of a Professorship in General Surgery in memory of Dr. Hall (December 8, 1972, Docket, G-6); and each has now given an additional \$25,000 to complete the \$100,000 endowment of the Professorship. The Associate Deputy Chancellor for Investments, Trusts and Lands joins President Blocker and the Chancellor in recommending acceptance of the additional gifts and the establishment of the Dr. Granville T. Hall Professorship of General Surgery at the Galveston Medical Branch.

7. GALVESTON MEDICAL BRANCH (GALVESTON MEDICAL SCHOOL) - RECOMMENDATION FOR ACCEPTANCE AS SUBSTITUTE TRUSTEE OF THE DANIEL CHARLES WUNDERMAN TRUST.--In 1963, Dr. Daniel Charles Wunderman established a trust with Corpus Christi Bank and Trust Company and at the same time executed a will leaving his entire estate to that trust. There were provisions in the trust agreement for the net income or a minimum of \$2,500 annually to be paid to Dr. Wunderman's mother, who predeceased him only a few days, and thereafter these payments were to be made, and have been made, to the residuary beneficiary of the trust, "the Board of Regents of the University of Texas, for the use and benefit of the Medical Branch of The University of Texas, Department of Neurology and Psychiatry." The agreement provides for the trust to terminate in 1986.

This trust has been classified by the Internal Revenue Service under the Tax Reform Act of 1969 as a Private Foundation, entailing filing of tax returns, payment of accounting fees and excise taxes, and publication of notices, all of which with reasonable trustee's fees have cut the net income of the trust to the range of

\$300-\$400 per year on a total value of about \$75,000. In order to avoid such expenses, Corpus Christi Bank and Trust Company has expressed a willingness to deliver over to the Board of Regents as substitute or successor trustee all of the trust assets, which probably will involve a simple District Court proceeding with the Attorney General as a party. The Associate Deputy Chancellor for Investments, Trusts and Lands recommends acceptance of the trust by the Board of Regents and authorization for necessary proceedings and the execution of appropriate papers, all to be on the approval of the University Attorney.

Presented Lobb

TRUST AND SPECIAL FUNDS - REAL ESTATE MATTERS.--

8. U. T. AUSTIN - ARCHER M. HUNTINGTON MUSEUM FUND - RECOMMENDATION FOR OIL AND GAS LEASE TO EVARD P. ELLISON ON LAND IN GALVESTON COUNTY.--At the January 26 meeting, the Board of Regents postponed action on a proposal from Mr. Evard P. Ellison of Houston for an oil and gas lease on approximately 900 acres of the Huntington Land at Texas City. Of the 900 acres of minerals covered by the proposal, approximately 175 acres are reserved minerals where the surface has already been sold by the University. As to the remainder of the acreage, Mr. Neville Allison of Houston, the appraiser who has been working on the Huntington Land, has expressed the opinion that the oil and gas lease with terms as set out below would not affect significantly the sale of the surface; and he has an opinion from a petroleum geologist that fair market value of the minerals involved in the lease would be around \$10 per acre.

The lease to Mr. Ellison would be at bonus of \$25 per acre, \$5 per acre annual delay rental, and 1/6th royalty. Other terms differing or being in addition to those set out in the proposal as presented to the Regents in January would be as follows:

1. Operations will be restricted to 3 drilling sites of not more than 5 acres each.
2. Primary term of 2 years rather than 3 years.
3. Minimum annual royalty of \$5 per acre for acreage held by production.
4. The University will reserve the right to take its royalty in kind.

The Deputy Chancellor for Administration and the Associate Deputy Chancellor for Investments, Trusts and Lands recommend acceptance of the proposal and authorization of execution of the lease.

9. U. T. EL PASO - FRANK B. COTTON TRUST - RENEWAL OF GRAZING LEASE TO W. B. EVANS, HUDSPETH COUNTY.--This lease covers 16,911 acres of Cotton Estate land in Block 3, GC&SF Ry. Hudspeth County, Texas, currently yields an annual rental of \$0.09 per acre of \$1,521.98, and which five year term expires July 31, 1973. Mr. Evans has agreed to a new five year lease beginning August 1, 1973, at a rate of \$0.15 per acre or \$2,536.65 annually. The new lease will contain the same provisions as previously approved with the addition of provisions for "proper grazing use" and "hunting rights" as set forth in the standard University lease forms.

It is recommended by the Associate Deputy Chancellor for Investments, Trusts and Lands joined by the University Land Agent that such lease with W. B. Evans be renewed on the terms indicated with authorization for the execution of an appropriate instrument.

10. U. T. EL PASO - FRANK B. COTTON TRUST - RENEWAL OF GRAZING LEASE TO TOM BENNETT, CULBERSON COUNTY.--This lease covers 6,100.95 acres of Cotton Estate lands in Block 2, GC&SF Ry. Culberson County, yields an annual rental of \$0.10 per acre or \$610.10 and which five year term expires July 31, 1973. Mr. Bennett has agreed to a new five year lease beginning August 1, 1973, at a rate of \$0.15 per acre or \$915.14 annually. The new lease will contain the same provisions as previously approved with the addition of provisions for "proper grazing use" and "hunting rights" as set forth in the standard University lease forms.

It is recommended by the Associate Deputy Chancellor for Investments, Trusts and Lands joined by the University Land Agent that such lease with Tom Bennett be renewed on the terms indicated with authorization for the execution of an appropriate instrument.

TRUST AND SPECIAL FUNDS - BOND MATTERS.--

11. U. T. ARLINGTON - RECOMMENDATION FOR SALE OF \$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; APPOINTMENT OF BOND COUNSEL AND BOND CONSULTANT; AND ESTABLISHMENT OF AN ACCOUNT FOR MISCELLANEOUS COSTS.--In order to provide a portion of the funds necessary to complete the construction requirements for U. T. Arlington, it is recommended by the Deputy Chancellor for Administration and the Associate Deputy Chancellor for Investments, Trusts and Lands that Combined Fee Revenue Bonds, Series 1973-A, be issued in the amount of \$7,500,000. These bonds will be issued as additional parity bonds to The University of Texas at Arlington Combined Fee Revenue Bonds, Series 1971, 1971-A, and Series 1973, which have heretofore been issued by the Board and which are secured by a pledge of the Building Use Fee (Skiles Act) which is collected from each tuition paying student enrolled at U. T. Arlington as a part of the tuition and the General Fee which is collected from each student enrolled at U. T. Arlington.

It is further recommended that the firm of McCall, Parkhurst & Horton be named as Bond Counsel; that Mr. Sam Maclin be named as Bond Consultant; that the bids for the sale of the bonds, paying agency and printing be submitted to the Board of Regents at the September 14, 1973, meeting of the Board; and that an account be established on the books of U. T. Arlington in the amount of \$25,000 for Miscellaneous Costs - Combined Fee Revenue Bonds, Series 1973-A - for the purpose of paying fees for Bond Counsel, Bond Consultant, printing of the bonds, and other miscellaneous costs, same to be paid out of bond proceeds.

12. U. T. ARLINGTON - RECOMMENDATION FOR SALE OF \$1,500,000 UNIVERSITIES OF THE STATE OF TEXAS STATE AD VALOREM TAX BONDS, SERIES 1973, THE UNIVERSITY OF TEXAS AT ARLINGTON; APPOINTMENT OF BOND COUNSEL AND BOND CONSULTANT; AND ESTABLISHMENT OF AN ACCOUNT FOR MISCELLANEOUS COSTS.--In order to provide a portion of the funds necessary to complete the construction requirements for U. T. Arlington, it is recommended by the Deputy Chancellor for Administration and the Associate Deputy Chancellor for Investments, Trusts and Lands that Universities of The State of Texas State Ad Valorem Tax Bonds, Series 1973, be issued in the amount of \$1,500,000. These bonds will be issued as additional parity bonds to \$10,300,000 Universities of The State of Texas State Ad Valorem Tax Bonds, Series 1972, The University of Texas at Arlington, which have heretofore been issued by the Board and which are secured by a pledge of U. T. Arlington's portion of the continuing ad valorem tax on all of the taxable property in the State of Texas levied at the rate of 10¢ per \$100 valuation which has been allocated among the several institutions eligible under Section 17 of Article VII of the Constitution of Texas by the Comptroller of Public Accounts on June 1, 1972. No part of the 1972 allocation has heretofore been pledged to a bond issue even though a portion thereof has been distributed by the Comptroller of Public Accounts in cash.

It is further recommended that the firm of McCall, Parkhurst & Horton be named as Bond Counsel; that Mr. Sam Maclin be named as Bond Consultant; that the bids for the sale of the bonds, paying agency and printing be submitted to the Board of Regents at the October 26, 1973, or subsequent meeting of the Board; and that an account be established on the books of U. T. Arlington in the amount of \$20,000 for Miscellaneous Costs - State Ad Valorem Tax Bonds, Series 1973 - for the purpose of paying the fees for Bond Counsel, Bond Consultant, printing of the bonds and other miscellaneous costs of the issue, same to be paid out of bond proceeds.

13. U. T. AUSTIN - RECOMMENDATION FOR SALE OF \$34,000,000 BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, THE UNIVERSITY OF TEXAS AT AUSTIN COMBINED FEE REVENUE BONDS, SERIES 1973; APPOINTMENT OF BOND COUNSEL AND BOND CONSULTANT; AND ESTABLISHMENT OF AN ACCOUNT FOR MISCELLANEOUS COSTS.--In order to provide a portion of the funds necessary to complete the construction requirements for U. T. Austin, it is recommended by the Deputy Chancellor for Administration and the Associate Deputy Chancellor for Investments, Trusts and Lands that Combined Fee Revenue Bonds, Series 1973, be issued in the amount of \$34,000,000. These bonds will be issued as additional parity bonds to The University of Texas at Austin Combined Fee Revenue Bonds, Series 1970, Series 1971, and Series 1972, which have heretofore been issued by the Board and which are secured by a pledge of the Building Use Fee (Skiles Act) which is collected from each tuition paying student enrolled at U. T. Austin as a part of the tuition and the General Fee which is collected from each student enrolled at U. T. Austin.

It is further recommended that the firm of McCall, Parkhurst & Horton be named as Bond Counsel; that Mr. Sam Maclin be named as Bond Consultant; that the bids for the sale of the bonds, paying agency and printing be submitted to the Board of Regents at the September 14, 1973, meeting of the Board; and that an account be established on the books of U. T. Austin in the amount of \$60,000 for Miscellaneous Costs - Combined Fee Revenue Bonds, Series 1973 - for the purpose of paying fees for Bond Counsel, Bond Consultant, printing of the bonds, and other miscellaneous costs, same to be paid out of bond proceeds.

14. U. T. EL PASO - RECOMMENDATION FOR SALE OF \$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; APPOINTMENT OF BOND COUNSEL AND BOND CONSULTANT; AND ESTABLISHMENT OF AN ACCOUNT FOR MISCELLANEOUS COSTS.--In order to provide a portion of the funds necessary to complete the construction requirements for U. T. El Paso, it is recommended by the Deputy Chancellor for Administration and the Associate Deputy Chancellor for Investments, Trusts and Lands that Combined Fee Revenue Bonds, Series 1973, be issued in the amount of \$5,000,000. These bonds will be issued as additional parity bonds to The University of Texas at El Paso Combined Fee Revenue Bonds, Series 1970 and Series 1971, which have heretofore been issued by the Board and which are secured by a pledge of the Building Use Fee (Skiles Act) which is collected from each tuition paying student enrolled at U. T. El Paso as a part of the tuition and the General Fee which is collected from each student enrolled at U. T. El Paso.

It is further recommended that the firm of McCall, Parkhurst & Horton be named as Bond Counsel; that Mr. Sam Maclin be named as Bond Consultant; that the bids for the sale of the bonds, paying agency and printing be submitted to the Board of Regents at the September 14, 1973, meeting of the Board; and that an account be established on the books of U. T. El Paso in the amount of \$22,500 for Miscellaneous Costs - Combined Fee Revenue Bonds, Series 1973 - for the purpose of paying fees for Bond Counsel, Bond Consultant, printing of the bonds, and other miscellaneous costs, same to be paid out of bond proceeds.

OTHER MATTERS.--

15. REPORT OF SECURITIES TRANSACTIONS FOR PERMANENT UNIVERSITY FUND AND FOR TRUST AND SPECIAL FUNDS FOR THE MONTHS OF APRIL AND MAY, 1973.--In accordance with present procedure, the reports of securities transactions for the Permanent University Fund and Trust and Special Funds for April and May, 1973, were mailed on July 6, 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.

✓ Com. of the
Whole

COMMITTEE OF THE WHOLE
Chairman McNeese, Presiding

Date: July 27, 1973

Time: Following the meeting of the Land and Investment Committee

Place: Main Building, Room 212
U. T. Austin
Austin, Texas

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I. SPECIAL ITEMS

A. U. T. System

1. Regents' Rules and Regulations, Part One:
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2. Regents' Rules and Regulations, Part One:
Recommended Amendment to Chapter VIII,
Section 4 3
3. Regents' Rules and Regulations, Part One:
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- 4a. Special Committee to Meet with City Council of
the City of Austin to Discuss Present and Future
Use of Brackenridge Tract Occupied by Austin
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A.

1. Amend Item 1, under "A. U. T. System" on page C of W - 3, by adding at the end of the proposed Section 8.62 of Chapter I of Part One of the Regents' Rules and Regulations the following sentence:

"Whenever time and other circumstances permit, the president of the students' association, or his delegate, of such component institution, shall consult with the Chief Administrative Officer, or his delegate, of such institution regarding said 'matter under consideration' prior to the meeting of the Board or committee."

*Proposed by
Regent Erwin at
meeting as an
amendment.*

A. U. T. System

1. Regents' Rules and Regulations, Part One: Amendment to Chapter I. --
It is recommended that Section 8.62 of Chapter I of Part One of the
Regents' Rules and Regulations be amended as follows:

8.62 Except upon invitation of the Board of Regents, the Chairman of the Board, or the Chancellor, no person shall appear before the Board or any committee thereof unless he shall file with the Secretary to the Board a written request for such appearance at least ten days before the date of such appearance and unless the Chairman of the Board, or a majority of the whole Board, shall approve the request; provided, however, that the Chief Administrative Officer, or his delegate, and/or the president of the students' association, or his delegate, of any component institution, without prior notice or request but subject to such time limitation as may be prescribed by the Chairman or a majority of the Board (or by the chairman or a majority of the committee), may appear before the Board or any committee thereof whenever the matter under consideration by the Board or committee directly affects the component institution represented by such Chief Administrative Officer and/or student president.

2. Regents' Rules and Regulations, Part One: Recommended Amendment to Chapter VIII, Section 4. --

In order to conform the organization and names of the institutions and entities composing The University of Texas System to the organization and names approved by the Board of Regents, and subsequently the Legislature in H. B. No. 1067, System Administration recommends the adoption of the following amendment to Section 4 of Chapter VIII of Part One of the Regents' Rules and Regulations.

Amend Section 4 of Chapter VIII of Part One of the Regents' Rules and Regulations to read as follows:

Sec. 4. Institutions and Entities Composing The University of Texas System.--The University of Texas System is composed of the component institutions and entities set forth below in paragraphs 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 4.9, 4.10, 4.11, 4.12, 4.13, and 4.14[7-and-4-15]; and such other component institutions and activities as may from time to time be assigned to the governance, control, jurisdiction, or management of the Board of Regents of The University of Texas System [it]. To insure uniformity and consistence of usage throughout The University of Texas System, the component institutions and their respective entities [primary-operational-units-which-compose-the System] shall be listed in the following order and the following titles shall be used:

	<u>Full Title</u>	<u>Short Title</u>
4.1	The University of Texas System Board of Regents, including [4-11] The University of Texas Permanent University Fund	Board of Regents Permanent University Fund
4.2	The University of Texas System Administration	System Administration

- | | | |
|---------|---|---|
| 4.3 | The University of Texas at Arlington, <u>including</u>
[4-31] The University of Texas Institute of Urban Studies at Arlington | U.T. Arlington
Institute of Urban Studies |
| 4.4 | The University of Texas at Austin, <u>including</u> | U.T. Austin |
| 4.41 | The University of Texas Marine Science Institute [at-Port-Aransas] | [Port-Aransas] Marine Science Institute |
| 4.42 | The University of Texas McDonald Observatory at Mount Locke | McDonald Observatory |
| 4.5 | The University of Texas at Dallas | U.T. Dallas |
| 4.6 | The University of Texas at El Paso | U.T. El Paso |
| 4.7 | The University of Texas of the Permian Basin | U.T. Permian Basin |
| 4.8 | The University of Texas at San Antonio, <u>including</u>
<u>The University of Texas Institute of Texan Cultures at San Antonio</u> | U.T. San Antonio
<u>Texan Cultures Institute</u> |
| 4.9 | The University of Texas Health Science Center at Dallas, <u>including</u> | Dallas Health Science Center |
| 4.91 | The University of Texas Southwestern Medical School at Dallas | Dallas Medical School |
| 4.92 | The University of Texas Graduate School of Biomedical Sciences at Dallas | Dallas G.S.B.S. |
| 4.93 | The University of Texas School of Allied Health Sciences at Dallas | Dallas Allied Health Sciences School |
| 4.10 | The University of Texas Medical Branch at Galveston, <u>including</u> | Galveston Medical Branch |
| 4.10(1) | The University of Texas Medical School at Galveston | Galveston Medical School |
| 4.10(2) | The University of Texas Graduate School of Biomedical Sciences at Galveston | Galveston G.S.B.S. |
| 4.10(3) | The University of Texas School of Allied Health Sciences at Galveston | Galveston Allied Health Sciences School |
| 4.10(4) | The University of Texas Marine Biomedical Institute at Galveston | Marine Biomedical Institute |
| 4.10(5) | The University of Texas Hospitals at Galveston | Galveston Hospitals |
| 4.11 | The University of Texas Health Science Center at Houston, <u>including</u> | Houston Health Science Center |
| 4.11(1) | The University of Texas Medical School at Houston | Houston Medical School |
| 4.11(2) | The University of Texas Dental Branch at Houston | Houston Dental Branch |
| 4.11(3) | The University of Texas Graduate School of Biomedical Sciences at Houston | Houston G.S.B.S. |

4.11(4)	The University of Texas School of Allied Health Sciences at Houston	Houston Allied Health Sciences School
4.11(5)	The University of Texas School of Public Health at Houston	Public Health School
4.11(6)	The University of Texas Speech and Hearing Institute at Houston	Speech and Hearing Institute
4.12	The University of Texas Health Science Center at San Antonio, <u>including</u>	San Antonio Health Science Center
4.12(1)	The University of Texas Medical School at San Antonio	San Antonio Medical School
4.12(2)	The University of Texas Dental School at San Antonio	San Antonio Dental School
4.12(3)	The University of Texas Graduate School of Biomedical Sciences at San Antonio	San Antonio G.S.B.S.
4.12(4)	The University of Texas School of Allied Health Sciences at San Antonio	San Antonio Allied Health Sciences School
4.13	The University of Texas System Cancer Center, <u>including</u>	University Cancer Center
4.13(1)	The University of Texas M. D. Anderson Hospital and Tumor Institute at Houston	M. D. Anderson
4.13(2)	The University of Texas Environmental Science Park at Smithville	Environmental Science Park
4.14	The University of Texas System School of Nursing, <u>including</u>	System Nursing School
4.14(1)	The University of Texas School of Nursing at Austin	Austin Nursing School
4.14(2)	The University of Texas School <u>of Nursing</u> at El Paso	El Paso Nursing School
4.14(3)	The University of Texas School of Nursing at Fort Worth	Fort Worth Nursing School
4.14(4)	The University of Texas School of Nursing at Galveston	Galveston Nursing School
4.14(5)	The University of Texas School of Nursing at Houston	Houston Nursing School
4.14(6)	The University of Texas School of Nursing at San Antonio	San Antonio Nursing School
4.15	The University of Texas Institute of Texan Cultures at San Antonio]	[Texan Cultures Institute]

3. Regents' Rules and Regulations, Part One: Recommended Amendment to Chapter IX, Section 3. --

In order to conform certain descriptive terms and titles found in Section 3 of Chapter IX of Part One of the Regents' Rules and Regulations to those found elsewhere in the regents' rules, System Administration recommends the adoption of the following amendment. The amendment does not involve any substantive change in the regents' rules.

Amend Section 3 of Chapter IX of Part One of the Regents' Rules and Regulations to read as follows:

Sec. 3. Official Copies.

- 3.1 The official copies of the Regents' Rules and Regulations and the Handbook of Operating Procedures for each component institution of The University of Texas System [~~The Rules and Regulations for the Government of The University of Texas System and the Institutional Supplement for each component institution~~] shall be maintained on file in the Office of the Board of Regents.
- 3.2 Copies of these Regents' Rules and Regulations and of the Handbooks of Operating Procedures [~~Institutional Supplements~~] shall be furnished to members of the Board of Regents, the Chancellor, the chief administrative officers of the component institutions [~~institutional heads~~], and such other persons and offices as the Chancellor or the Board of Regents shall designate.

4. Regents' Rules and Regulations, Part Two: Amendments to Chapter III. --

The following amendments to the Regents' Rules and Regulations are necessary to comply with the travel provisions included in H.B. 139 of the 63rd Legislature. The significant changes are the increase in the per diem rate from \$16.00 per day to \$18.00 per day and the increase in the mileage allowance for personally owned motor vehicles from 10¢ per mile to 12¢ per mile. (Pages 7 - 9)

Amend Chapter III of Part Two of the Regents' Rules and Regulations as follows:

(1) Amend Subdivision 13.431 of Subsection 13.4 of Section 13 to read as follows:

13.431 In-State--A per diem allowance, in lieu of actual expenses for meals and lodging, will be paid at the rate of \$18.00 [~~\$16.00~~] per calendar day, and at the rate of \$4.50 [~~\$4.00~~] for each period of six (6) hours or fraction thereof (at least 2 hours).

(2) Amend Subdivision 13.442 of Subsection 13.4 of Section 13 to read as follows:

13.442 An employee who is traveling on official University business in-state for a continuous period of a minimum of six (6) hours but less than twenty-four (24) hours which does involve over-night stay will be reimbursed for meals and lodging in an amount not in excess of \$18.00 [~~\$16.00~~] at the rate of \$4.50 [~~\$4.00~~] for each six (6) hour period involved or fraction thereof (at least 2 hours).

(3) Amend Subdivision 13.472 of Subsection 13.4 of Section 13 to read as follows:

13.472 Private Motor Vehicle [Automobile].--An employee traveling in his personally owned motor vehicle [automobile] shall be reimbursed at the rate of twelve [ten] cents (12¢) [~~10¢~~] per mile on the basis of the shortest practical route between points. No additional expense incidental to the operation of such motor vehicle [automobile] shall be allowed.

(4) Amend Subdivisions 13.4722, 13.4723, and 13.4724 of Subsection 13.4 of Section 13 to read as follows:

13.4722 When two or more employees travel in a single private motor vehicle [automobile], only one shall receive a transportation allowance, but this provision shall not preclude each traveler from receiving a per diem allowance.

13.4723 When two, three, or four officials or employees of System Administration or one of the component institutions of The University of Texas System with the same itinerary on the same dates are required to travel on the same official state business for which travel reimbursement for mileage in a personal motor vehicle [car] is claimed, mileage reimbursement will be claimed and allowed for only one of the employees except as provided hereafter. If more than four employees attend such meeting or conference in more than one motor vehicle [car], full mileage reimbursement shall be allowed for one motor vehicle [car] for each four employees and for any fraction in excess of a multiple of four employees. If, in any instance, it is not feasible for these officials or employees to travel in the same motor vehicle [car], then prior official approval from the Chancellor for System Administration, or the head of the component institution for employees of that institution, shall be obtained and shall be considered as authorization and the basis for reimbursement for travel for each person authorized to use his personal motor vehicle [car] in such travel.

13.4724 Reimbursement for out-of-state transportation for the use of personally owned motor vehicles [automobiles]

together with per diem shall never exceed the cost of the lowest available commercial airline fare from the nearest airport and the per diem (or other allowance established in lieu thereof) required had the employee traveled by such conveyance. The determination of the allowances due owners of personally owned motor vehicles [~~automobiles~~] in compliance with this paragraph shall be as follows: (1) Per diem shall be determined by use of an airline schedule which would have sufficed for the performance of the official business. (2) Expenses of transportation to airfields from points where airports are not available shall be allowed in addition to the cost of the lowest available commercial airline fare. (3) When additional passengers are conveyed on out-of-state trips in personally owned motor vehicles [~~automobiles~~] they shall receive as their expenses per diem based on motor vehicle [~~automobile~~] travel time. (4) Persons traveling to points not served by airlines shall receive mileage and per diem based on actual miles traveled and other expenses as authorized elsewhere in these regulations.

(5) Amend Subdivision 13.473 of Subsection 13.4 of Section 13 to read as follows:

13.473 Private Airplane.--The current Appropriation Bill provides that the rate of reimbursement to executive heads for travel in their personally owned airplanes within and outside the boundaries of Texas and between points of necessary official business shall be sixteen cents (16¢) per highway mile. The rate for reimbursement for other state employees for such travel in their personally owned airplanes shall be twelve [~~ten~~] cents (12¢) [~~(10¢)~~] per highway mile.

(6) Amend Subsection 13.49 of Section 13 to read as follows:

13.49 Exceptions to Per Diem Allowance.--Executive heads of component institutions shall be reimbursed for their actual meals, lodging, and incidental expenses (exclusive of expenses related to motor vehicles [~~automobiles~~] for which transportation is paid) when traveling on official business either in or out of the state.

(7) Amend Subdivision 13.4(10)2 of Subsection 13.4 of Section 13 to read as follows:

13.4(10)2 Gifts, Grants, and Designated Funds.--Reimbursement of travel expenses paid from Gifts, Grants, and Designated Funds will be as follows:

(a) For grants from or derived from Federal or state agencies, travel allowances shall be paid as specified in the foregoing general travel regulations, Subsections 13.43 through 13.49.

(b) For other gifts, grants, trust or designated funds, travel allowances may be for actual expenses for meals, lodging and airport parking, not to exceed \$35.00 per day. The transportation allowance will be as specified in Subsection 13.47 of the foregoing general travel regulations.

The provisions of both (a) and (b) above are subject to the terms, provisions and conditions of the particular gifts, grants, or funds involved. Further exceptions to these provisions may be in accordance with specific authorization by the Board of Regents with certain designated funds. Likewise, when anticipated living costs are unusually low for those engaged in travel, the person

authorizing the travel may reduce the allowance for all or any part of the travel, provided that the employee shall be notified of such reduced allowance before being allowed to incur any expense. When not otherwise prohibited by the terms of the gift or grant, employees may also be reimbursed for required registration fees or similar expenses incurred in attending meetings of organizations or associations. Receipts for lodging, registration fees, or similar expenses shall be obtained and attached to the expense voucher. Project Directors, Principal Investigators, Departmental Chairmen, or other authorized personnel under a gift or grant who travel in their personally owned airplanes on necessary official business may be reimbursed at the rate of twelve cents (12¢) [~~ten-(10¢)~~] per highway mile for in-state travel. The same rate shall apply to out-of-state travel, subject to the limitation that the mileage reimbursement shall not exceed the amount equal to the number of persons flying by private plane times the lowest available airline fare.

- 4a. Special Committee to Meet with City Council of Austin to Discuss Present and Future Use of Brackenridge Tract Occupied by Austin Municipal Golf Course. --Chairman McNeese will name at the meeting on July 27 the following committee to meet with the City Council of Austin to discuss the present and future use of that portion of the Brackenridge Tract that is presently occupied by the Austin Municipal Golf Course:

Regent Shivers, Chairman
Regent Clark
Regent Erwin

5. Permanent University Fund - Constitutional Revision: Adoption of Board of Regents' Statement of Position. --It is recommended that the following statement presented to the Texas Constitutional Revision Commission by Chairman A. G. McNeese, Jr., for and on behalf of the Board of Regents, on June 29, 1973 (as supplemented and amended on July 5, 1973), be approved and adopted as the official policy and position of the Board of Regents of The University of Texas System:

Statement to the Texas Constitutional Revision Commission **

by

The Honorable A. G. McNeese, Jr., Chairman,
Board of Regents, The University of Texas System,
in Austin, Texas, on June 29, 1973 *

Mr. Chairman and Distinguished Members of the Commission:

For almost 100 years - since February 15, 1876, when the present Texas Constitution was adopted by popular vote - the Legislature has been commanded by the Constitution to "establish, organize and provide for the maintenance, support and direction of a university of the first class to be styled 'The University of Texas' ". Since that time the several Texas Legislatures have faithfully honored that injunction so that today The University of Texas at Austin ranks high among the outstanding universities in this country - and, indeed, in the world.

It is the only university west of Tulane, south of Kansas, and east of U.C.L.A. that is a member of the American Association of Universities, which is the most prestigious group of academic institutions in the land. The American Council on Education's recent evaluation of graduate academic departments, which was made by members of graduate faculties throughout the United States, indicates that during the decade 1959 to 1969 the quality of academic work at U. T. Austin made greater strides than at any other U. S. institution, and that in 1969 graduate departments at U. T. Austin ranked 14th among all of the universities in the nation, 6th among all state universities, and 1st in the entire South.

* As amended, 7/5/73

In a recent issue, The New York Times reported that U. T. Austin is one of the great national research universities in the United States and that it is the only one of such institutions that is not presently in financial trouble. This report only reconfirmed what has been widely known for years - that the remarkable academic progress that has been made at U. T. Austin in the past few decades has been almost solely due to the financial support which has been provided by the Permanent University Fund - over and above the financial support which has been furnished by the Legislature to all state colleges and universities.

Therefore, those who have recommended to this Commission that the Permanent University Fund be abolished - or that its corpus be invaded to help fund annual operating expenses - or that its annual income be divided among all of the public colleges and universities in the State, simply pose this question to you:

Do you want to participate in the destruction of the financial base which was established by the early architects of higher education in this State and which has not only permitted, but has directly caused, one institution in this State to rise above all others in this region of the country and to take its rightful place among the great centers of learning in the nation?

We earnestly hope and believe that your answer to that question must be "No," because, as we shall later demonstrate, the division of the income from the University Permanent Fund among all 37 of the institutions of higher education in Texas would not raise all of them to excellence but would only assure that no Texas institution could achieve any truly outstanding national stature.

From a historical standpoint, it would be almost tragic for the original purpose of the Permanent University Fund to be violated, because generations of Texans have fought to establish and maintain the endowment for

the benefit of "The University of Texas" so that it might truly become and remain "a university of the first class."

On January 26, 1839, less than 3 years after the Battle of San Jacinto, the Third Congress of Texas set aside 50 leagues of land with which to endow a state university. Unfortunately, the poverty of the Republic and the early difficulties of the newborn State of Texas for years delayed the opening of that school.

Elisha M. Pease, who became governor in 1853, urged the building of the University, and after several efforts by the Legislature to that end, a bill was signed on February 11, 1858, establishing "The University of Texas," setting aside \$100,000 in U. S. bonds for the establishment and maintenance of the University, reaffirming and setting apart the 221,400 acres (i. e., 50 leagues) of land which had previously been set aside by the Congress of the Republic in 1839, and appropriating for the University one out of every 10 sections of land which had theretofore been or might thereafter be granted by the State to encourage the construction of railroads.

Unfortunately, the chaotic conditions ensuing during the War Between The States intervened, and on March 13, 1861, the Texas Secession Convention ordered that all unsold University lands be sold, that the proceeds thereof be applied to the state's debt, and that the balance of the proceeds be made available for appropriation.

By the end of the War Between The States, most of the 50 leagues of land appropriated in 1839 had been settled on, with or without payment to the State, and the Constitutional Convention of 1875 rescinded the grant to the University of the "railroad lands."

To meet this situation, the present Constitution of 1876 established the "Permanent University Fund" for the "endowment, maintenance and support of said university and its branches," appropriated to the fund "one million acres of the unappropriated public domain of the state," and declared

to be included in the fund "all lands, and other property (theretofore) set apart and appropriated for the establishment and maintenance of 'The University of Texas,' together with all the proceeds of sales of the same, (theretofore) made or (thereafter) to be made, and all grants, donations and appropriations that may (thereafter) be made by the State of Texas or from any other source." The Constitution further provided that all funds included in the Permanent University Fund should be invested and the income accruing thereon should be "subject to appropriation by the legislature" to provide for the "maintenance, support and direction of a university of the first class."

Since we understand that at one or more of your public hearings it has been suggested that the Available Fund (which is the name applied to the net income from the Permanent University Fund) is not subject to appropriation by the Legislature and that its expenditure is entirely within the discretion of the Board of Regents, it may be well at this point to emphasize that that suggestion is absolutely incorrect. Since 1876 - and at all times since then - the Constitution has provided that the Available Fund is subject to Legislative appropriation, and in every general appropriation bill since then - including the General Appropriation Bill signed into law this month - the Legislature appropriates the Available Fund to Texas A&M University and to The University of Texas, and without such a Legislative appropriation, the Available Fund could not be expended by either university.

Returning to our historical review, in 1883 the Legislature appropriated an additional one million acres of public lands to the Permanent University Fund, and the total of 2,100,000 acres of University Lands, situated in 19 West Texas counties, is the foundation of the Fund today.

The landed endowment of the University, lying as it does in the western half of the State, is largely arid and the surface is suitable for little except grazing and some dry-land farming. From 1883 to 1925, practically the entire income from the land consisted of rentals from grazing leases, the income from which ranged from nothing in 1886 to about \$225,000 in 1925.

Since the Board of Regents was given authority to sell the University Lands, to invest the proceeds, and to expend the income therefrom, it apparently was the hope of the early Texans that the sale of the University Lands would provide an endowment of such size that the income from the endowment would substantially support the operation of the University.

Fortunately, and wisely, the early Boards of Regents either did not - or could not - sell the land - at least not on terms satisfactory to them - and none of the University Lands has been sold up to this date.

The discovery of oil on University land in Reagan County in 1923 marks an epoch in the history of The University of Texas and especially in the history of the Permanent University Fund. The receipt of income from oil royalty first brought sharply to the attention of the University officials the problems involved in the investment of the moneys in the Fund. Originally, there was a question as to whether oil royalty was income and, therefore, subject to expenditure or whether it was corpus and, therefore, must be invested. To determine this matter, a friendly suit was instituted, and the Texas Supreme Court held that proceeds from the sale of oil were proceeds from the sale of part of the corpus of the estate and, therefore, could not be regarded as income. That meant that the oil royalties had to be invested and that only the income from the investment could be expended for the support of the University.

Since 1876, the Constitution has provided that "no tax shall be levied and no money appropriated out of general revenue for the establishment and erection of buildings of The University of Texas." This provision - particularly as expanded by subsequent amendments to the Constitution - has very important implications with respect to pressures upon the Legislature for college building funds, but those implications will be discussed later. At this point it is interesting to note its implication regarding the respective relationships of The University of Texas and Texas A&M University to each other and to the Fund.

The 1876 Constitution provided that "The Agricultural and Mechanical College of Texas, established in 1871 and located in Brazos County, is hereby made and constituted a branch of The University of Texas." However, The University of Texas and Texas A&M University were never under the same governing board, and for many years each was content to go its own way. Indeed, so long as the Available Fund consisted only of a small income from grazing leases, A&M was rather strongly inclined to disclaim any "branch" relationship with the University, since it was greatly to the advantage of A&M to go to the Legislature and secure building funds from the general revenue rather than to share in the Constitutional prohibition laid upon the University in that respect. Since the Available Fund at that time was wholly inadequate to furnish a proper physical plant for one university, it was even more inadequate for two. But following the discovery of oil on University Lands, with the resulting geometric increase in endowment and income, the A&M authorities began to take a more liberal view of the situation, and they set up a claim for a portion of the Available Fund. Extended negotiations between the governing boards of the two institutions finally culminated in an agreement that was formalized by the Legislature in 1931, and since that time A&M has received 1/3 of the net

income realized from the Permanent University Fund investments, the University has received 2/3 of that income, and the income from the surface leases goes wholly to the University.

Since appropriations from the general revenue are not available to the University for building purposes, from 1876 until 1930 the University had to rely solely on cash accumulations of money received from its share of the Available Fund for building purposes. However, by Constitutional amendment first adopted in 1930, and later revised by popular vote in 1932, 1947, 1956, and 1966, the governing boards of both the University and A&M were authorized to issue bonds secured by pledges of their respective shares of the Available Fund, and to use the proceeds from the bond sales for building purposes. Obviously, this greatly increased the amount of money available to build physical facilities, but even that advantage is sharply limited by two factors. In the first place, the University and A&M are each prohibited from issuing bonds in cumulative total in excess of 20% of the value of their respective shares of the Permanent University Fund. Second, under the Constitutional amendments, A&M's Main University must share its bond proceeds with Tarleton State University and Prairie View A&M University, and U. T. Austin must share its bond proceeds with the Galveston Medical Branch, the Dallas Medical School, the Houston Dental Branch, U. T. El Paso, M. D. Anderson Hospital, the Houston Graduate School of Biomedical Sciences, the Houston School of Public Health, McDonald Observatory, and the Marine Science Institute. At least as far as the University is concerned, with the 20% limitation there simply are not enough Permanent University Fund bond proceeds to meet the building needs of all of those institutions. Thus, after exhausting that Constitutional source of building funds and with prior Legislative

approval, the University has had to turn to other sources of building funds, such as, the issuance of student building use fee bonds at the existing institutions and the issuance of tuition revenue bonds for new institutions.

After the geometric rise in student enrollment that occurred during the late 1960's (for example, the enrollment at U. T. Austin rose by more than 15,000 students from 1964 to 1970), there is now a leveling off in enrollment which is expected to continue for at least the next five years or so. The University of Texas System is currently engaged in an extensive "catch-up" construction program that is designed to meet the need for physical facilities at all of the institutions in the System for the next 5 to 10 years. To fund this program the University is exhausting every conceivable source of construction money and has issued and is issuing bonds, both Permanent University Fund bonds and otherwise, that will not be retired for 20 to 30 years.

This leads to an important consideration that will have to be taken into account. In order to fund the building program mentioned above, the Board of Regents has committed portions of the Available Fund up through the year 2003, and it seems obvious that the prohibition against the impairment of contract in the United States Constitution will require that even if the Available Fund is otherwise denied to the University in the future, provision will have to be made for the Available Fund to service those long-term financial obligations until they are finally retired.

The futility of trying to assist schools outside the U. T. and A&M Systems by dividing the Available Fund among all of the 37 public institutions of higher education in the State is demonstrated, first, by the fact that U. T. 's share of the Available Fund is inadequate to fund the construction of facilities for all of the institutions presently in the U. T. System (hence, the resort to the use of student building use fee bonds and tuition revenue bonds) and, therefore, it would be even more inadequate to fund

the construction of facilities for even more institutions. Second, during the next biennium there will be less than \$8 million annually left in U. T. 's share of the Available Fund after long term building financing obligations are serviced. This demonstrates conclusively that if even \$8 million is divided among 37 institutions, there will not be enough money for any institution to raise it to greatness, but the substantial withdrawal of that support from U. T. Austin would be catastrophic and would make it absolutely impossible for U. T. Austin to maintain its present position of academic eminence.

However, The University of Texas is neither insensitive nor unsympathetic to the financial needs of the public institutions of higher education that are presently outside the coverage of the Permanent University Fund. Therefore, for those institutions The University of Texas strongly supports the establishment of a permanent Constitutionally dedicated tax to furnish, in addition to Legislative appropriations for operations, long-term financial support for the acquisition of land, the construction and initial equipping of new physical facilities, the repair and rehabilitation of old physical facilities, the acquisition of library books and materials, and the purchase of non-consumable equipment, including computers. In this connection, we strongly urge that the appropriation of funds for the operation of the academic institutions, including the appropriation of the Available Fund for that purpose, should remain within the sole discretion of the Legislature.

The U. T. System has had experience with the operation of the Constitutional Tax program for the 17 public colleges and universities included therein, because for historical reasons U. T. Arlington participates in that program rather than in the Permanent University Fund. The Constitutional Tax program has worked rather well at U. T. Arlington, and it

would work very well for the participating institutions if the program were adequately funded, if it were placed on a permanent basis, and if its permissible uses were broadened as suggested above.

There is another consideration that should be carefully weighed by this Commission, because the Constitutional Convention is likely to give it much thought when it convenes next January. Since the present Constitution was adopted in 1876, it has prohibited any school that benefits from the Available Fund from obtaining general revenue for the construction of buildings. Thus, the University has always been disqualified to receive general revenue for construction. A&M became so disqualified in 1931 when it became a participant in the Available Fund, and when the Constitution was amended in 1956, and again in 1966, to authorize the issuance of Permanent University Fund bonds, the several institutions named in those amendments as eligible to participate in the proceeds of those bonds were expressly disqualified from receiving general revenue for construction purposes. Similarly, when the Constitutional Tax program was established in 1947, and thereafter amended in 1956 and again in 1965, the 17 participating institutions were disqualified from receiving general revenue funds for construction.

The continuing wide acceptance of this principle that schools receiving Constitutional funds for construction should be ineligible to receive general revenue for the same purpose is easily understood from the standpoint of practical politics. Few interests in the State can muster the political influence that can be generated by the students, faculty, administration, governing board, alumni, and friends of an institution of higher education. This is even more true in the case of such institutions that are located in metropolitan areas which count 3 or 4 state senators and 9 to 23 representatives among their adherents. And when several such institutions - even in different academic systems - join hands in a common effort, the joint

pressure is very difficult to resist. Therefore, the Legislature, with the approval of the voters, has very wisely insulated itself from such political influence by writing into the Constitution an express prohibition against general revenue appropriations being made to institutions receiving Constitutional funds for construction, and the taxpayers of this State have been the beneficiaries of such Constitutional prohibition, because it has prevented an increase in the expenditure of general revenue funds by millions and millions of dollars. If proof of this is needed, merely examine recent appropriation bills which give tens of millions of dollars of general revenue for construction at schools which are not within the Constitutional prohibition. Therefore, this Commission should be cautious, indeed, to throw out, in the interest of mere political theory, a procedure that has been tried and found viable in the crucible of practical politics.

This Statement should not be completed without emphasizing that when it is suggested herein that the national and international reputation of The University of Texas at Austin is superior to that of other public colleges and universities in the State, it is not thereby implied that the undergraduate students at U. T. Austin are receiving a better or higher quality education than are undergraduates at all other state colleges and universities. Nor is it implied that undergraduate students at state institutions other than U. T. Austin are attending classes in inferior buildings or that they are being relegated to the use of inferior teaching equipment. Indeed, it may very well be that in some instances freshman and sophomore students receive better instruction at state colleges and universities other than U. T. Austin.

The fact is that every state-supported general academic institution receives virtually all of its legislative appropriations for operations on the basis of formulae prescribed by the Coordinating Board. For example, every state general academic institution - whether U. T. Austin, Prairie

View, Texas Tech, Texas Southern, Texas A&I, or North Texas - receives exactly the same dollar appropriation for each semester hour taught in freshman English, sophomore math, junior physics, and senior philosophy. Thus, every public general academic institution receives exactly the same financial support from the State for each particular academic course that it teaches, and, therefore, there is absolutely no discrimination whatever in favor of U. T. Austin in the legislative formula appropriations.

The thing that distinguishes U. T. Austin from the other state colleges and universities is the same thing that brings it national and international recognition - and that is the breadth and excellence of its graduate and research programs - and that is also the area to which the enrichment afforded by the Available Fund is primarily devoted. U. T. Austin's world-famous research library, its plasma physics research in nuclear fusion, its humanities research center, its transportation research center, its Latin American institute, its bureau of business research, its internationally renowned McDonald observatory, its highly sophisticated research computer, its nationally-rated law school, its developing programs in marine science, its institute of Middle Eastern studies, its Navy-sponsored sonar research, its distinguished graduate business school, and its Clayton biochemical institute are merely examples of the far-ranging and high quality graduate and research work that has attracted outstanding scholars and researchers to Austin from all over the world.

However, the fact that these great graduate and research programs exist at U. T. Austin and do not exist at all other state colleges and universities does not indicate that the other public colleges and universities are being improperly discriminated against. Certainly, most, if not all, of those colleges and universities will properly have high quality graduate

programs in certain selected fields of knowledge, but there is no academic demand or need for every public college in the State to have the breadth and depth of graduate and research work that is found at U. T. Austin. Such academic proliferation would not only result in much unnecessary and wasteful duplication, but in many academic areas it would be virtually impossible to accomplish. In the first place, the great research libraries and collections that undergird the graduate and research work at U. T. Austin would be almost impossible to duplicate even once - and would be absolutely impossible to duplicate multiple times. Second, the highly trained scholars and researchers that are necessary to conduct such work would be extremely difficult, if not impossible, to recruit in sufficient numbers to man the graduate faculties and research staffs of multiple Texas colleges. Finally, the cost of duplicating U. T. Austin's graduate and research work at multiple Texas colleges would be clearly prohibitive.

To the benefit of all of the people of the State, in recent years Texas A&M University at College Station has also made great strides in improving both the breadth and the quality of its graduate and research work, but just as at U. T. Austin, A&M's dramatic progress in those areas has been primarily due to the financial support which A&M has been able to commit to the task out of its share of the Available Fund. Thus, the taxpayers of Texas have been greatly advantaged by the fact that the two leading graduate and research universities in the State have been able to support the development of their expensive graduate and research programs in large measure out of the Available Fund and with a minimum call upon the general revenue, and that happy situation is a direct result of the creation of the Permanent University Fund a century ago and the wise management of that endowment since that time.

In conclusion, may we say that the foresight, the wisdom, and the dedication of Mirabeau Lamar, Elisha Pease, Oran Roberts, Ashbel Smith, Will Hogg, George Brackenridge, George Littlefield and generations of other Texans have built for Texas a magnificent university of national and international renown - a university that from the beginning has furnished the guidance and inspiration for higher education in this State, one which has trained hundreds of thousands of young Texans for leadership in this State and Nation, and one which attracts some of the best brains in this country to come and remain in Texas.

After almost 100 years of sacrifice and effort to build this great educational institution, are we now going to emasculate it simply to satisfy some philosophical concept of political theorists, or are we going to preserve the Permanent University Fund and thereby assure the greatness of this outstanding institution for all time to come?

In the words of William Prather, an early president of The University of Texas, let me assure you that in reaching your answer to that question

"The Eyes of Texas Are Upon You."

Thank you.

A proposed draft of a section on "higher education" that might be included in a new or amended constitution will be presented to the Board of Regents for consideration at the July 27th meeting.

CONSTITUTION AND BY-LAWS

CONSTITUTION

ARTICLE I

Name

This organization shall be known as the Texas College and University System Staff Employees' Association, an unincorporated, voluntary organization.

ARTICLE II

Objectives

The purposes of this organization shall be:

Section 1 To bring about improvements involving staff compensation, benefits, and representation through working with appropriate University departments, committees, and/or officials within the existing University structure.

Section 2 To provide the staff with a representative voice in such matters as retirement program, health insurance plan, job security, and participation on committees that directly or indirectly affect the staff members.

Section 3 To gain recognition for the staff in the decision-making processes concerning the above issues.

Section 4 To eliminate discrimination in all forms.

Section 5 To involve as many staff members as possible in the affairs of this Association.

ARTICLE III

Membership

Section 1 Membership is open to all present staff employees of the Texas College and University System. Associate membership is open to all past employees of the Texas College and University System.

Section 2 Membership shall not be terminated except as follows:

A. For failure to pay dues.

B. For acts detrimental to the Association upon presentation of written charges signed by a majority of the members of a committee to be set up by the officers of this Association to handle such grievances.

ARTICLE IV

Officers

Section 1 The following officers shall be elected annually by this Association:

- | | |
|-------------------|-------------------------|
| A. President | - for a one-year term |
| B. Vice-President | - for a one-year term |
| C. Treasurer | - for a one-year term |
| D. Secretary | - for a one-year term |
| E. Director | - for a three-year term |

Section 2 A. At the organizational meeting of the Association, nominations for all offices shall be made from the floor.

- B. A three-member Board of Directors shall also be nominated at the organizational meeting: one to serve a one-year term, one to serve a two-year term, and one to serve a three-year term. Thereafter, a new member of the Board of Directors shall be elected annually to fill the vacancy on the board.
- C. Following the nomination, ballots will be prepared and sent to all who have registered. Ballots will be counted at the March meeting, and officers will be installed.

Section 3 Officers shall be elected annually as follows:

- A. Nominations for office shall be made from the floor at a special February membership meeting.
- B. Ballots will be mailed to dues paying members and votes counted and recorded at the regular March meeting.
- C. Election will be determined by the majority of votes cast for a candidate.

Section 4 Officers shall be installed on the evening of the annual meeting at a special session or banquet held for this purpose.

Section 5 Vacancies in any office shall be filled by the Executive Council and shall be subject to confirmation at the next regular membership meeting.

ARTICLE V
Committees

Section 1 The following standing committees shall be active in this Association:

- | | |
|----------------------------------|------------------------------|
| A. Membership Committee | D. Legislation Committee |
| B. Salary and Benefits Committee | E. Grievance Committee |
| C. Public Relations Committee | F. General Affairs Committee |

Section 2 Special committees shall be appointed by the Executive Council.

Section 3 Chairmen of all committees shall be appointed by the President and serve at the pleasure of a majority of the Executive Council.

Section 4 One member of each committee shall be appointed by the chairman of that committee with the consent of the President and the Executive Council. The number of other members of each committee, as may be necessary to carry on the duties of that committee, may be filled by volunteers from the floor at the next meeting after a committee chairman is appointed and/or as vacancies occur on the committees.

Section 5 If there develops a conflict of interest within a committee, the Executive Council may ask that member to relinquish his position until the question is settled by the committee or at the next membership meeting.

ARTICLE VI
Executive Council

Section 1 The Executive Council of the Association shall consist of the following:

- A. All elected officers.
- B. Chairmen of standing committees.

- Section 2 The Executive Council shall administer the policy of this Association as set by the membership at regular meetings. It shall have the power to act for the good of the Association in accordance with policy set by the membership.
- Section 3 The President of the Association shall be the chairman of the Executive Council. The Secretary of the Association shall be the secretary of the Executive Council.
- Section 4 The time and place of the regular Executive Council meeting shall be set by the Executive Council and announced at the membership meeting preceding the council meeting. Emergency meetings may be called by the President at his discretion.
- Section 5 The Executive Council shall have the power to employ all personnel including an executive secretary, clerical help, and other persons on full or part-time basis as may be determined by needs and finances of the Association.
- Section 6 All duties and responsibilities not delegated to specific offices shall be assumed by the Executive Council.
- Section 7 The recommendations of the Executive Council shall be read at each regular membership meeting.

BY-LAWS
ARTICLE I
Duties of Officers

The duties of officers shall be as follows:

- Section 1 The President shall preside at all meetings of the Association and of the Executive Council. He shall be ex-officio member of all committees, shall sign all necessary papers and documents, and shall represent the Association when and where necessary. He shall mail quarterly reports to the membership outlining plans for the next quarter and summarizing the activities of the Association.
- Section 2 The Vice-President shall perform such duties as the President may direct and the duties of the President in the absence of that officer.
- Section 3 The Secretary shall issue all notices including ballots, shall answer correspondence at the direction of the President, and shall report outside correspondence to the President and the Executive Council. He shall be the custodian of the seal and charter of the Association. The Secretary shall record the minutes of the Executive Council and of general membership meetings. The Secretary shall not make available the membership of this Association without approval of the Executive Council.
- Section 4 The Treasurer shall have the following duties:
- A. To receive, record, and deposit in the name of the Association all monies from dues and from all other sources.
 - B. To keep the membership roll, issue receipts, and delinquent notices.
 - C. To keep adequate records available at all times for the Executive Council.
 - D. To present a written report to all members once a year.
 - E. To act as a purchasing agent and to pay all bills authorized by the Executive Council, retaining voucher or invoice for same.
 - F. The Treasurer shall be bonded, and the cost shall be paid by the Association.

Section 5 The Board of Directors shall study and make recommendations for guiding the Association to carry out the purposes for which it is formed. This Board will be the continuity factor in carrying out long-range goals of the Association.

ARTICLE II
Duties of Standing Committees

The duties of the Standing Committees are as follows:

Section 1 The Membership Committee shall plan and execute a dynamic program to insure growth and vitality of the Association. It shall present a written report to the Executive Council in October.

Section 2 The Salary and Benefits Committee shall investigate and report on salary inequities, insurance programs, retirement programs, and credit union.

Section 3 The Public Relations Committee shall prepare and distribute periodically a bulletin. The editor of the bulletin shall be a member of the committee. Every effort shall be made by this committee to make use of other sources of publicity, i.e., newspapers, radio, and television, etc.

Section 4 The Legislative Committee shall consider recommendations of the Association pertaining to all levels of government. It shall study proposed legislation which may affect Texas colleges and universities. It may initiate recommendations.

Section 5 The Grievance Committee shall act on all grievances submitted to the committee. A procedure for handling grievances shall be established by this committee with the approval of the Executive Council. The procedure for handling grievances shall be publicized as widely as possible.

Section 6 The General Affairs Committee shall hear and consider reports from members serving on various university committees such as Parking, Shuttle Bus, Dining, and Recreation.

The Executive Council shall delegate other duties to the standing committees as may be necessary to handle the business of the Association.

ARTICLE III
Meetings

Section 1 The time and place of meetings shall be fixed by the membership.

Section 2 There shall be at least one meeting per month.

Section 3 A quorum shall consist of twenty per cent of the total membership.

Section 4 Called meetings will be called by the President or by the submission of a petition to the Secretary with the signatures of twenty members stating the nature of the business to be discussed by the petitioners. Called meetings shall be limited to the purpose for which they are called. Notification to all members by mail shall be given.

ARTICLE IV
Finance

Section 1 The annual dues of the Association shall be \$1.00 per month to be paid by the tenth day of the month.

Section 2 The dues year shall be from March 1 through February 28/29.

Section 3 Dues shall be paid to the Treasurer.

Section 4 Dues shall be fixed by the Executive Council subject to the approval of fifty per cent of members voting by mail ballot.

Section 5 Additional finances may be obtained by various fund raising activities.

ARTICLE V
Rules of Order

Roberts' Rules of Order, Revised, shall govern in all cases not covered by this Constitution and By-laws of this Association.

ARTICLE VI
Amendments

The Constitution and By-laws may be amended as follows: Upon presentation by written petition of ten or more members at a regular or called meeting, an amendment to the Constitution or By-laws may be presented. Following the meeting, the Secretary will send the proposed amendment to the membership. At the next regular meeting the amendment will be read to those assembled and voted on at that time. If passed by a simple majority of those present, this will constitute the first reading. If at this meeting two-thirds of those present waive further reading, then the amendment will be considered adopted. If less than two-thirds are in favor, then two more readings at regular meetings will be necessary for adoption. A two-thirds majority vote for the waiver at the second reading will constitute adoption.

ARTICLE VII
Availability of the Constitution

Copies of the Constitution and Bu-Laws shall be mailed to all members of this Association.

6. Appearance of President of the Texas College and University System Staff Employees' Association. --Mr. George Karp, President of the Texas College and University System Staff Employees' Association, has requested to appear before the Board of Regents and has submitted the following statement outlining his presentation. Chairman McNeese has allotted 20 minutes on the agenda to Mr. Karp or his representatives:



TEXAS COLLEGE & UNIVERSITY SYSTEM
Staff Employees' Association

July 27, 1973

Box 7444
Austin, Texas 78712

PRESENTATION TO THE UNIVERSITY OF TEXAS BOARD OF REGENTS

BY: GEORGE W. KARP, JR., PRESIDENT, TCUSSEA

Mr. Chairman, Members of the Board of Regents:

I am George Karp, a staff employee of the University of Texas at Austin, also serving as the elected President of the Texas College and University System Staff Employees' Association. The Staff Association was founded in February of 1972 on the campus of the University of Texas at Austin, and was subsequently chartered by the State of Texas. We have since expanded our scope, and members are now located throughout the state. The primary thrust and purpose of our association is to achieve equity for those employees in state-supported colleges and universities who are employed in staff positions.

Staff employees of state-supported colleges and universities occupy a unique position in that they are regarded as neither faculty, to share the benefits and advantages granted faculty members, nor state employees, to enjoy their legislated benefits. Thus they are frequently excluded from the benefits which the legislature affords faculty and other state employees. The same problem exists on the individual campuses. For example, at the University of Texas at Austin, staff employees are usually ignored in terms of any University policy. This situation exists even though there are some five or six times as many staff employees at the University of Texas at Austin campus as there are faculty members. Representative staff employees have positions on almost none of the campus committees or boards, even though the decisions and acts of those committees and boards significantly affect the lives of these 6,000-plus persons. Despite the formal recognition of the Staff Association as representative of university employees' interests by the legislature, public officials, state agencies, city government, and other campus organizations, the administration of this University actively ignores us. Letters written to President Spurr and other administrative officials on behalf of the Association are answered as if the Staff Association does not exist. For these reasons, we sought, and were graciously granted, a hearing with you, the governing body of the University of Texas System.

An organization of, by, and for staff employees.

Initially, we would like to address ourselves to the matter of representation on the Union Board. The Union Board, University of Texas at Austin campus, is the general policy-setting board for the function of the Texas Union. The Institutional Rules on Student Services and Activities (1972-1973) state, "The union is a recreational and cultural center to provide beneficial extracurricular activities for students, faculty and staff members (emphasis supplied)," yet the Board is composed of three faculty members and six students. Staff employees are not represented. It is our contention, in that there are some 6,000 staff employees on the UT-Austin campus, that those employees should be represented. We think this inequity would be corrected by the addition of three employees representative of the staff community to the Union Board.

We would appreciate the opportunity to briefly call to this Board's attention another serious problem affecting University staff. The major committee affecting university area transportation is the Shuttle Bus Committee, which is made up of three student and two faculty representatives. It is common knowledge that few faculty utilize the shuttle bus system. The result is that all shuttle bus routes reflect student resident concentrations. They do not reflect the transportation needs of staff employees. We feel that staff representation on that committee would promote a more reasonable routing plan, and thereby serve evident transportation needs of staff employees. Surely, in this age of pollution, traffic congestion, and energy crisis, the expanded utilization of this mass transportation system is a desirable alternative. This also presents a way to at least help solve the severe parking problem on the campus of the University of Texas at Austin. For these reasons, we request the addition of two staff employees to the Shuttle Bus Committee.

Generally, we would ask the Board of Regents to recognize the staff employees as a separate interest group on the campuses of the University of Texas System. We would ask that their interests be carefully weighed by the Board of Regents in all policy decisions. We would ask that the administrations of the various campuses be directed to weigh the interests of staff employees in their local policy decisions. We would ask that this Board of Regents go on record as favoring a policy to better and improve the working conditions and status of all staff employees on all University of Texas campuses.

We recognize that our appearance here is not and should not be one to air grievances. We don't intend to do that. We simply seek to clarify our situation and to provide you with some of the information that we feel important for a more efficient and equitable University of Texas System operation. We further request that the Board of Regents encourage the establishment of more open lines of communication between the University administration and the Staff Association, whose long- and short-term goals we feel are congruent. We think that the administration on each campus should have as one of its

Page 3

goals the improvement of staff employee situations. The staff, we feel, is equally as important to a well-rounded university of the first class as are faculty and students, and should be recognized as such.

We appreciate very much the opportunity to appear before you and your consideration of our requests.

With me are our legal counsel, Clif Holmes, our Association officers, Mr. Henry Holman, Ms. Carrielyn Wenzel, and Ms. Roberta Ralin, and other members of our Executive Council. We would be more than glad to answer any questions you may have.

Thank you.

Respectfully submitted,


George W. Karp, Jr.

Enclosures: Constitution and By-Laws
Information Brochure

you are welcome ...

you are needed ...



**Texas College and
University System
Staff Employees'
Association**

*An organization of, by
and for Staff Employees*



WHAT is TCUSSEA? A voluntary organization working through established channels to provide university staff members with more equitable conditions of employment and better representation in the decision-making processes on their campuses.

WHO may join? All staff members who are employed full time, part time, temporarily, hourly, or formerly at colleges and universities in Texas may join TCUSSEA.

HOW does it work? Channels within the University community, where they exist, and in the State government, where they exist, are used whenever possible. Sometimes TCUSSEA must work to cut through new channels of communication.

WHEN does it work? Whenever the need arises. Activity accelerates in the year of the biannual session of the Texas legislature, which has control over such matters as salaries (cost-of-living, merit and step raises), health benefits paid for by the State, and interest percentage from the Teacher Retirement System of Texas.

WHY TCUSSEA? Sometimes staff members are considered as State employees, other times not. Presently they are excluded from the \$12.50 health-insurance premium paid other State employees by the State and only the summer of 1972 were excluded from the last two annual pay raises given State employees. The 6.8% pay raise voted in the summer of 1972 had been vigorously fought for by TCUSSEA through its lobbyist and by membership activity.

WHAT should I join? TCUSSEA serves as a major organization for ideas and complaints initiated by staff members about their employment. From staff input a program of action is developed to help meet those needs. High morale on the part of a college's staff can help the institution run more smoothly and efficiently.

Send TODAY!

WHEN should I join? Now. TCUSSEA'S current activities are the promotion of another across-the-board pay raise to staff members as a separate budget item before the State Legislature, complete coverage by Blue Cross paid by the employer, and improvements in the Teacher Retirement System of Texas, including availability of an alternative program such as is enjoyed by faculty employees, and increase in the 2 1/2 per cent interest rate, optional participation by short-term and part-time employees, and abolition of taxability and the \$5 membership fee.

OTHER gains in employment conditions sought are a job clearinghouse for promotion of current employees into job vacancies, a vastly better grievance procedure, two-way communication with the administration, correction of unsafe work conditions and practices, a choice of insurance programs to fit staff employees' needs as well as those of faculty, and recognition of employees who exert extra effort to do a good job.

Since nearly all matters affecting employment in State-supported colleges and universities are initiated and controlled by the State Legislature, the 40,000 staff members are in a strong position to influence beneficial legislation-if they present a united front through a cohesive, recognized organization.

Texas College and
University System
Staff Employees'
Association



TO: STAFF
Box 7444
Austin, Texas 78712

I wish to join TCUSSEA to help improve employment conditions at my university.

(Name)

Send my receipt, the TCUSSEA bulletin, copy of the constitution, and current proposals to

(Home Address)

I enclose \$3 for first three months' dues,
 \$5.50 for six months' dues (\$.50 discount),
 \$10 for twelve months' dues (\$2 discount)
to help pay for postage and printing.

My committee preference is

- | | |
|---|---|
| <input type="checkbox"/> Salaries | <input type="checkbox"/> Public Relations |
| <input type="checkbox"/> Benefits | <input type="checkbox"/> Grievance |
| <input type="checkbox"/> Legislation | <input type="checkbox"/> General Affairs |
| <input type="checkbox"/> Membership | |
| <input type="checkbox"/> I can help distribute literature in my department. | |

Some information we need to serve you better:

Home Telephone _____

Name of Institution _____

Where I Work _____

Job Title _____

Length of Employment _____

I am employed full time part time

Date of Birth _____

B. U. T. Austin

7. Recommendation to Establish the Marian Royal Kazen Memorial Fund. --

Mr. Frank W. Denius, of Austin, Texas, has donated and delivered funds for the establishment of a memorial fund to be designated as "The Marian Royal Kazen Memorial Fund". The net income from the fund will be used for scholarships for deserving students in the Department of Fine Arts at The University of Texas at Austin. Provision is made in the trust instrument for the acceptance of gifts from others who may wish to make gifts for this purpose.

System Administration recommends that the gift be accepted with gratitude and that the Chairman of the Board be authorized to execute an acceptance of the trust agreement establishing The Marian Royal Kazen Memorial Fund at The University of Texas at Austin and the establishment of such fund is hereby, in all things, approved.

LAW OFFICES

CLARK, THOMAS, DENIUS, WINTERS & SHAPIRO

12TH FLOOR CAPITAL NATIONAL BANK BUILDING

AUSTIN, TEXAS

June 28, 1973

P. O. Box 1148-78767
512-472-8442

Mr. Burnell Waldrep
P. O. Box 7727, University Station
Austin, Texas 78712

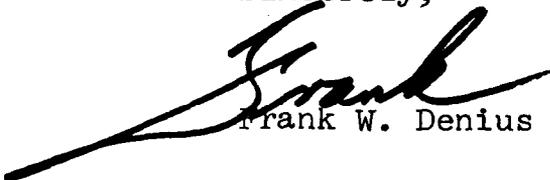
Dear Burney:

Enclosed are two executed copies of the Marian Royal Kazen Memorial Trust. Also enclosed is a cashier's check in the amount of \$500.00.

It would be my pleasure to have the Regents accept this trust and the fund enclosed herewith for the purposes outlined. I would personally like to encourage other friends of Coach Royal to make contributions to this fund.

With kindest personal regards and many thanks,
I remain

Sincerely,


Frank W. Denius

FWD:jr

Enclosures

TRUST AGREEMENT

THE STATE OF TEXAS

COUNTY OF TRAVIS

§
§
§

KNOW ALL MEN BY THESE PRESENTS:

That I, Franklin W. Denius, of Austin, Travis County, Texas (hereinafter called "Donor") subject to the further provisions hereof, do hereby create, irrevocably and forever a Trust for the use and benefit of The University of Texas at Austin in Austin, Texas. Title to all property and things of value now and hereafter placed in this Trust shall be vested in the Board of Regents of The University of Texas System (hereinafter called "Trustee").

Donor hereby gives, assigns and delivers to the Board of Regents of The University of Texas System the sum of Five Hundred Dollars (\$500.00). The Trust shall also be open to gifts of cash, securities or other things of value by me or any other persons who may hereafter desire to make such gifts and such gifts, if made, shall in no wise modify the purpose of this Trust.

The purpose of this Trust is to provide a fund to be designated The Marian Royal Kazen Memorial Fund, all the net income from which will be used for scholarships for deserving students in the Department of Fine Arts at The University of Texas at Austin. The recipients of the scholarships shall be determined pursuant to the Rules and Regulations of the Board of Regents of The University of Texas System.

The Trustees shall have the following powers in addition to the power and authority granted by law: The Trustees shall hold, manage, control, exchange, lease, sell, alienate, mortgage, invest and reinvest this Trust Estate in any property including common trust funds without being limited by any statute or rule of law concerning investments by Trustees. The Trustees are empowered to administer this Trust in accordance with such uniform rules and regulations as they may from time to time adopt whether the said rules and regulations contain a specific

reference to this Trust.

The terms and provisions of the Texas Trust Act (Article 7425-b of Vernon's Civil Statutes) as amended from time to time shall apply to the Trust herein established.

Neither this Trust nor any fund or property arising therefrom, in whatever form it shall take, shall ever be any part of the Permanent University Fund, nor shall the Legislature have power or be in anywise authorized to change the purposes hereof or to divert the Trust, fund or property from the purposes herein set out.

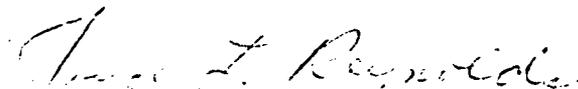
WITNESS MY HAND THIS 28th day of June, 1973.


Franklin W. Denius, Donor

THE STATE OF TEXAS |
COUNTY OF TRAVIS |

BEFORE ME, the undersigned, a Notary Public in and for said County, Texas, on this day personally appeared FRANKLIN W. DENIUS, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 28th day of June, 1973.


Notary Public in and for
Travis County, T e x a s

The terms and provisions of the foregoing Trust are hereby accepted this _____ day of _____, 1973.

THE BOARD OF REGENTS OF
THE UNIVERSITY OF TEXAS SYSTEM

ATTEST:

Secretary

By: _____
Chairman

8. Recommended Establishment of The University of Texas System Endowment Corporation (Nonprofit) and Charter and Bylaws Therefor and Deed Thereto. --

In order to provide the necessary funds for the construction of certain proposed permanent improvements to be constructed on the campus of The University of Texas at Austin at an estimated cost of \$53,000,000, the Board of Regents at its meeting held on June 1, 1973, approved a financing plan whereby the Board of Regents would authorize the creation of a nonprofit educational corporation; the Board of Regents would convey or lease to such nonprofit corporation certain lands on the campus of The University of Texas at Austin; the nonprofit corporation would issue its thirty year tax exempt bonds and construct the required improvements out of such bond proceeds; and lease the completed structures back to the Board of Regents on a net-net lease basis at an annual rental sufficient to pay the annual debt service requirements on the tax exempt bonds so issued, estimated not to exceed \$4,250,000; and title to the land and improvements held by the nonprofit corporation shall revert to the Board of Regents upon the retirement of all outstanding bonds. The System Administration was authorized to proceed with the necessary planning to implement the proposed financing plan, including the drafting of the necessary instruments, all of which were to be submitted to the Board of Regents at a subsequent meeting for approval.

The Deputy Chancellor for Administration and the Associate Deputy Chancellor for Investments, Trusts and Lands recommend that the following instruments, which have been prepared by Bond Counsel, be approved:

1. Charter of The University of Texas System Endowment Corporation (Pages 33 - 36)
2. By-laws of The University of Texas System Endowment Corporation (Pages 37 - 43)
3. Deed from the Board of Regents of The University of Texas System to The University of Texas System Endowment Corporation. (Page 44)

It is further recommended that the firm of McCall, Parkhurst and Horton, Bond Counsel for this issue, proceed to take all necessary action to obtain from the Internal Revenue Service a ruling that said nonprofit educational corporation is exempt from taxation, and that interest on bonds issued thereby would likewise be tax exempt; and that Mr. Sam Maclin, Bond Consultant for this issue, be authorized to proceed with all necessary planning for the sale or private placement of the tax exempt bonds to be issued by The University of Texas System Endowment Corporation for this purpose.

ARTICLES OF INCORPORATION

OF

THE UNIVERSITY OF TEXAS SYSTEM ENDOWMENT CORPORATION

THE STATE OF TEXAS :

COUNTY OF TRAVIS :

WE, THE UNDERSIGNED, natural persons of the age of twenty-one years or more, citizens of the State of Texas, acting as incorporators of a non-profit corporation under the Texas Non-Profit Corporation Act, do hereby adopt the following Articles of Incorporation for such corporation:

ARTICLE ONE

The name of the Corporation is THE UNIVERSITY OF TEXAS SYSTEM ENDOWMENT CORPORATION.

ARTICLE TWO

The Corporation is a non-profit corporation.

ARTICLE THREE

The period of duration of the Corporation is perpetual.

ARTICLE FOUR

The Corporation is organized for strictly educational purposes and is organized and is to be operated for the exclusive purpose of benefiting The University of Texas System (a public agency and political subdivision of the State of Texas, existing pursuant to Article 7, Section 10, of the Texas Constitution and Chapters 65 through 75, Texas Education Code) by constructing, purchasing, or otherwise acquiring, owning, leasing, enlarging, extending, improving, furnishing, equipping, operating, and maintaining land, buildings, improvements, and any other facilities on behalf of The University of Texas System, including, but not limited to, classroom buildings, libraries, laboratories, research facilities, workshops, science buildings, art buildings, educational buildings, activities, athletic, and recreational buildings, administrative office buildings, industrial parks, and residential real property for family units.

ARTICLE FIVE

The street address of the initial registered office of the Corporation is _____, Austin, Texas, and the name of its initial registered agent at such address is _____.

ARTICLE SIX

The Corporation shall have no members. The direction and management of the affairs of the Corporation and the control and disposition of its properties and funds shall be vested in a Board of Directors. The number of Directors shall be three, and the names and addresses of the persons who are to serve as the initial Directors, and the dates of expiration of their initial terms as Directors, are as follows:

<u>NAMES</u>	<u>ADDRESSES</u>	<u>DATE OF EXPIRATION OF TERM</u>
_____	_____	January 1, 1975
_____	_____	January 1, 1975
_____	_____	January 1, 1975

Directors to succeed the initial Directors shall be appointed by the Board of Regents of The University of Texas System for terms of one year each, commencing on January 1 of each year and expiring on December 31 of each year. Each Director, including the initial Directors, shall be eligible for reappointment. Any vacancy occurring on the Board of Directors through death, resignation, or otherwise, shall be filled by appointment by the Board of Regents of The University of Texas System to hold office until the expiration of the term for which the vacating Director had been appointed.

ARTICLE SEVEN

The initial by-laws of the Corporation shall be adopted by its Board of Directors. The power to alter, amend or repeal the by-laws or to adopt new by-laws shall be vested in the Board of Directors.

ARTICLE EIGHT

The directors shall not engage, participate, or intervene in any activity or transaction which would result in the loss by the Corporation of its status as an exempt organization under the provisions of the Internal Revenue Code of 1954, as amended, or corresponding provisions hereafter in effect; and the use, directly or indirectly, of any part of the Corporation's assets in any such activity or transaction is hereby expressly prohibited.

ARTICLE NINE

No dividends shall ever be paid by the Corporation and no part of its net income shall be distributed to or inure to the benefit of its directors or officers or any private person, firm, corporation, or association. No substantial part of the Corporation's activities shall be carrying on propaganda, or otherwise attempting to influence legislation, and it shall not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of or in opposition to any candidate for public office.

ARTICLE TEN

If the Corporation ever should be dissolved when it has, or is entitled to, any interest in any funds or property of any kind, real, personal, or mixed, such funds or property or rights thereto shall not be transferred to private ownership, but shall be transferred and delivered, after satisfaction or provision for satisfaction of debts and claims, to The University of Texas System.

ARTICLE ELEVEN

The name and street address of each incorporator is:

Name

Address

IN WITNESS WHEREOF, we have hereunto set our hands, this
____ day of _____, 1973.

THE STATE OF TEXAS :

COUNTY OF TRAVIS :

I, the undersigned, a Notary Public, do hereby certify that
on this ____ day of _____, 1973, personally appeared before me
_____, _____ and _____,
who each being by me first duly sworn, severally declared that
they are the persons who signed the foregoing document as in-
corporators, and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal
the day and year above written.

Notary Public in and for
Travis County, Texas

My commission expires June 1, 1975.

(NOTARY SEAL)

BYLAWS

THE UNIVERSITY OF TEXAS SYSTEM ENDOWMENT CORPORATION

ARTICLE I

Offices

1.1 The registered office of the corporation is at _____, Austin, Texas 78703, and the name of the registered agent of the corporation at that address is _____.

1.2 The Corporation also may have offices at other places, both in Texas and out of state, as determined by the Board of Directors from time to time, or as required by the business of the corporation.

ARTICLE II

Directors

2.1 The Board of Directors shall manage the business and affairs of the corporation. The Board may exercise all the powers of the corporation and do all lawful acts and things permitted by statute, the Articles of Incorporation, or the Bylaws.

2.2 The Board of Directors shall consist of three persons, with the initial Directors being named in the Articles of Incorporation, to serve for terms expiring January 1, 1975, and with their successors to be appointed by the Board of Regents of The University of Texas System for terms of one year, all as provided in the Articles of Incorporation. Each director shall hold office for his respective term and until his successor is appointed and qualified. If a director becomes disqualified by death, resignation, or becomes unable or unwilling to act before his term expires, the Board of Regents of The University of Texas System shall appoint a successor director who shall complete the term of office of such director.

2.3 The Board of Directors may hold its meetings, both regular and special, either in Texas or out of state, as the Board may from time to time determine.

2.4 The Board of Directors may hold regular meetings without notice at the time and place from time to time determined by the Board of Directors.

2.5 The President may call special meetings of the Board of Directors on twenty-four hours' notice to each director, either personally or by mail or telegram. The President or Secretary shall call special meetings in the same manner and on the same notice upon written request by two (2) directors. Except as provided by statute, the Articles of Incorporation, or the Bylaws, neither the business to be transacted nor the purpose of any special meeting need be specified in a notice or waiver of notice of the meeting.

2.6 The presence of a majority of the directors at all meetings of the Board of Directors is necessary to constitute a quorum for the transaction of business. Except as otherwise specifically provided by statute, the Articles of Incorporation, or the Bylaws, the act of a majority of the directors present at any meeting at which there is a quorum shall be the act of the Board of Directors. If a quorum is not present at a meeting of directors, the directors present may adjourn the meeting from time to time without notice other than announcement of the meeting, until a quorum is present.

2.7 The Board of Directors, by resolution adopted by a majority of the directors in office, may designate one or more committees of directors, each consisting of two (2) or more directors. To the extent provided in the resolution, each committee may exercise the authority of the Board of Directors in the management of the corporation. The designation of the committees and the delegation to them of authority does not relieve the Board of Directors or any individual director of any responsibility imposed by law. Other committees not having and exercising the authority of the Board of Directors in the management of the corporation may be designated and appointed

by a resolution adopted by a majority of the directors at a meeting at which a quorum is present, or by the President after authorization by a similar resolution of the Board of Directors or by the Articles of Incorporation or by the Bylaws. Membership on such committees may be, but is not required to be, limited to directors. Notice of meetings of the committee shall be given in the same manner as notice of meetings of the Board of Directors.

ARTICLE III

Notices

3.1 Whenever required by statute, the Articles of Incorporation, or the Bylaws, notice is required to be given to any director and no provision is made as to how notice shall be given, any notice may be given in writing by mail, postage prepaid, addressed to the director at his address as it appears on the books of the corporation. Personal notice is not required. Notice by mail is deemed to be given at the time when the notice is deposited in the United States Mails.

3.2 Whenever notice is required to be given to any director of the corporation under the provisions of the statutes, the Articles of Incorporation, or the Bylaws, a waiver of notice in writing signed by the person or persons entitled to notice, whether on, before, or after the time stated in the notice, is equivalent to giving that notice.

3.3 By attending a meeting, a director waives notice of the meeting, except where a director attends a meeting for the purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened.

ARTICLE IV

Officers

4.1 The directors shall elect the officers of the corporation. The officers are: the President; the Vice-President; and a Secretary and Treasurer. Any person may hold two (2) or more offices, except that the same person may not hold the offices of President and Secretary.

4.2 The Board of Directors at its first meeting shall choose a President and a Vice-President from its members, and shall choose a Secretary and a Treasurer, neither of whom need be a member of the Board, and the offices of Secretary and Treasurer may be held by one person.

4.3 The Board of Directors may appoint any other officers and agents it deems necessary. Officers shall be appointed for terms and shall exercise the powers and perform the duties determined from time to time by the Board.

4.4 Each officer of the corporation shall hold office until his successor is chosen and qualified or until his death, resignation, or removal from office. Any officer or agent elected or appointed by the Board of Directors may be removed at any time by the affirmative vote of a majority of the Board of Directors, but removal shall be without prejudice to the contract rights, if any, of the person removed. If the office of any officer becomes vacant for any reason, the Board of Directors may fill the vacancy.

4.5 The President is the chief executive officer of the corporation; he shall preside at meetings of the Board of Directors; he shall have general and active management of the business and affairs of the corporation; he shall see that all orders and resolutions of the Board are carried into effect; and he shall perform any other duties prescribed by the Board of Directors.

4.6 The Vice-President has the powers and shall perform any duties that the Board of Directors may from time to time prescribe or that the President may from time to time delegate to him.

4.7 The Secretary is responsible to the President and the Board of Directors. He shall attend all meetings of the Board and shall record all votes and minutes of all proceedings in a book kept for that purpose. He shall give or provide for

giving notice of all meetings, where required, and shall perform any other duties prescribed by the Board of Directors or President. He shall keep in safe custody the seal of the corporation, and when authorized by the Board, affix the seal to any instrument requiring the seal. When affixed, the seal shall be attested by the signature of the Secretary.

4.8 The Treasurer has custody of the corporate funds and securities and shall keep a full and accurate account of the receipts and disbursements of the corporation. He shall deposit all money and other valuable items in the name and to the credit of the corporation in any depository designated by the Board of Directors.

4.9 The Treasurer shall disburse the funds of the corporation as ordered by the Board of Directors, making proper vouchers for each disbursement. He shall provide the President and directors, at the regular meeting of the Board or whenever they may require it, an account of all his transactions as Treasurer and of the financial condition of the corporation. He shall perform any other duties prescribed by the Board of Directors.

ARTICLE V

General Provisions

5.1 The corporate seal shall have inscribed around its circumference the name of the corporation. The seal may be used by causing it or its facsimile to be impressed, affixed, or otherwise reproduced.

5.2 Any action required to be taken at a meeting of the Board of Directors by statute, the Articles of Incorporation, or the Bylaws, or any action that may be taken at a meeting of the Board of Directors, may be taken without a meeting if all the directors give their signed consent, setting forth the action to be taken. The consent has the same effect as a unanimous consent of the directors.

5.3 All checks or demands for money and notes of the corporation shall be signed by the officer or officers or any other person or persons designated by the Board of Directors.

5.4 The corporation shall indemnify any director, officer, or employee, or any former director, officer, or employee of the corporation against expenses he actually and necessarily incurs and any amount paid in satisfaction of judgments in connection with any action, suit, or proceeding, whether civil or criminal, in which he is made a party by reason of being or having been a director, officer, or employee (whether or not he was a director, officer, or employee at the time the costs or expenses were incurred by or imposed upon him) except in relation to matters to which he is adjudged in the action, suit, or proceeding to be liable for gross negligence or willful misconduct in the performance of duty. The corporation may also reimburse any director, officer, or employee the reasonable costs of settlement of any action, suit, or proceeding, if a majority of the directors not involved in the matter in controversy, whether or not a quorum, finds it in the interest of the corporation that the settlement is made, and that the director, officer, or employee was not guilty of gross negligence or willful misconduct. The rights of indemnification and reimbursement are not exclusive to any other rights that the director, officer, or employee may be entitled by law or under any bylaw or agreement, or otherwise.

5.5 The directors shall not engage, participate, or intervene in any activity or transaction which would result in the loss by the Corporation of its status as an exempt organization under the provisions of the Internal Revenue Code of 1954, as amended, or corresponding provisions hereafter in effect; and the use, directly or indirectly, of any part of the Corporation's assets in any such activity or transaction is hereby expressly prohibited.

5.6 No dividends shall ever be paid by the Corporation and no part of its net income shall be distributed to or inure to the benefit of its directors or officers or any private person, firm, corporation, or association. No substantial part of the Corporation's activities shall be carrying on propaganda, or otherwise attempting to influence legislation, and it shall not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of or in opposition to any candidate for public office.

5.7 If the Corporation ever should be dissolved when it has, or is entitled to, any interest in any funds or property of any kind, real, personal, or mixed, such funds or property or rights thereto shall not be transferred to private ownership, but shall be transferred and delivered, after satisfaction or provision for satisfaction of debts and claims, to The University of Texas System.

ARTICLE VI

Amendments

6.1 These Bylaws may be altered, amended, or repealed at any meeting of the directors at which a quorum is present, provided notice of the proposed alteration, amendment, or repeal is contained in the notice of the meeting.

SPECIAL WARRANTY DEED

THE STATE OF TEXAS X
 X
COUNTY OF TRAVIS X

That the BOARD OF REGENTS of THE UNIVERSITY OF TEXAS SYSTEM, hereinafter called "GRANTOR", in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS and other good and valuable considerations in hand paid by THE UNIVERSITY OF TEXAS SYSTEM ENDOWMENT CORPORATION, hereinafter called "GRANTEE", the receipt of which is hereby acknowledged, does hereby GRANT, BARGAIN, SELL and CONVEY unto the said GRANTEE, its successors and assigns, the following described tracts or parcels of land situated in Austin, Travis County, Texas, to wit:

(Metes and Bounds Description to be inserted)

GRANTOR does hereby covenant, insofar as it is authorized by law, to WARRANT AND DEFEND all and singular the said premises unto the said GRANTEE, its successors and assigns, against the lawful claims of all persons whomsoever claiming by, through or under it, but not otherwise.

IN WITNESS WHEREOF, the said GRANTOR has caused these presents to be executed this _____ day of _____, 1973.

ATTEST:

BOARD OF REGENTS OF
THE UNIVERSITY OF TEXAS SYSTEM

Secretary

By _____
Chairman

THE STATE OF TEXAS X
 X
COUNTY OF X

BEFORE ME, the undersigned authority on this day personally appeared A. G. McNEESE, JR., Chairman, Board of Regents of The University of Texas System, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said Board of Regents of The University of Texas System.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 1973.

Notary Public in and for
County, Texas

C. U. T. Permian Basin

9. Authorized Agent for Tax-Free Alcohol Permits Recommended. --

System Administration concurs in the request of President Amstead that the Board of Regents approve the standard resolution which would authorize Dr. R. C. Thompson, Vice-President for Business Affairs, to sign all appropriate documents required in connection with tax-free alcohol permits.

THE UNIVERSITY OF TEXAS OF THE PERMIAN BASIN

Odessa, Texas 79762

June 18, 1973

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

CHANCELLOR'S OFFICE U. of T.

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

JUN 20 1973

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

Dear Mr. Walker:

Please include an item in the agenda for the July 27 meeting of the Board of Regents authorizing Dr. R. C. Thompson, Vice President for Business Affairs at The University of Texas of the Permian Basin to sign all documents necessary for the purchase of tax free alcohol for use at The University of Texas of the Permian Basin. This is the initial appointment of an authorized agent for this institution.

Sincerely,



B. H. Amstead
President

BHA/cat

10. Ratification of Authorization to President to File Grant Application with State Criminal Justice Council. --The following item was considered at the meeting on June 1, 1973. It was not on the agenda for that meeting and is resubmitted for ratification:

WHEREAS, the Texas Legislature authorized the establishment of The University of Texas of the Permian Basin within the University of Texas under House Bill 157 of the 61st Legislature, as amended, for the purpose of providing upper-level institution charged with providing baccalaureate and graduate degree programs to junior, senior and graduate level students; and,

WHEREAS, integral within its mission and in support of the Criminal Justice Plan for Texas, UTPB has been approved by the Coordinating Board, Texas College and University System to offer upper-level Police Science/Law Enforcement Management Programs; and,

WHEREAS, essential for desired thrust to these programs are mature, competent students engaged in Law Enforcement. Funds are needed to attract and help support such students having financial commitments attendant with age and acquired responsibilities; and,

WHEREAS, toward this end, UTPB petitions Criminal Justice Council support. UTPB will provide specified matching monies. Recipients either continue to work half-time for sponsoring agencies or half-time for UTPB police department. Proposed allowances: each of ten commissioned personnel \$4,200 per year, non-commissioned personnel \$2,950 per year.

Now, therefore, be it resolved by The University of Texas System Board of Regents that:

1. The president of The University of Texas of the Permian Basin be authorized to file future applications with the Criminal Justice Council.

2. The president be authorized to sign said application on behalf of The University of Texas of the Permian Basin.

3. The University of Texas of the Permian Basin be permitted to commit up to \$33,429.00 in its 1973-74 budget in accordance with the attached proposal entitled "Supplemental Subsistence Funds for UTPB Law Enforcement Programs".

11. Recommendation for Advance for Working Capital of Bookstore. --

The U. T. Permian Basin operating budget for 1972-73 proposes the inclusion of a bookstore to provide textbooks and other scholastic materials for the students who will register beginning with the Fall semester of the 1973-74 academic year. The total budget proposed is \$75,750, but there is no initial source of funds for start-up expenses and working capital (specifically, the purchase of the initial stock of textbooks and supplies).

On other occasions for new institutions, the Board of Regents has authorized advances for the initial working capital requirements of Auxiliary Enterprises, such as bookstores. U. T. Permian Basin officials estimate that an advance of \$25,000 to \$30,000 for the initial working capital will be sufficient and that this amount can be repaid in approximately three years from earnings or other sources.

System Administration requests authorization to advance from available balances an amount not to exceed \$30,000 to U. T. Permian Basin for the purpose indicated above with repayment to be made within three years.

D. Dallas Health Science Center and
Galveston Medical Branch

12. North Texas Regional Computer Center: Recommendation for Purchase
of Computer Equipment. --

For several years it has been realized that substantial monetary savings can be attained by purchase of large-scale computer equipment rather than leasing such equipment. This method has been necessarily tempered by the availability of funds and the state of technology relating to the particular equipment. In the past few years, U. T. Austin first purchased the CDC Models 6600/6400 equipment for the Computation Center. Later, in 1971, the Board of Regents authorized and U. T. Austin purchased an IBM Model 370/155 for its administrative Data Processing Division. In both cases, the purchase route has proved to be advantageous and many years of useful life remain for the equipment. More recently, the Board authorized and U. T. El Paso has purchased the IBM Model 360/50 which had been rented by U. T. Dallas.

The Galveston Medical Branch and the North Texas Regional Computer Center (located at the Dallas Health Science Center, but serving all three North Texas institutions) now have installed rented IBM Model 370/155 computers, and have been considering, after careful study, the purchase of this or similar equipment in order to achieve the cost savings available through purchase. However, before committing themselves to this equipment, which is adequate for present workload at both location, they have now considered the recently announced IBM Model 370/158, a more powerful and versatile machine with capabilities, in the teaching and research as well as administrative areas, to be responsive to the growing needs in those areas for several years. This IBM Model 370/158 equipment is compatible with the existing IBM Model 370/155 programs at both locations, as well as other IBM computer series programs at other U. T. System locations.

The purchase price of the IBM Model 370/158 outright is approximately \$2,150,000 depending on the exact configuration required at the particular location. This figure compares with the five-year rental, including factory maintenance, as follows:

IBM Model 370/155	Approximately \$2,699,100
IBM Model 370/158	Approximately \$2,850,200

The Galveston Medical Branch has recommended that the IBM Model 370/158 Central Processing unit with major peripherals, disk drives, tape drives, control units, printers and card reader be purchased on the special option purchase plan basis used by U. T. Austin in 1971. (Payments under the plan can be made monthly or annually, somewhat similar to the present rental payment agreements.) To the outright purchase price of some \$2,150,000 would be added annual maintenance and purchase option charges to bring the five-year total to approximately \$2,699,000 or an average of about \$538,000 per year, which is a little less than the rental and maintenance currently being paid for the IBM Model 370/155.

The North Texas Institutions also recommend acquisition of the IBM Model 370/158 for the North Texas Regional Computer Center, by either outright purchase, or by the special option purchase agreement.

At both locations the possibility of acquiring equipment of manufacturers other than IBM has been carefully considered. All factors, including the compatibility with existing programs, the mutual back-up with other System institutions as well as other State agencies, the quality of the maintenance, engineering and program support services, indicate that purchase of the equipment described above is in our best interests.

System Administration joins in the above recommendations and requests approval for proceeding with the acquisitions at both locations at the approximate purchase prices indicated. Actual appropriations and purchase plans will be submitted to the Board for final approval prior to issuance of purchase orders and installations.

E. Galveston Medical Branch

13. Galveston Medical School: Ratification of Report on Status of Ashbel Smith Building (Referred to as Old Red) and Commitment of Funds for Restoration. --The following item was considered at the meeting on June 1, 1973. It was not on the agenda for that meeting and is resubmitted for ratification:

At the request of the Committee, President Blocker reported on the campaign for funds to restore the Ashbel Smith Building (referred to as Old Red) at the Galveston Medical School of The University of Texas Medical Branch at Galveston. He reported that over \$130,000 had been received in this campaign for immediate use. President Blocker estimated that it will take from \$1,000,000 to \$1,500,000 to restore this building. Whereupon, Regent Erwin, moved that in the construction plans for The University of Texas Medical Branch at Galveston that a commitment be made of \$1,750,000 with \$875,000 to come from Permanent University Fund Bond proceeds and \$875,000 to come from matching grants which he and Deputy Chancellor Walker will try to secure with the understanding that President Blocker will continue to try to get funds for this restoration. This motion was seconded by Regent Shivers and unanimously adopted.

F. San Antonio Health Science Center

14. Recommendation to Purchase Supplies from Employee. --

The San Antonio Health Science Center Administration advises System Administration that Mr. Alvin W. Blom has recently been employed as an Animal Attendant II in the Microbiology Department at a salary of \$5,628. For several years Mr. Blom has been sole supplier, and only known local source, of rabbits for the Medical School, and prices have been reasonable and service excellent.

The recent dollar value purchase from Mr. Blom has been as follows:

1970 - 1971	\$ 462.25
1971 - 1972	2,663.50
1972 - 1973 (prior to employment)	1,994.50

Pursuant to the requirements of Regents' Rules and Regulations, Part Two, Chapter IV, Section 7, President Harrison and Vice-President Price recommend that the Health Science Center be authorized to continue to purchase rabbits from this employee.

In view of the current scarcity of rabbits, System Administration joins in this recommendation, subject to the provision that the San Antonio Health Science Center continue to explore the possibility of other sources, and if such are found, follow the usual competitive procurement procedures for future purchases.



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

June 26, 1973

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

Dear Don:

Mr. Al Blom has recently become an employee in our Microbiology Department. For several years, the department of Laboratory Animal Medicine has purchased rabbits through this individual for use in various programs in the Health Science Center. This is the only known local source to the best of our knowledge and his prices are reasonable and the service provided has been excellent.

We need to continue to make purchases from this individual from time to time, but in order to do so, it is necessary that we secure approval of the Chancellor and the Board of Regents under current provisions of the Regents' Rules and Regulations. If possible, we would like to secure blanket approval for the continuation of past procedure.

In Fiscal 1971 we made 15 purchases from Mr. Blom for a total dollar value of \$462.25. In Fiscal 1972 we issued 48 purchase orders for a dollar value of \$2,663.50. In Fiscal 1973, prior to the date of his employment with the University, we had issued 59 purchase orders for a dollar value of \$1,994.50.

If it is not permissible to secure blanket approval for continuation of this type purchase, will you please let me know how you think we might proceed.

Sincerely yours,

R. B. Price
Vice-President for
Business Affairs

RBP:cr

approved 7/9/73
Frank Harrison

II. RATIFICATION (AFFILIATION AGREEMENTS). --The following affiliation agreements are reported for ratification:

15. System Nursing School: Affiliation Agreements with Fort Worth Children's Hospital, Fort Worth, Texas, and Shriners Hospitals for Crippled Children (Galveston Burns Institute), Galveston, 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.

Fort Worth Children's Hospital, Fort Worth, Texas
Shriners Hospitals for Crippled Children (Galveston
Burns Institute), Galveston, Texas

III. 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:

September 14, 1973 - in El Paso
 October 26, 1973 - in Austin
 December 7, 1973

1973							1973						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
JULY							OCTOBER						
1	2	3	4	5	6	7	1	2	3	4	5	6	
8	9	10	11	12	13	14	7	8	9	10	11	12	13
15	16	17	18	19	20	21	14	15	16	17	18	19	20
22	23	24	25	26	27	28	21	22	23	24	25	26	27
29	30	31					28	29	30	31			
AUGUST							NOVEMBER						
			1	2	3	4				1	2	3	
5	6	7	8	9	10	11	4	5	6	7	8	9	10
12	13	14	15	16	17	18	11	12	13	14	15	16	17
19	20	21	22	23	24	25	18	19	20	21	22	23	24
26	27	28	29	30	31		25	26	27	28	29	30	
SEPTEMBER							DECEMBER						
						1							1
2	3	4	5	6	7	8	2	3	4	5	6	7	8
9	10	11	12	13	14	15	9	10	11	12	13	14	15
16	17	18	19	20	21	22	16	17	18	19	20	21	22
23	24	25	26	27	28	29	23	24	25	26	27	28	29
30							30	31					

1973
 Sept. 14 Board of Regents' Meeting
 Oct. 26 Board of Regents' Meeting
 Oct. 26 Distinguished Alumni Banquet -
 Ex-Students' Association
 Dec. 7 Board of Regents' Meeting

Commencement Exercises

Dec. 2 Houston Medical School

1974							1974							
S	M	T	W	T	F	S	S	M	T	W	T	F	S	
JANUARY							JULY							
			1	2	3	4	1	2	3	4	5	6		
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				
FEBRUARY							AUGUST							
					1	2				1	2	3		
3	4	5	6	7	8	9	4	5	6	7	8	9	10	
10	11	12	13	14	15	16	11	12	13	14	15	16	17	
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	
MARCH							SEPTEMBER							
					1	2				1	2	3		
3	4	5	6	7	8	9	4	5	6	7	8	9	10	
10	11	12	13	14	15	16	11	12	13	14	15	16	17	
17	18	19	20	21	22	23	18	19	20	21	22	23	24	
24	25	26	27	28	29	30	25	26	27	28	29	30		
31							29	30						
APRIL							OCTOBER							
			1	2	3	4				1	2	3	4	5
7	8	9	10	11	12	13	6	7	8	9	10	11	12	
14	15	16	17	18	19	20	13	14	15	16	17	18	19	
21	22	23	24	25	26	27	20	21	22	23	24	25	26	
28	29	30					27	28	29	30	31			
MAY							NOVEMBER							
			1	2	3	4				1	2			
5	6	7	8	9	10	11	3	4	5	6	7	8	9	
12	13	14	15	16	17	18	10	11	12	13	14	15	16	
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	
JUNE							DECEMBER							
						1							1	
2	3	4	5	6	7	8	2	3	4	5	6	7		
9	10	11	12	13	14	15	8	9	10	11	12	13	14	
16	17	18	19	20	21	22	15	16	17	18	19	20	21	
23	24	25	26	27	28	29	22	23	24	25	26	27	28	
30							29	30	31					

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

COMMITTEE OF THE WHOLE

EMERGENCY ITEM

July 27, 1973

Page
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16. Galveston Medical Branch: Resolution Re Commitments to the John Sealy Hospital by The Sealy & Smith Foundation for the John Sealy Hospital

below

DOCUMENTATION

16. Galveston Medical Branch: Resolution Re Commitments to the John Sealy Hospital by The Sealy & Smith Foundation for the John Sealy Hospital. --

In connection with the issuance of \$34,500,000 Board of Regents of The University of Texas System, The University of Texas Medical Branch at Galveston Endowment and Hospital Revenue Bonds, Series 1973, the Board of Regents of The University of Texas System and The Sealy & Smith Foundation for the John Sealy Hospital have entered into an agreement dated as of July 1, 1973, setting out in detail for the benefit of prospective bond purchasers the nature and extent of the Foundation's pledge of financial support to said bonds. The Sealy & Smith Foundation has previously made commitments to the Board of Regents of The University of Texas System for financial support of certain projects at the Galveston Medical Branch and has heretofore advanced to the Board of Regents of The University of Texas System certain monies that were to be repaid out of the Special Fund under the joint management and control of the Board of Regents of The University of Texas System and The Sealy & Smith Foundation for the John Sealy Hospital. In order to clarify certain matters with reference to these prior commitments by The Sealy & Smith Foundation that are left uncertain by virtue of the terms of the agreement dated July 1, 1973, the Deputy Chancellor for Administration and the Associate Deputy Chancellor for Investments, Trusts and Lands recommend the adoption of the following resolution:

RESOLUTION

WHEREAS, the Board of Regents of The University of Texas System and The Sealy & Smith Foundation for the John Sealy Hospital have entered into an agreement dated July 1, 1973, pertaining to the Foundation's participation in the funding of \$34,500,000 Board of Regents of The University of Texas System, The University of Texas Medical Branch at Galveston Endowment and Hospital Revenue Bonds, Series 1973, which are proposed to be issued by the Board for the construction of a new six hundred bed hospital in connection with the John Sealy Hospital in Galveston, Texas, to which agreement reference is made for all purposes, and

WHEREAS, the Board of Regents and the Board of Directors of The Sealy & Smith Foundation are desirous of entering into an agreement to clarify certain matters with regard to prior commitments of the Foundation which are left uncertain or unresolved by virtue of such agreement dated July 1, 1973;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Regents of The University of Texas System does hereby agree with The Sealy & Smith Foundation for the John Sealy Hospital as follows:

(1) That in the event the \$34,500,000 Board of Regents of The University of Texas System, The University of Texas Medical Branch at Galveston Endowment and Hospital Revenue Bonds, Series 1973, are not sold and delivered, The Sealy & Smith Foundation will not be required to contribute funds for such purpose.

(2) That with regard to certain commitments made by The Sealy & Smith Foundation for financial payments to the Board of Regents, that in the event these payments will cause The Sealy & Smith Foundation to exceed 20% of its annual net income (80% of the annual net income of the Foundation having been pledged to the above described bonds), then in that event the Foundation may make payment of such prior commitments in the next succeeding year or years in order that the total of such payments during any fiscal year will not exceed 20% of the Foundation's annual net income.

(3) That the Board of Regents agrees that it has received certain advances from The Sealy & Smith Foundation in the approximate amount of \$440,000, which advances were supposed to be repaid out of the annual net income of the Special Fund held under the joint management and control of the Board of Regents and The Sealy & Smith Foundation, which "Special Fund" income has been pledged to the payment of the above described bonds, and does further agree to repay to The Sealy & Smith Foundation the amount of said advances out of the income from such Special Fund, when and in the event that said above described bonds have been paid off in their entirety.

BE IT FURTHER RESOLVED, that the Chairman of the Board of Regents be and he is hereby authorized to execute an agreement with The Sealy & Smith Foundation for the John Sealy Hospital setting forth the agreements set out herein and to do any and all things necessary and desirable for and on behalf of the Board of Regents of The University of Texas System in connection therewith.

17. add. @ >

Meeting of
the Board

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM
PERMANENT UNIVERSITY FUND BONDS, NEW SERIES 1973
IN THE AMOUNT OF \$11,000,000

SALE OF THE BONDS.--As authorized, bids were called for and received until 12:00 Noon, CDT, on July 26, 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 Drexel Burnham & Co., Incorporated, at the price of par and accrued interest to date of delivery, plus a premium of \$1,032.90, at rates of interest shown on the tabulation.

DESIGNATION OF PAYING AGENCY.--Attached is a tabulation of the bids received and publicly opened and tabulated at 11:30 A.M., CDT, on July 26, 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 Bank of the Southwest N.A., 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 \$1,479.00. The Co-paying Agents are Manufacturers Hanover Trust, New York, New York, and Continental Illinois National Bank and Trust Company, Chicago, Illinois.

AWARD OF CONTRACT FOR PRINTING THE BONDS.--Attached is a tabulation of the bids received and publicly opened and tabulated at 11:30 A.M., CDT, on July 26, 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 \$864.00, there being five interest rates.

\$11,000,000

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM
PERMANENT UNIVERSITY FUND BONDS, NEW SERIES 1973

Bids Received
July 26, 1973, at 12:00 Noon, CDT

ACCOUNT			COUPON RATE		INTEREST COST
Drexel Burnham & Co., Incorporated	1974 thru	<u>77</u>	<u>6</u> %	Gross	: \$ _____
		<u>78</u>	<u>5</u> %	Premium	: \$ <u>1,032.90</u>
		<u>88</u>	<u>5.10</u> %	Net	: \$ <u>6,387,272.10</u>
		<u>90</u>	<u>5.20</u> %	Effective	
		<u>92</u>	<u>5.25</u> %	Interest Rate:	<u>5.13859</u>
Continental Illinois National Bank and Trust Company of Chicago	1974 thru	<u>80</u>	<u>6</u> %	Gross	: \$ _____
		<u>81</u>	<u>5</u> %	Premium	: \$ <u>951.50</u>
		<u>87</u>	<u>5.10</u> %	Net	: \$ <u>6,500,543.50</u>
		<u>89</u>	<u>5.20</u> %	Effective	
		<u>91</u>	<u>5-1/4</u> %	Interest Rate:	<u>5.22972</u>
Halsey, Stuart & Co. Inc.	1974 thru	<u>78</u>	<u>6</u> %	Gross	: \$ _____
		<u>79</u>	<u>5</u> %	Premium	: \$ <u>2,200.00</u>
		<u>89</u>	<u>5.10</u> %	Net	: \$ <u>6,390,560.00</u>
		<u>91</u>	<u>5.20</u> %	Effective	
		<u>92</u>	<u>5.25</u> %	Interest Rate:	<u>5.1412</u>
First National Bank in Dallas	1974 thru	<u>78</u>	<u>5.875</u> %	Gross	: \$ _____
		<u>79</u>	<u>5.00</u> %	Premium	: \$ <u>722.25</u>
		<u>88</u>	<u>5.10</u> %	Net	: \$ <u>6,403,739.00</u>
		<u>90</u>	<u>5.20</u> %	Effective	
		<u>92</u>	<u>5.25</u> %	Interest Rate:	<u>5.15184</u>
Reynolds Securities, Inc. Rauscher Pierce Securities Corporation du Pont Glore Forgan Munc. Inc. Paine, Webber Jackson & Curtis, Inc. (Account Managers) & Associates	1974 thru	<u>80</u>	<u>6</u> %	Gross	: \$ _____
		<u>81</u>	<u>5</u> %	Premium	: \$ <u>- 0 -</u>
		<u>88</u>	<u>5.10</u> %	Net	: \$ <u>6,498,635.00</u>
		<u>89</u>	<u>5.20</u> %	Effective	
		<u>90</u>	<u>5-1/4</u> %	Interest Rate:	<u>5.228186</u>

\$11,000,000

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM
 PERMANENT UNIVERSITY FUND BONDS, NEW SERIES 1973

ACCOUNT			COUPON RATE	INTEREST COST	
Salomon Brothers and Associates	1974 thru	<u>79</u>	<u>6.00</u> %	Gross	: \$ _____
	<u>80</u>	<u>86</u>	<u>5.00</u> %	Premium	: \$ <u>4,128.30</u>
	<u>87</u>	<u>89</u>	<u>5.10</u> %	Net	: \$ <u>6,447,096.70</u>
	<u>90</u>	<u>91</u>	<u>5.20</u> %	Effective Interest Rate:	<u>5.1867</u>
	<u>92</u>	<u>93</u>	<u>5.25</u> %		
	1974 thru	_____	_____ %	Gross	: \$ _____
	_____	_____	_____ %	Premium	: \$ _____
	_____	_____	_____ %	Net	: \$ _____
	_____	_____	_____ %	Effective Interest Rate:	_____
	_____	_____	_____ %		
	1974 thru	_____	_____ %	Gross	: \$ _____
	_____	_____	_____ %	Premium	: \$ _____
	_____	_____	_____ %	Net	: \$ _____
	_____	_____	_____ %	Effective Interest Rate:	_____
	_____	_____	_____ %		
	1974 thru	_____	_____ %	Gross	: \$ _____
	_____	_____	_____ %	Premium	: \$ _____
	_____	_____	_____ %	Net	: \$ _____
	_____	_____	_____ %	Effective Interest Rate:	_____
	_____	_____	_____ %		
	1974 thru	_____	_____ %	Gross	: \$ _____
	_____	_____	_____ %	Premium	: \$ _____
	_____	_____	_____ %	Net	: \$ _____
	_____	_____	_____ %	Effective Interest Rate:	_____
	_____	_____	_____ %		

BIDS FOR PAYING AGENCY

\$11,000,000

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM
PERMANENT UNIVERSITY FUND BONDS, NEW SERIES 1973

Tabulation of Bids Received
July 26, 1973 - 11:30 A.M., CDT

Bidder	Co-Paying Agents	Per Coupon Paid	Per Bond Paid
Bank of the Southwest N.A., Houston	New York: Manufacturers Hanover Trust Chicago: Continental Illinois National Bank and Trust Company	Pay Board of Regents \$1,479.00	
First National Bank in Dallas	New York: Manufacturers Hanover Trust Chicago: The Northern Trust Company	0¢	.00
Mercantile National Bank at Dallas	New York: The Chase Manhattan Bank, N.A. Chicago: Continental Illinois National Bank and Trust Company	10¢	1.25
The Fort Worth National Bank	New York: Bankers Trust Company Chicago: Continental Illinois National Bank and Trust Company	7½¢	.75
Capital National Bank in Austin	New York: Chemical Bank Chicago: First National Bank of Chicago	9¢	.75
First City National Bank of Houston	New York: Manufacturers Hanover Trust Chicago: Continental Bank	12¢	2.00
Republic National Bank of Dallas	New York: First National City Bank Chicago: First National Bank	12½¢	1.50
The Citizens National Bank of Waco	New York: Morgan Guaranty Trust Co. Chicago: Harris Trust and Savings Bank	6¢	.60

BIDS FOR PRINTING BONDS

\$11,000,000

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM
 PERMANENT UNIVERSITY FUND BONDS, NEW SERIES 1973

Tabulation of Bids Received
 July 26, 1973 - 11:30 A.M., CDT

Bidder	One Coupon Rate	Two Coupons Rate	Three Coupons Rate	Four Coupons Rate	Five Coupons Rate	Number of Working Days
Steck-Warlick Printing Company	814.00	826.50	839.00	851.50	864.00	10-12

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

Chairman McNeese, Presiding

Date: July 27, 1973

Time: 9:00 a. m.

Place: Main Building, Room 212
U. T. Austin
Austin, Texas

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A. CALL TO ORDER

B. APPROVAL OF MINUTES OF REGENTS' MEETING -
JUNE 1, 1973

2

C. SPECIAL ORDERS

1. U. T. SYSTEM: RESOLUTION AUTHORIZING ISSUANCE AND AWARDING SALE OF BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM PERMANENT UNIVERSITY FUND BONDS, NEW SERIES 1973, \$11,000,000; DESIGNATION OF PAYING AGENTS, AND AWARD OF CONTRACT FOR PRINTING BONDS

2

Action Requested

a. Adoption of the Resolution set out on Pages 2 - 13 .
This Resolution was prepared by the bond counsel
and authorizes the issuance and sale of bonds.

b. Designation of paying agent and co-paying agent.

c. Award of contract for printing bonds.

2. GALVESTON MEDICAL BRANCH: RESOLUTION
(1) AUTHORIZING EXECUTION OF FOUNDATION AGREEMENT WITH THE BOARD OF DIRECTORS OF THE SEALY & SMITH FOUNDATION FOR THE JOHN SEALY HOSPITAL AND (2) AUTHORIZING ISSUANCE AND AWARDING SALE OF BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON ENDOWMENT AND HOSPITAL REVENUE BONDS, SERIES 1973, \$34,500,000; DESIGNATION OF PAYING AGENTS FOR BONDS AND AWARD OF CONTRACT FOR PRINTING BONDS (List of Action Required on Following Page)

14

Action Requested

- a. Approval and adoption of Resolution authorizing agreement with The Sealy & Smith Foundation for The John Sealy Hospital (Pages 14 - 19). 14
- b. Adoption of Resolution authorizing issuance and sale of bonds (Pages 20 - 34). This Resolution was prepared by Bond Counsel and authorizes the issuance and sale of the bonds. 20
- c. Designation of paying agent and co-paying agent.
- d. Award of contract for printing the bonds.

D. RECESS

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

\$34,500,000
BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM
THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON
ENDOWMENT AND HOSPITAL REVENUE BONDS, SERIES 1973

SALE OF THE BONDS.--As authorized, bids were called for and received until 10:30 A.M., CDT, on July 26, 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 a syndicate headed by White, Weld & Co. Incorporated for the Managers & Associates, at the price of par and accrued interest to date of delivery, at rates of interest shown on the tabulation, plus a premium of \$9,025.90.

DESIGNATION OF PAYING AGENCY.--Attached is tabulation of the bids received and publicly opened and tabulated at 9:30 A.M., CDT, on July 26, 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 Bank of ~~the Southwest N.A., Houston, Texas~~, to serve as paying agent for this issue be accepted. The bank will charge \$0.05 per coupon and \$0.45 per bond paid. Co-paying Agent is Manufacturers Hanover Trust, 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 9:30 A.M., CDT, on July 26, 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 the bonds with lithographed borders, as set out in the specifications, for the sum of \$2,652.50, there being seven interest rates.

TABULATION OF BIDS
\$34,500,000

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM,
THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON
ENDOWMENT AND HOSPITAL REVENUE BONDS, SERIES 1973
Bids Opened 10:30 A.M., July 26, 1973

ACCOUNT	COUPONS	INTEREST COST	EFFECTIVE RATE
White, Weld & Co. Incorporated for The Managers & Associates	19 <u>77</u> <u>85</u> <u>6-1/4</u> <u>86</u> <u>5.70</u> <u>87</u> <u>93</u> <u>5.60</u> <u>94</u> <u>5.70</u> <u>95</u> <u>96</u> <u>5.80</u> <u>97</u> <u>98</u> <u>5.90</u> <u>99</u> <u>4-3/4</u>	Gross: <u>34,097,925.00</u> Less Prem: <u>9,025.90</u> Net: <u>34,088,899.10</u>	5.68134
First National Bank in Dallas and Associates	19 <u>77</u> <u>81</u> <u>7.00</u> <u>82</u> <u>89</u> <u>5.50</u> <u>90</u> <u>92</u> <u>5.70</u> <u>93</u> <u>5.75</u> <u>94</u> <u>5.80</u> <u>95</u> <u>99</u> <u>5.90</u> _____	Gross: <u>34,908,295.00</u> Less Prem: <u>1,492.00</u> Net: <u>34,906,803.00</u>	5.81765
Dillon, Read Municipals	19 <u>77</u> <u>84</u> <u>7.00</u> <u>85</u> <u>91</u> <u>5.70</u> <u>92</u> <u>5.75</u> <u>93</u> <u>94</u> <u>5.80</u> <u>95</u> <u>98</u> <u>5.90</u> <u>99</u> <u>5.50</u> _____	Gross: <u>35,340,487.50</u> Less Prem: <u>9,694.50</u> Net: <u>35,330,793.00</u>	5.888318
Wolfe, Eastman Dillon & Co. Incorporated and Associates Walsey, Stuart & Co. Inc. Reynolds Securities Inc. Sheehan Brothers Incorporated	19 <u>77</u> <u>83</u> <u>6.50</u> <u>84</u> <u>6.10</u> <u>85</u> <u>92</u> <u>5.60</u> <u>93</u> <u>94</u> <u>5.70</u> <u>95</u> <u>96</u> <u>5.80</u> <u>97</u> <u>98</u> <u>5.90</u> <u>99</u> <u>5</u>	Gross: <u>34,290,250.00</u> Less Prem: <u>- 0 -</u> Net: <u>34,290,250.00</u>	5.7148
Salomon Brothers and Associates	19 <u>77</u> <u>85</u> <u>6.75</u> <u>86</u> <u>6.20</u> <u>87</u> <u>91</u> <u>5.60</u> <u>92</u> <u>97</u> <u>5.75</u> <u>98</u> <u>99</u> <u>5.25</u> _____	Gross: <u>34,473,692.50</u> Less Prem: <u>450.00</u> Net: <u>34,473,242.50</u>	5.7453
	19 _____ _____ _____ _____ _____ _____ _____	Gross: _____ Less Prem: _____ Net: _____	
	19 _____ _____ _____ _____ _____ _____ _____	Gross: _____ Less Prem: _____ Net: _____	

BIDS FOR PAYING AGENCY

\$34,500,000

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM,
THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON
ENDOWMENT AND HOSPITAL REVENUE BONDS, SERIES 1973

Tabulation of Bids Received
July 26, 1973 - 9:30 A.M., CDT

Bidder	New York Co-Paying Agent	Per Coupon Paid	Per Bond Paid
The Austin National Bank Austin, Texas	Bankers Trust Company, New York	9¢	.95
The Fort Worth National Bank	Bankers Trust Company, New York	9¢	.90
Mercantile National Bank at Dallas	The Chase Manhattan Bank, N.A.	10¢	1.25
First National Bank in Dallas	Manufacturers Hanover Trust	10¢	1.25
Capital National Bank in Austin	Chemical Bank	7½¢	.75
Bank of the Southwest N.A., Houston	Manufacturers Hanover Trust	5¢	.45
The First National Bank of Fort Worth	Manufacturers Hanover Trust	12½¢	1.50
Capital National Bank of Houston, Texas	Manufacturers Hanover Trust	7¢	.70
Republic National Bank of Dallas	First National City Bank	8¢	.80
First City National Bank of Houston	Manufacturers Hanover Trust	14¢	2.00

The Citizens National Bank of
Waco

Morgan Guaranty Trust Co.

15¢

1.50

DOCUMENTATION

A. CALL TO ORDER

B. APPROVAL OF MINUTES OF REGENTS' MEETING - JUNE 1, 1973

C. SPECIAL ORDERS

1. U. T. SYSTEM: (1) RESOLUTION AUTHORIZING ISSUANCE AND AWARDED SALE OF BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM PERMANENT UNIVERSITY FUND BONDS, NEW SERIES 1973, \$11,000,000 (2) DESIGNATION OF PAYING AGENTS, AND (3) AWARD OF CONTRACT FOR PRINTING BONDS.-- Pursuant to authorization by the Board of Regents at its meeting on April 24, 1973, bids for Board of Regents of The University of Texas System Permanent University Fund Bonds, New Series 1973, in the amount of \$11,000,000 will be considered by the Board of Regents at 9:00 a.m. C.D.T. on July 27, 1973, at the designated meeting place on the campus of The University of Texas at Austin. The proposed resolution authorizing issuance of the bonds and awarding the sale thereon is set out on Pages 2 - 13.

Bids have been called for on this issue and will be opened at 12:00 Noon on July 26, 1973, in Austin, Texas. Also on Thursday, July 26, 1973, at 11:30 a.m. the bids for the printing contract and for the paying agents will be opened. The results of the bid openings will be presented to the Regents as indicated in the foregoing paragraph.

Action Requested

- a. Adoption of the Resolution set out on Pages 2 - 13. This Resolution was prepared by the bond counsel and authorizes the issuance and sale of bonds.
- b. Designation of paying agent and co-paying agent.
- c. Award of contract for printing bonds.

RESOLUTION

BY THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM AUTHORIZING THE ISSUANCE OF BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM PERMANENT UNIVERSITY FUND BONDS, NEW SERIES 1973, IN THE AMOUNT OF \$11,000,000

WHEREAS, the Board of Regents of The University of Texas System (hereinafter sometimes called the "Board") heretofore has authorized, issued, and delivered that issue of Board of Regents of The University of Texas Permanent University Fund Refunding Bonds, Series 1958, dated July 1, 1958, said bonds having been authorized pursuant to the provisions of Section 18, Article VII of the Texas Constitution; and

WHEREAS, said Refunding Bonds, Series 1958, were payable from and secured by a first lien on and pledge of the Interest of The University of Texas System in the income from the Permanent University Fund, in the manner and to the extent provided in the resolution authorizing said Refunding Bonds, Series 1958; and

WHEREAS, the resolution adopted on July 23, 1958, authorizing the issuance of said Refunding Bonds, Series 1958, reserved the right and power in the Board to issue, under certain conditions, Additional Parity Bonds and Notes for the purposes and to the extent provided in Section 18, Article VII of the Texas Constitution, said Additional Parity Bonds and Notes to be on a parity with the aforesaid Refunding Bonds, Series 1958, and equally and ratably secured by and payable from a first lien on and pledge of the Interest of The University of Texas System in the income from the Permanent University Fund, in the same manner and to the same extent as are said Refunding Bonds, Series 1958; and

WHEREAS, Section 18, Article VII of the Texas Constitution provides that the Board is authorized to issue negotiable bonds and notes for the purpose of constructing, equipping, or acquiring buildings or other permanent improvements for The University of Texas System, in a total amount not to exceed two-thirds ($2/3$) of Twenty per cent (20%) of the value of the Permanent University Fund, exclusive of real estate, at the time of any issuance thereof; and

WHEREAS, the Board heretofore has authorized, issued, sold and delivered its Permanent University Fund Bonds, Series 1959, Series 1960, Series 1961, Series 1962, Series 1963, Series 1964, Series 1965, and Series 1966, as installments or issues of such Additional Parity Bonds; and

WHEREAS, the Board has deemed it necessary and advisable that no more of said Additional Parity Bonds shall be issued because of the excessively restrictive Permanent University Fund investment covenants made in connection with all of the aforesaid Permanent University Fund Bonds heretofore issued; and

WHEREAS, the Board is required by law to keep said investment covenants in full force and effect as to all of the aforesaid Permanent University Fund Bonds heretofore issued and to affirm the first lien on and pledge accruing to said outstanding Permanent University Fund Bonds heretofore issued on the Interest of The University of Texas System in the income from the Permanent University Fund; and

WHEREAS, pursuant to a resolution adopted on June 16, 1967, the Board authorized, issued, sold, and delivered an installment or issue of negotiable bonds designated as the Board of Regents of The University of Texas System Permanent University Fund Bonds, New Series 1967, dated July 1, 1967 (hereinafter sometimes called the "New Series 1967 Bonds"), in the principal amount of \$14,000,000, payable from and secured by a lien on and pledge of the Interest of The University of Texas System in the Permanent University Fund, subject only and subordinate to the first lien on and pledge of said Interest heretofore created in connection with the aforesaid outstanding Permanent University Fund Bonds; and

WHEREAS, in said resolution adopted on June 16, 1967, the Board set forth the terms and conditions under which additional bonds may be issued to be on a parity with the aforesaid New Series 1967 subordinate lien bonds, and the Board has issued its Permanent University Fund Bonds, New Series 1968, New Series 1969, New Series 1970, New Series 1971, and New Series 1972, in accordance therewith; and

WHEREAS, the Board has determined to authorize, issue, sell, and deliver another installment or issue of such subordinate lien parity New Series Bonds in the principal amount of \$11,000,000; and

WHEREAS, the Board hereby officially finds and determines that the value of the Permanent University Fund, exclusive of real estate, is in excess of \$661,000,000.

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

1. Throughout this resolution the following terms and expressions as used herein shall have the meanings set forth below:

The term "Permanent University Fund," "Permanent Fund," and "Fund" used interchangeably herein shall mean the Permanent University Fund as created by Article VII, Section 11 of the Texas Constitution, further implemented by the provisions of Title 49, Chapter 1, of the Revised Civil Statutes of Texas, 1925, as amended and supplemented.

The expression "Interest of the University" in the Permanent University Fund shall mean all of the income to such Fund from grazing leases on University lands, and all of the other income from such Fund, after making provision for the payment of the University's proportion of the expenses of administering such Fund, excepting one-third of the income arising and accruing to The Texas A&M University from the 1,000,000 acres of land appropriated by the Constitution of 1876 and the land

appropriated by the Act of 1883, as more particularly defined by Chapter 42, Acts of the Forty-second Legislature, Regular Session, 1931 (Article 2592, Vernon's Annotated Civil Statutes of Texas).

The term "Resolution" as used herein and in the Bonds shall mean this resolution authorizing the Bonds.

The term "Bonds" or "New Series 1973 Bonds" shall mean the New Series 1973 Bonds authorized in this Resolution, unless the context clearly indicates otherwise.

The term "Old Series Outstanding Bonds" shall mean the outstanding bonds of the following issues:

Board of Regents of The University of Texas Permanent University Fund Bonds, Series 1959, dated July 1, 1959, originally issued in the amount of \$4,000,000, pursuant to a resolution adopted on July 9, 1959.

Board of Regents of The University of Texas Permanent University Fund Bonds, Series 1960, dated July 1, 1960, originally issued in the amount of \$5,000,000, pursuant to a resolution adopted on July 13, 1960.

Board of Regents of The University of Texas Permanent University Fund Bonds, Series 1961, dated July 1, 1961, originally issued in the amount \$6,000,000, pursuant to a resolution adopted on July 11, 1961.

Board of Regents of The University of Texas Permanent University Fund Bonds, Series 1962, dated July 1, 1962, originally issued in the amount of \$5,000,000, pursuant to a resolution adopted on June 29, 1962.

Board of Regents of The University of Texas Permanent University Fund Bonds, Series 1963, dated July 1, 1963, originally issued in the amount of \$4,000,000, pursuant to a resolution adopted on July 12, 1963.

Board of Regents of The University of Texas Permanent University Fund Bonds, Series 1964, dated July 1, 1964, originally issued in the amount of \$4,000,000, pursuant to a resolution adopted on June 26, 1964.

Board of Regents of The University of Texas Permanent University Fund Bonds, Series 1965, dated July 1, 1965, originally issued in the amount of \$6,000,000, pursuant to a resolution adopted on July 16, 1965.

Board of Regents of The University of Texas Permanent University Fund Bonds, Series 1966, dated July 1, 1966, originally issued in the amount of \$11,000,000, pursuant to a resolution adopted on July 8, 1966.

The term "New Series Additional Parity Bonds and Notes and "Additional Parity Bonds and Notes" shall mean the additional parity bonds and the additional parity notes permitted to be issued pursuant to Section 11 of the Resolution adopted on June

16, 1967, authorizing the issuance of Board of Regents of The University of Texas System Permanent University Fund Bonds, New Series 1967, dated July 1, 1967.

The term "New Series Outstanding Bonds" shall mean the outstanding bonds of the following issues:

Board of Regents of The University of Texas System Permanent University Fund Bonds, New Series 1967, dated July 1, 1967, originally issued in the amount of \$14,000,000, pursuant to a resolution adopted on June 16, 1967.

Board of Regents of The University of Texas System Permanent University Fund Bonds, New Series 1968, dated July 1, 1968, originally issued in the amount of \$15,000,000, pursuant to a resolution adopted on June 25, 1968.

Board of Regents of The University of Texas System Permanent University Fund Bonds, New Series 1969, dated July 1, 1969, originally issued in the amount of \$7,000,000, pursuant to a resolution adopted on June 20, 1969.

Board of Regents of The University of Texas System Permanent University Fund Bonds, New Series 1970, dated July 1, 1970, originally issued in the amount of \$7,500,000, pursuant to a resolution adopted on July 10, 1970.

Board of Regents of The University of Texas System Permanent University Fund Bonds, New Series 1971, dated July 1, 1971, originally issued in the amount of \$9,000,000, pursuant to a resolution adopted on June 4, 1971.

Board of Regents of The University of Texas System Permanent University Fund Bonds, New Series 1972, dated July 1, 1972, originally issued in the amount of \$9,000,000, pursuant to a resolution adopted on June 9, 1972.

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

2. That said Board's negotiable coupon bonds, to be designated the "BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM PERMANENT UNIVERSITY FUND BONDS, NEW SERIES 1973", are hereby authorized to be issued and delivered in accordance with the Constitution and laws of the State of Texas in the principal amount of \$11,000,000 FOR THE PURPOSE OF CONSTRUCTING, EQUIPPING, OR ACQUIRING BUILDINGS OR OTHER PERMANENT IMPROVEMENTS FOR THE UNIVERSITY OF TEXAS SYSTEM, to the extent and in the manner provided by law.

3. That said bonds shall be dated JULY 1, 1973, shall be in the denomination of \$5,000 EACH, shall be numbered consecutively from 1 THROUGH 2200, and shall mature 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>	<u>YEARS</u>	<u>AMOUNTS</u>
1974	\$440,000	1981	\$495,000	1988	\$605,000
1975	440,000	1982	550,000	1989	605,000
1976	440,000	1983	550,000	1990	660,000
1977	440,000	1984	550,000	1991	660,000
1978	495,000	1985	550,000	1992	660,000
1979	495,000	1986	605,000	1993	660,000
1980	495,000	1987	605,000		

Said bonds may be redeemed prior to their scheduled maturities, at the option of said Board, on the dates stated, for the prices, and in the manner provided, in the FORM OF BOND set forth in this Resolution; and further, said bonds shall be registrable as to principal only, at the option of the owner, in the manner provided in said FORM OF BOND.

4. That the bonds scheduled to mature during the years, respectively, set forth below shall bear interest from their date, until maturity or redemption, at the following rates per annum:

maturities 1974 through 19__	, _____%
maturities 19__ through 19__	, _____%
maturities 19__ through 19__	, _____%
maturities 19__ through 19__	, _____%
maturities 19__ through 19__	, _____%

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.

5. That said bonds and interest coupons 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.

6. 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, the form of the aforesaid interest coupons which shall appertain and be attached initially to each of said bonds, and the form of endorsement for registration as to principal, 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
PERMANENT UNIVERSITY FUND BOND
NEW SERIES 1973

ON JULY 1, 19__, the BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM promises to pay to bearer, or if this bond be registered as to principal, then to the registered owner hereof, 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 _____, or, at the option of the bearer, at _____, or at _____, which places shall be the paying agents for this Series of bonds.

THIS BOND is one of a Series of negotiable coupon bonds dated JULY 1, 1973, issued in the principal amount of \$11,000,000 FOR THE PURPOSE OF CONSTRUCTING, EQUIPPING, OR ACQUIRING BUILDINGS OR OTHER PERMANENT IMPROVEMENTS FOR THE UNIVERSITY OF TEXAS SYSTEM, to the extent and in the manner provided by law, in accordance with the provisions of the Amendments to Section 18, Article VII of the Texas Constitution, adopted by a vote of the people of Texas on November 6, 1956, and on November 8, 1966.

ON JULY 1, 1983, OR ON ANY INTEREST PAYMENT DATE THEREAFTER, any outstanding bonds of this Series may be redeemed prior to their scheduled maturities, at the option of said Board, IN WHOLE, OR IN PART IN INVERSE NUMERICAL ORDER, for the price of par and accrued interest to the date fixed for redemption, plus a premium of 2% of the par value if redeemed on or prior to JANUARY 1, 1988, with such premium to be reduced on and after JULY 1, 1988, to 1%. At least thirty days before the date fixed for any such redemption the 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. By the date fixed for any such redemption, due provision shall be made with the paying agents for the payment of par and accrued interest to the date fixed for redemption of the Bonds to be redeemed, plus the required premium. If the 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 maturity, and they shall not bear interest after the date fixed for redemption, and shall not be regarded as being outstanding except for the purpose of being paid by the paying agents 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 New Series Outstanding Bonds, are equally and ratably secured by and payable from a lien on and pledge of the Interest of The University of Texas System in the income from the Permanent University Fund, as such Interest is apportioned by Chapter 42 of the Acts of the Regular Session of the 42nd Legislature of Texas, subject only and subordinate to the first lien on and pledge of said Interest heretofore created in connection with the Old Series Outstanding Bonds (as such terms are defined in the Resolution authorizing this Series of bonds).

SAID BOARD has reserved the right, subject to the restrictions referred to in the Resolution authorizing this Series of bonds, to issue additional parity bonds and notes which also may be secured by and made payable from a lien on and pledge of the aforesaid Interest of The University of Texas System in the income from the Permanent University Fund, in the same manner and to the same extent as this Series of bonds.

THIS BOND, at the option of the owner hereof, is registrable as to principal only on the books of the Registrar. For such purpose the Comptroller of The University of Texas System shall be the Registrar. If registered, the fact of registration shall be noted on the back hereof and thereafter no transfer of this bond shall be valid unless made on the books of the Registrar at the instance of the registered owner and similarly noted hereon. Registration as to principal may be discharged by transfer to bearer, after which this bond again may be registered as before. The registration of this bond as to principal shall not affect or impair the negotiability of the interest coupons appertaining hereto, which shall continue to be negotiable by delivery merely. Subject to said provisions for the registration of this bond as to principal only, nothing contained herein shall affect or impair the negotiability of this bond, and this bond shall constitute a negotiable instrument within the meaning of the laws of the State of Texas.

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.

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM

Secretary

Chairman

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

Comptroller of Public Accounts of
the State of Texas.

FORM OF INTEREST COUPON:

NO. _____

\$ _____

ON _____ 1, 19____, THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, 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 _____, or, at the option of the bearer, at _____, or at _____, 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 PERMANENT UNIVERSITY FUND BONDS, NEW SERIES 1973, DATED JULY 1, 1973, BOND NO. _____.

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM

Secretary

Chairman

FORM OF ENDORSEMENT FOR REGISTRATION AS TO PRINCIPAL:

ENDORSEMENT FOR REGISTRATION AS TO PRINCIPAL

(NO WRITING TO BE MADE HEREON EXCEPT BY THE REGISTRAR DESIGNATED FOR THIS ISSUE OF BONDS)

It is hereby certified that, at the request of the owner of the within bond, I have this day registered it as to principal in the name of such owner, as indicated in the registration blank below, on the books kept by me for such purpose. The principal of this bond shall be payable only to the registered owner hereof named in the registration blank below, or his legal representatives, and this bond shall be transferable only on the books of the Registrar and by an appropriate notation in such registration blank. If the last transfer recorded on the books of the Registrar and in the registration blank below shall be to bearer, the principal of this bond shall be payable to bearer and it shall be in all respects negotiable. In no case shall negotiability of the interest coupons appertaining hereto be affected or impaired by any registration as to principal.

NAME OF REGISTERED
OWNER

DATE OF
REGISTRATION

SIGNATURE OF
REGISTRAR

7. (a) It is hereby certified and recited that the Bonds authorized in this Resolution are Additional Parity Bonds permitted to be issued under Section 11 of the resolution of the Board adopted on June 16, 1967, authorizing the issuance of Board of Regents of The University of Texas System Permanent University Fund Bonds, New Series 1967, dated July 1, 1967, and that all conditions and requirements of said Section 11 have been or will be met prior to the delivery of the New Series 1973 Bonds herein authorized. The New Series 1973 Bonds and the New Series Outstanding Bonds are and shall be on a parity and in all respects of equal dignity.

(b) Pursuant to the provisions of the Amendments to Section 18 of Article VII of the Texas Constitution, approved by vote of the people of Texas on November 6, 1956, and on November 8, 1966, the New Series 1973 Bonds, the New Series Outstanding Bonds, and any other New Series Additional Parity Bonds and Notes hereafter issued, and the interest thereon, shall be and are hereby equally and ratably secured by and payable from a lien on and pledge of the Interest of the University in the income from the Permanent University Fund, as such Interest is defined in Section 1 of this Resolution, subject only and subordinate to the first lien on and pledge of said Interest heretofore created in connection with the Old Series Outstanding Bonds.

8. (a) The aforesaid resolution adopted June 16, 1967, authorizing the issuance of the Permanent University Fund Bonds, New Series 1967, has provided that the Comptroller of Public Accounts of the State of Texas shall establish in the State Treasury a fund to be known as "Board of Regents of The University of Texas System New Series Permanent University Fund Interest and Sinking Fund" (hereinafter called the "Interest and Sinking Fund"). In addition to the moneys required to be transferred to the credit of the Interest and Sinking Fund in connection with the New Series Outstanding Bonds, the Comptroller of Public Accounts of the State of Texas shall, for the benefit of the New Series 1973 Bonds, transfer to the Interest and Sinking Fund, out of The University of Texas System Available University Fund (the fund in the State Treasury to which is deposited the Interest of the University), on or before November 15, 1973, and semi-annually thereafter on or before May 15 and November 15 of each year while the New Series 1973 Bonds, or interest thereon, are outstanding and unpaid, the amount of interest or principal and interest which will become due on the New Series 1973 Bonds on the January 1 or July 1 next following. It is hereby recognized that the amounts necessary for the payment of principal and interest on the Old Series Outstanding Bonds will have been transferred on or before May 1 and November 1 of each year from the aforesaid Available University Fund to the interest and sinking fund heretofore created for the benefit of the Old Series Outstanding Bonds.

(b) To the end that money will be available at the places of payment in ample time to pay the principal of and interest on the Bonds as such principal and interest respectively

mature, on or before November 15, 1973, and semi-annually thereafter on or before May 15 and November 15 of each year while any of the New Series 1973 Bonds, or interest thereon, are outstanding and unpaid, the Comptroller of The University of Texas System, or such officer as may hereafter be designated by the Board to perform the duties now vested in such officer, shall perform the following duties:

(1) Prepare and file with the Comptroller of Public Accounts of the State of Texas (hereinafter called the "Comptroller of Public Accounts") a voucher based on which the Comptroller of Public Accounts shall draw a warrant against the Interest and Sinking Fund in the amount of the interest or principal and interest (when both are scheduled to accrue and mature) which will become due on the January 1 or July 1 next following.

(2) In the event New Series 1973 Bonds shall have been called for redemption on January 1 or July 1 next following of any year, prepare and file with the Comptroller of Public Accounts a voucher based on which the Comptroller of Public Accounts shall draw a warrant against funds of The University of Texas System legally available for such purpose in an amount sufficient to redeem the New Series 1973 Bonds thus called.

(c) Whenever a voucher is so filed with the Comptroller of Public Accounts, he shall make the warrant based thereon payable to the order of the paying agent situated in the State of Texas, specified in Section 6 hereof, and shall deliver such warrant to such paying agent on or before the December 1 or June 1 next following.

(d) The paying agent situated in the State of Texas, designated in Section 6 hereof, shall, out of moneys remitted to it under the provisions of this Section 8 hereof, and not otherwise, make available at the other paying agents specified in Section 6 hereof, funds sufficient to pay such of the New Series 1973 Bonds (whether payable to the bearer or payable to the registered owner thereof) and such of the coupons as are presented for payment, and said paying agent situated in the State of Texas by accepting designation as such paying agent agrees and is obligated to perform such service.

(e) The paying agents shall totally destroy all paid New Series 1973 Bonds and coupons, and shall furnish the Board with an appropriate certificate of destruction covering the New Series 1973 Bonds and coupons thus destroyed.

(f) The Board shall make provision with the paying agents for the rendition of a statement to The University of Texas System for any sums due such paying agents for services rendered in connection with the payment of the New Series 1973 Bonds and coupons by such paying agents, and the amount of such charges shall be paid by the Board from funds available for such purpose.

9. That all of the language, terms, provisions, covenants, and agreements of Sections 7 through 13, both inclusive, of the aforesaid resolution adopted June 16, 1967, authorizing the issuance of the Permanent University Fund Bonds, New Series 1967, are hereby referred to, adopted, and made applicable to the New Series 1973 Bonds authorized by this Resolution, for all purposes.

10. That after said New Series 1973 Bonds shall have been executed, it shall be the duty of the Chairman of the Board or some officer of the Board acting under his authority, to deliver said Bonds and all necessary records and proceedings to the Attorney General of Texas, for examination and approval by the Attorney General. After said Bonds shall have been approved by the Attorney General, they shall be delivered to the Comptroller of Public Accounts of the State of Texas for registration. Upon registration of said Bonds, the Comptroller of Public Accounts (or a deputy lawfully designated in writing to act for the Comptroller) shall manually sign the Comptroller's Registration Certificate prescribed herein to be printed and endorsed on each of said Bonds, and the seal of said Comptroller shall be impressed, or placed in facsimile, on each of said Bonds.

11. That said New Series 1973 Bonds are hereby sold and shall be delivered to a syndicate headed by _____,
_____,'
for the principal amount thereof and accrued interest to date of delivery, plus a premium of \$_____.

12. That the Board covenants to and with the purchaser of the New Series 1973 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.

13. That it is hereby officially found and determined that the meeting at which this Resolution was adopted 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.

2. GALVESTON MEDICAL BRANCH: RESOLUTION (1) AUTHORIZING EXECUTION OF FOUNDATION AGREEMENT WITH THE BOARD OF DIRECTORS OF THE SEALY & SMITH FOUNDATION FOR THE JOHN SEALY HOSPITAL AND (2) AUTHORIZING ISSUANCE AND AWARDED SALE OF BOARD REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON ENDOWMENT AND HOSPITAL REVENUE BONDS, SERIES 1973, \$34,500,000; DESIGNATION OF PAYING AGENTS FOR BONDS AND AWARD OF CONTRACT FOR PRINTING BONDS. -- Pursuant to authorization by the Board of Regents at its meeting on June 1, 1973, bids for Board of Regents of The University of Texas System, The University of Texas Medical Branch at Galveston Endowment and Hospital Revenue Bonds, Series 1973, in the amount of \$34,500,000 will be considered by the Board of Regents at 9:00 a. m., C. D. T., on July 27, 1973, at the designated meeting place on the campus of The University of Texas at Austin. The proposed resolution authorizing issuance of the bonds and awarding the sale thereon is set out on Pages 20 - 34 .

Bids have been called for these bonds and will be opened at 10:30 a.m. on July 26, 1973, at Austin, Texas. Bids for the printing contract and for the paying agents for the bonds will also be opened at 10:00 a.m. on July 26, 1973, in Austin, Texas. The results of the bid openings will be presented to the Regents as hereinafter indicated.

In the opinion of Bond Counsel, it is essential to the issuance, sale and delivery of the proposed bonds that the pledge of financial support heretofore given by The Sealy & Smith Foundation for The John Sealy Hospital to the Board of Regents be evidenced by an agreement upon which the prospective bondholders may rely. It is, therefore, recommended that the Board of Regents approve and authorize the execution of the Foundation Agreement entered into as of July 1, 1973, by the Board of Directors of The Sealy & Smith Foundation for The John Sealy Hospital, and the Board of Regents of The University of Texas System. By way of information, the Board of Directors of The Sealy & Smith Foundation has approved and executed the subject Foundation Agreement as set out on Pages 14a - 19 .

Action Requested

- a. Approval and adoption of Resolution authorizing agreement with The Sealy & Smith Foundation for The John Sealy Hospital (Pages 14a-19).
- b. Adoption of Resolution authorizing issuance and sale of bonds (Pages 20-34). This Resolution was prepared by Bond Counsel and authorizes the issuance and sale of the bonds.
- c. Designation of paying agent and co-paying agent.
- d. Award of contract for printing of bonds.

RESOLUTION AUTHORIZING A FOUNDATION AGREEMENT

WHEREAS, it is necessary and advisable that The University of Texas System enter into the Foundation Agreement hereinafter authorized.

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

Section 1. That the Chairman and the Secretary of the Board of Regents of The University of Texas System are authorized and directed, for and on behalf of The University of Texas System, to sign, seal, and otherwise execute a Foundation Agreement in substantially the form and substance set forth in "Exhibit 1", which is attached hereto and made a part hereof.

Section 2. That upon execution of said Foundation Agreement it shall be binding upon the Board and The University of Texas System for all purposes.

the Bonds, with the exception of the interest rates, the Paying Agent, the purchaser, and the premium, if any, is attached hereto, marked "Exhibit A", and made a part hereof for all purposes; and

WHEREAS, a copy of the Official Notice of Sale and Prospectus to be distributed to prospective purchasers of the Bonds is attached hereto, marked "Exhibit B", and made a part hereof for all purposes; and

WHEREAS, the "Pledged Foundation and Special Fund Income" as defined in the Bond Resolution is pledged to the payment of the principal of and interest on the Bonds and any Additional Bonds by the terms of the Bond Resolution; and

WHEREAS, the Foundation finds and agrees that the support of the Project and similar facilities constitutes a purpose for which the Foundation exists, and that the support of the Project and similar facilities is the specific furtherance of the corporate purpose of the Foundation; and

WHEREAS, the Foundation has determined to support the Project and similar facilities by helping the Board to finance the Project and similar facilities as provided in the Bond Resolution and this Foundation Agreement; and

WHEREAS, it is recognized and agreed by the Foundation and the Board that without the execution of this Foundation Agreement it would not be feasible for the Board to market and sell the Bonds and finance the Project and similar facilities, and that the Bondholders will, and shall be entitled to, rely on this Foundation Agreement for all purposes, and that this Foundation Agreement shall not be changed or amended in any manner while the Bonds and any Additional Bonds are outstanding and unpaid.

NOW THEREFORE, in consideration of the mutual benefits to the parties hereto, it is hereby agreed as follows:

Section 1. That the Project, and the authorization, sale, and delivery of the Bonds substantially in the manner set forth in the Bond Resolution and the Official Notice of Sale and Prospectus, and the method of financing provided therein, are approved by the Foundation and the Board.

Section 2. That following the authorization, sale, and delivery of the Bonds as aforesaid, the Board agrees and obligates itself to commence and complete the Project as soon as practicable; provided specifically, however, that after the sale and delivery of the Bonds to the purchaser or purchasers thereof, any delaying or failure to commence or complete the Project shall in no way affect the absolute and unconditional lien on and pledge of the Pledged Foundation and Special Fund Income created in favor of the holders of the Bonds and Additional Bonds by the Bond Resolution and this Foundation Agreement, and in all events the Pledged Foundation and Special Fund Income shall be used to pay the principal of and interest on the Bonds and Additional Bonds as provided in the Bond Resolution and this Foundation Agreement.

Section 3. That the Foundation agrees to pay over directly to the Board, on or before March 1, 1974, 80% of the net income of the Foundation from all resources and assets of the Foundation during the calendar year 1973; and on or before March 1, 1975, and on or before March 1 of each year thereafter while any of the Bonds or Additional Bonds are outstanding and unpaid, the Foundation shall pay over directly to the Board 80% of the net income of the Foundation from all resources and assets of the Foundation during the preceding calendar year. Said amounts shall not be reduced or offset by any advance payments or overpayments heretofore made; and for the purposes of this Section the income from the Special Fund described in Section 4 of this Foundation Agreement shall not be regarded as income of the Foundation. The Foundation covenants that it will not sell, convey, mortgage, encumber, or otherwise

dispose of the resources and assets of the Foundation, except in the normal course of managing, investing, and reinvesting such resources and assets, and that the Foundation will use its best efforts to the end that the net income of the Foundation will be as great as can be reasonably expected under ordinarily prudent management. The Board agrees that it will deposit all net income received pursuant to this Section to the credit of the Interest and Sinking Fund created by the Bond Resolution, immediately upon receipt.

Section 4. That a Special Fund was created as of January 31, 1927, in the custody of the Trust Department of the First Hutchings-Sealy National Bank of Galveston, as agent or custodian for the Foundation and the Board jointly, pursuant to the provisions of Chapter 4, Acts of the First Called Session of the Thirty Ninth Texas Legislature. The Foundation and the Board agree that on or before March 1, 1974, they will jointly cause to be deposited to the credit of the Interest and Sinking Fund created pursuant to the Bond Resolution 100% of the actual net income which accrued to or was earned by the Special Fund during the calendar year 1973; and on or before March 1, 1975, and on or before March 1 of each year thereafter while any of the Bonds or Additional Bonds are outstanding, the Foundation and the Board agree that they will jointly cause to be deposited to the credit of the Interest and Sinking Fund created by the Bond Resolution 100% of the net income which accrued to or was earned by the Special Fund during the preceding calendar year. Said amounts shall not be reduced or offset by any advance payments or overpayments heretofore made; and it is agreed and understood that the net income herein referred to includes the net income from the current resources and assets of the Special Fund and also all future additional resources and assets of the Special Fund. The Foundation and the Board jointly covenant that they will not sell, convey, mortgage, encumber, or otherwise dispose of the resources and assets of the Special Fund,

except in the normal course of managing, investing, and re-investing such resources and assets, and that the Foundation and the Board jointly will use their best efforts to the end that the net income of the Special Fund will be as great as can be reasonably expected under ordinarily prudent management.

IN WITNESS WHEREOF, the parties hereto, acting under authority of their respective governing bodies, have caused this Foundation Agreement to be duly executed in several counterparts, each of which shall constitute an original, all as of the 1st day of July, 1973, being the date of the Bonds.

THE SEALY & SMITH FOUNDATION FOR
THE JOHN SEALY HOSPITAL

BY _____
Chairman, Board of Directors

ATTEST:

Secretary

(SEAL)

BOARD OF REGENTS OF THE UNIVERSITY
OF TEXAS SYSTEM

BY _____
Chairman, Board of Regents

ATTEST:

Secretary

(SEAL)

2. RESOLUTION*AUTHORIZING THE ISSUANCE OF BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON, ENDOWMENT AND HOSPITAL REVENUE BONDS, SERIES 1973, \$34,500,000

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 MEDICAL BRANCH AT GALVESTON, ENDOWMENT AND HOSPITAL REVENUE BONDS, SERIES 1973", are hereby authorized to be issued, sold, and delivered in the principal amount of \$34,500,000, FOR THE PURPOSE OF PROVIDING FUNDS TO ACQUIRE, CONSTRUCT, AND EQUIP AN APPROXIMATELY 528 BED 12-STORY TOWER SOUTHSIDE HOSPITAL ADDITION TO THE JOHN SEALY HOSPITAL AND FACILITIES APPURTENANT THERETO, AND A 2-STORY NORTH-SIDE ADDITION TO THE JOHN SEALY HOSPITAL AND FACILITIES APPURTENANT THERETO, AND NEW CENTRAL FOOD SERVICE FACILITIES AND OTHER IMPROVEMENTS TO AND REMODELLING OF THE JOHN SEALY HOSPITAL AND OTHER HOSPITAL BUILDINGS IN CONNECTION WITH THE JOHN SEALY HOSPITAL, FOR AND ON BEHALF OF THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON.

Section 2. That said Bonds shall be dated JULY 1, 1973, shall be numbered consecutively from 1 THROUGH 6,900, 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>
1977	\$ 760,000	1988	\$1,400,000
1978	800,000	1989	1,480,000
1979	850,000	1990	1,565,000
1980	900,000	1991	1,655,000
1981	950,000	1992	1,755,000
1982	1,000,000	1993	1,855,000
1983	1,060,000	1994	1,960,000
1984	1,120,000	1995	2,075,000
1985	1,185,000	1996	2,190,000
1986	1,255,000	1997	2,320,000
1987	1,325,000	1998	2,450,000
		1999	2,590,000

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:

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, may be redeemed prior to their scheduled maturities, 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 MEDICAL BRANCH AT GALVESTON,
ENDOWMENT AND HOSPITAL REVENUE BOND,
SERIES 1973

ON JULY 1, 19___, the BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM 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:

THIS BOND is one of a Series of negotiable, serial, coupon Bonds, dated JULY 1, 1973, issued in the principal amount of \$34,500,000, FOR THE PURPOSE OF PROVIDING FUNDS TO ACQUIRE, CONSTRUCT, AND EQUIP AN APPROXIMATELY 528 BED 12-STORY TOWER SOUTHSIDE HOSPITAL ADDITION TO THE JOHN SEALY HOSPITAL AND FACILITIES APPURTENANT THERETO, AND A 2-STORY NORTHSIDE ADDITION TO THE JOHN SEALY HOSPITAL AND FACILITIES APPURTENANT THERETO, AND NEW CENTRAL FOOD SERVICE FACILITIES AND OTHER IMPROVEMENTS TO AND REMODELLING OF THE JOHN SEALY HOSPITAL AND OTHER HOSPITAL BUILDINGS IN CONNECTION WITH THE JOHN SEALY HOSPITAL, FOR AND ON BEHALF OF THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON.

ON JULY 1, 1983, 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, 1983 through January 1, 1987
2% if redeemed July 1, 1987 through January 1, 1990
1% if redeemed July 1, 1990 through January 1, 1993
0% if redeemed July 1, 1993 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, are secured by and payable from an irrevocable first lien on and pledge of the "Pledged Revenues", as defined and described in the Resolution authorizing this Series of Bonds, which include the "Gross Revenues of the Hospital Facilities" of The University of Texas Medical Branch at Galveston, the "Gross Proceeds from the Conveyance of Endowment Land", the "Pledged Foundation and Special Fund Income", and other specified revenues.

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.

XXXXXXXXX

Secretary, Board of Regents,
The University of Texas System

XXXXXXXXX

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, 19__

THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM 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

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 MEDICAL BRANCH AT GALVESTON, ENDOWMENT AND HOSPITAL REVENUE BONDS, SERIES 1973, DATED JULY 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 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 "Bonds" shall mean the Board of Regents of The University of Texas System, The University of Texas Medical Branch at Galveston, Endowment and Hospital Revenue Bonds, Series 1973, authorized by this Resolution.

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

The term "Medical Branch at Galveston" shall mean The University of Texas Medical Branch at Galveston, as defined and provided for in Section 74.001, Texas Education Code.

The term "Project" shall mean and include the following facilities which will be acquired, constructed, equipped, and improved with the proceeds from the sale of the Bonds:

(a) The approximately 528 bed 12-story tower south-side hospital addition to the existing John Sealy Hospital and facilities appurtenant thereto, which will replace the patient beds in the existing John Sealy Hospital;

(b) The 2-story northside addition to the existing John Sealy Hospital and facilities appurtenant thereto, including pharmacy, central supply, bulk stores, and an expanded surgical suite; and

(c) The new central food service facilities and other improvements to and remodelling of The John Sealy Hospital and other hospital buildings in connection with The John Sealy Hospital, for and on behalf of the Medical Branch at Galveston.

The term "Hospital Facilities" shall mean all of the land, hospitals, clinics, substations, buildings, structures, equipment, services, and other facilities of every nature owned and operated by the Medical Branch at Galveston, or by the Board, or The University of Texas System, for and on behalf of the Medical Branch at Galveston, which are used for or related to the diagnosis and/or treatment of patients, including specifically the following:

(a) The existing facilities operated by The Medical Branch at Galveston and known as:

(1) Marvin L. Graves Psychiatric Hospital with approximately 116 beds;

(2) Randall Pavilion Psychiatric Hospital with approximately 57 beds;

(3) Rosa and Henry Ziegler Hospital with approximately 74 beds;

(4) Children's Hospital with approximately 19 beds and clinic facilities;

(5) John Sealy Hospital with approximately 593 beds and clinic facilities;

(6) John W. McCullough Outpatient Clinic and the clinic facilities therein;

(7) Clinical Sciences Building and the clinic facilities therein;

(b) The Project;

(c) All buildings, facilities, and services of all of the foregoing, together with all future improvements, enlargements, and additions thereto, and replacements thereof, acquired or constructed from any sources including the issuance of the Bonds and any Additional Bonds.

The term "Gross Revenues of the Hospital Facilities" shall mean all of the revenues, income, rentals, rates, fees, and charges of every nature derived by the Medical Branch at Galveston, or by the Board, or The University of Texas System, from the operation and/or ownership of the Hospital Facilities (but specifically excluding any legislative General Revenue Fund appropriations from the State Treasury).

The term "Current Expenses of the Hospital Facilities" shall mean all necessary operating expenses, current maintenance charges, expenses of reasonable upkeep and repairs, properly allocated share of charges for insurance and all other expenses incident to the operation and maintenance of the Hospital Facilities, but shall exclude depreciation and all general administrative, overhead, teaching, study, and research expenses of the Medical Branch at Galveston.

The term "Endowment Land" shall mean the approximately 7,602.557 acres of land, including a 1/2 undivided interest in and to the oil, gas, sulphur, and other minerals contained in and under and that may be produced or mined therefrom, located in Montgomery County, Texas, which land has been conveyed by the Board of Regents of The University of Texas System to Mitchell Development Corporation of the Southwest, a Texas Corporation, and which land is described in the deed recorded in Volume _____, beginning at page _____, of the official Deed Records

of Montgomery County, Texas, to which deed reference is hereby made for all purposes and additional details and conditions.

The term "Gross Proceeds from the Conveyance of Endowment Land" shall mean all of the gross income, payments, royalties, proceeds, and receipts of every nature derived, coming due to, or received by, the Board or The University of Texas System, from any sale, lease, rental, or other conveyance of any nature of the Endowment Land, including specifically the gross proceeds and receipts from the payments to be made to the Board by Mitchell Development Corporation of the Southwest, a Texas Corporation, pursuant to that certain Note dated March 12, 1973, in the principal amount of \$11,443,821.36, with interest on the unpaid balance at the rate of 7% per annum, secured by a Vendor's Lien and Superior Title retained and reserved in favor of the Board, and additionally secured by a Deed of Trust, which Vendor's Lien and Deed of Trust are recorded in Volume _____, beginning at page _____, of the official Deed of Trust Records _____ of Montgomery County, Texas, to which records reference is hereby made for all purposes and additional details and conditions; and also including the gross proceeds and receipts from any other sale, lease, rental, or conveyance of any nature of the Endowment Land made by the Board due to any foreclosure or sale under the aforesaid Vendor's Lien and Deed of Trust, or otherwise. It is further specifically covenanted and agreed by the Board that it will enforce and collect the aforesaid Note, and foreclose or sell under the aforesaid Vendor's Lien and Deed of Trust, if necessary; and that in such event it will sell and convey the Endowment Land as soon as practicable at the best price or prices reasonably obtainable.

The term "Foundation" shall mean The Sealy & Smith Foundation For The John Sealy Hospital, Galveston, Texas, a Texas non-profit corporation, incorporated as of March 10, 1922.

The term "Special Fund" shall mean that Special Fund created as of January 31, 1927, in the custody of the Trust Department of the First Hutchings-Sealy National Bank of Galveston as agent for the Foundation and the Board of Regents, jointly, pursuant to the provisions of Chapter 4, Acts of the First Called Session of the Thirty Ninth Texas Legislature.

The term "Pledged Foundation and Special Fund Income" shall mean all of the amounts derived by, coming due to, or received by the Board pursuant to the "Foundation Agreement" between the Board and the Foundation. The Foundation Agreement, dated as of July 1, 1973, provides that, commencing with the calendar year 1973, the Foundation shall pay over or cause to be paid over to the Board 80% of the net income of the Foundation and 100% of the net income from the Special Fund for each calendar year while any of the Bonds or Additional Bonds are outstanding.

The term "Pledged Revenues" shall mean collectively (a) the Gross Revenues of the Hospital Facilities, (b) the Gross Proceeds from the Conveyance of Endowment Land, (c) the Pledged Foundation and Special Fund Income, and (d) 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.

Section 7. 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, and the Pledged Revenues are further pledged to the establishment and maintenance of the Interest and Sinking Fund and the Reserve Fund as provided in this Resolution.

Section 8. That there is hereby created and there shall be established on the books of the Board a separate account or accounts which individually or collectively shall be known as the "Endowment and Hospital Revenue Bonds Revenue Fund" (herein called the "Revenue Fund"). All collections of the Gross Revenues of the Hospital Facilities shall be credited to the Revenue Fund immediately upon receipt.

Section 9. 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 there 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 "Endowment and Hospital Revenue Bonds Interest and Sinking Fund" (herein called the "Interest and Sinking Fund").

Section 10. That there is hereby created and there 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 "Endowment and Hospital Revenue Bonds Reserve Fund" (herein called the "Reserve Fund"). The Reserve Fund shall be used finally in retiring the last of the outstanding Bonds and 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 insufficient for such purpose.

Section 11. That money in any Fund established pursuant to this Resolution may, at the option of the Board, be placed in time deposits or be invested in direct obligations of the United States of America, obligations guaranteed or insured by the United States of America, which, in the opinion of the Attorney General of the United States, are backed by its full faith and credit or represent its general obligations, including, but not limited to, evidences of indebtedness issued, insured, or guaranteed by such governmental agencies as the Federal Land Banks, Federal Intermediate Credit Banks, Banks for Cooperatives, Federal Home Loan Banks, Government National Mortgage Association, United States Postal Service, Farmers Home Administration, Federal Home Loan Mortgage Association, Small Business Administration, Federal Housing Association, or Participation Certificates in the Federal Assets Financing Trust; 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 and shall be used only for the purpose or purposes for which such Fund is required or permitted to be used. Such investments shall be sold promptly when necessary to prevent any default in connection with the Bonds or Additional Bonds.

Section 12. That 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 Board, in principal amounts at all times not less than the amounts of money credited to such Funds, respectively.

Section 13. (a) That immediately after the delivery of the Bonds the Board shall deposit the amount of \$350,000 which is now on hand and available for such purpose, together with all accrued interest and any premium received from the sale and delivery of the Bonds, to the credit of the Interest and Sinking Fund.

(b) That the Board shall deposit all Gross Proceeds from the Conveyance of Endowment Land and all Pledged Foundation and Special Fund Income hereafter received, immediately upon receipt, directly to the credit of the Interest and Sinking Fund.

(c) That the Board shall transfer from the Gross Revenues of the Hospital Facilities in the Revenue Fund, or from any other available Pledged Revenues, and deposit to the credit of the Interest and Sinking Fund the amounts, at the times, as follows:

(1) on or before December 20, 1973, and semi-annually on or before each June 20th and December 20th thereafter, an amount which will be sufficient, together with other amounts, if any, then on hand in the Interest and Sinking Fund and available for such purpose, to pay the interest scheduled to accrue and come due on the Bonds on the next succeeding interest payment date; and

(2) on or before December 20, 1976, and semi-annually on or before each June 20th and December 20th thereafter, an amount sufficient, together with other amounts, if any, then on hand in the Interest and Sinking Fund and available for such purpose, to pay one-half of the principal scheduled to mature and come due on the Bonds on the next succeeding July 1.

(d) That if at any time there is on deposit in the Interest and Sinking Fund an amount in excess of that required to pay all principal of and interest on the Bonds and any Additional Bonds through the next succeeding July 1, the Board first shall use such excess to make any deposit required to be made into the Reserve Fund as provided in Section 14 hereof, and then the Board may use such excess to purchase and cancel Bonds or Additional Bonds at a price not exceeding the redemption price on the next succeeding date upon which any Bonds or Additional Bonds are subject to redemption prior to maturity, or, if any Bonds or Additional Bonds are subject to redemption on the next succeeding interest payment date, the Board may use such excess to redeem Bonds or Additional Bonds on the next succeeding interest payment date.

Section 14. That immediately after the delivery of the Bonds the Board shall deposit the amount of \$3,000,000, which is now on hand and available for such purpose, to the credit of the Reserve Fund. So long as the money and investments in the Reserve Fund are not less in market value than a required amount equal to the average annual principal and interest requirements of all then outstanding Bonds and Additional Bonds, no additional deposits need be made into the Reserve Fund; but if the Reserve Fund should be depleted to less than said required amount in market value, then, subject to making the required deposits to the credit of the Interest and Sinking Fund, the Board shall transfer from the Gross Revenues of the Hospital Facilities or any other Pledged Revenues in the Revenue Fund (or from any excess in the Interest and Sinking Fund as provided by Section 13(d) hereof), and deposit to the credit of the Reserve Fund, semi-annually, on or before each December 20th and June 20th thereafter, a sum at least equal to 1/10th of the average annual principal and interest requirements of all then outstanding

Bonds and Additional Bonds, until the Reserve Fund is restored to said required amount. So long as the Reserve Fund contains said required amount, any surplus in the Reserve Fund over said required amount may be transferred and deposited into the Interest and Sinking Fund.

Section 15. (a) That if on any occasion there shall not be sufficient Pledged Revenues to make the required deposits into the Interest and Sinking Fund and the Reserve 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) That, subject to making the required deposits to the credit of the Interest and Sinking Fund and the Reserve Fund, when and as required by this Resolution, or any resolution authorizing the issuance of Additional Bonds, any surplus Gross Revenues of the Hospital Facilities or any other Pledged Revenues in the Revenue Fund shall be used by the Board for paying, to the extent not paid from other sources, the Current Expenses of the Hospital Facilities, and any remaining balance may be used for any other lawful purpose.

Section 16. On or before the last day of December, 1973, and semi-annually on or before the last day of each June and of each December thereafter while any of the Bonds or Additional Bonds are outstanding and unpaid, the Board shall make available to the paying agents therefor, out of the Interest and Sinking Fund, and/or the Reserve Fund, if necessary, money sufficient to pay such interest on and such principal of the Bonds and Additional Bonds as will accrue or mature on the January 1st or July 1st immediately following. The paying agents shall totally destroy all paid Bonds and Additional Bonds, and the coupons appertaining thereto, and shall furnish the Board with an appropriate certificate of destruction.

Section 17. That at such times as the aggregate amount of money and investments in the Interest and Sinking Fund and the Reserve Fund are at least equal in market value to (1) the aggregate principal amount of all unpaid (unmatured and matured) outstanding Bonds and Additional Bonds, plus (2) the aggregate amount of all unpaid (unmatured and matured) outstanding interest coupons appertaining to such Bonds and Additional Bonds, no further deposits need be made into the Interest and Sinking Fund or Reserve Fund. In determining the amount of such Bonds and Additional Bonds, and interest coupons appertaining thereto, outstanding at any time, there shall be subtracted and excluded the amount of any such Bonds and Additional Bonds, and interest coupons appertaining thereto, which shall have been duly called for redemption and for which funds shall have been deposited with the paying agents therefor sufficient, including any required redemption premium, for such redemption.

Section 18. That the Bonds and any Additional Bonds, and the interest coupons appertaining thereto, will constitute special obligations of the Board payable solely from the Pledged Revenues, 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 19. 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 relating to The John Sealy Hospital or other hospital buildings in connection with The

John Sealy Hospital, and to refund any Bonds or Additional Bonds. 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 20. (a) The Interest and Sinking Fund and the Reserve 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 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 aggregate amount to be accumulated and maintained in the Reserve Fund shall be increased (if and to the extent necessary) to an amount not less than the average annual principal and interest requirements of all Bonds and Additional Bonds which will be outstanding after the issuance and delivery of the then proposed Additional Bonds; and that the required additional amount shall be so accumulated by the deposit in the Reserve Fund of all or any part of said required additional amount in cash immediately after the delivery of the then proposed Additional Bonds, or, at the option of the Board, by the deposit, from Pledged Revenues, of said required additional amount (or any balance of said required additional amount not deposited in cash as permitted above) in semi-annual installments, made on or before the 20th day of each December and June following the adoption of the resolution authorizing the issuance of the then proposed Additional Bonds, of not less than 1/10th of said required additional amount (or 1/10th of the balance of said required additional amount not deposited in cash as permitted above).

(b) All calculations of average annual principal and interest requirements made pursuant to this Section are made as of and from the date of the Additional Bonds then proposed to be issued.

(c) 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 21. 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 Medical Branch at Galveston 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 and the Reserve Fund each contains the amount then required to be therein.

(b) The State Auditor of the State of Texas, or any certified public accountant, signs a written certificate to the effect that, during either the next preceding University of Texas System fiscal year, or any twelve consecutive calendar month period ending not more than ninety days prior to the adoption of the

resolution authorizing the issuance of the then proposed Additional Bonds, the Pledged Revenues, excluding and excepting the Gross Proceeds from the Conveyance of Endowment Land and the Pledged Foundation and Special Fund Income, were at least equal to four times the average annual principal and interest requirements of all Bonds and Additional Bonds to be outstanding after the issuance of the then proposed Additional Bonds.

Section 22. The Board further 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 each resolution authorizing the issuance of Additional Bonds, 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 resolutions and Bonds or Additional Bonds; and that it will, at the times and in the manner prescribed, deposit or cause to be deposited from the Pledged Revenues the amounts required to be deposited into the Interest and Sinking Fund and the Reserve Fund; and any holder of the Bonds or Additional Bonds may require the Board, its officials and employees, and any appropriate official of the State of Texas, to carry out, respect, or enforce the covenants and obligations of this Resolution or any resolution authorizing the issuance of Additional Bonds, by all legal and equitable means, including specifically, but without limitation, the use and filing of mandamus proceedings, in any court of competent jurisdiction, against the Board, its officials and employees, or any appropriate official of the State of Texas.

(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, buildings, and facilities constituting the Hospital Facilities, and has a good and indefeasible estate in such lands, buildings, and facilities in fee simple, that it warrants that it has, and will defend, the title to all the aforesaid lands, buildings, and facilities, and every part thereof, 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 Hospital Facilities, 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 while the Bonds or any Additional Bonds are outstanding and unpaid it will continuously and efficiently operate and maintain the Hospital Facilities in good condition, repair, and working order, and at a reasonable cost. The Board also covenants and agrees that the Current Expenses of the Hospital Facilities shall be paid from surplus Gross Revenues of the Hospital Facilities or any other Pledged Revenues in the Revenue Fund, as provided by Section 15(b) hereof, to the extent such surplus Pledged Revenues are available, or paid from the general funds of the Medical Branch at Galveston in the same manner as the expenses of operation and maintenance of general facilities of the Medical Branch at Galveston, or paid from any other sources or funds lawfully available to the Medical Branch at Galveston.

(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) That while the Bonds or any Additional Bonds, are outstanding and unpaid, the Board shall not sell, convey, mortgage, or in any manner transfer title to, or lease, or otherwise dispose of the Hospital Facilities, or any significant or substantial part thereof; provided that whenever the Board deems it necessary to dispose of any furnishings and equipment, it may sell or otherwise dispose of such furnishings and equipment when it has made arrangements to replace the same or provide substitutes therefor.

(h) That at all times hereafter the Board shall cause to be procured boiler explosion insurance on all boilers servicing the Hospital Facilities in an amount not less than \$50,000 against loss suffered by reason of a boiler explosion. Further, at all times hereafter the Board shall procure fire and extended coverage insurance on the Hospital Facilities. The foregoing boiler explosion and fire and extended coverage insurance shall be maintained so long as Bonds or Additional Bonds are outstanding and such fire and extended coverage insurance shall be in amounts at least sufficient to provide for full recovery to the extent that the damage does not exceed 80% of full insurable value. Such insurance shall be carried with a reliable insurance company or companies. In lieu of providing fire and extended coverage insurance as required above, the Board may, at its option, provide the equivalent of such insurance under its general System-wide Fire and Extended Coverage Insurance policy, subject to a deductible provision which is reasonable in amount, provided the Board establishes and maintains a special account containing funds which are at least sufficient to offset said deductible amount and which are immediately available for such purpose. Upon the happening of any loss or damage covered by such insurance from one or more of said causes, the Board shall make due proof of loss and shall do all things necessary or desirable to cause the insuring companies to make payment in full directly to the Board. The proceeds of insurance covering such property, together with any other funds necessary and available for such purpose, shall be used forthwith by the Board for repairing the property damaged or replacing the property destroyed; provided, however, that if said insurance proceeds and other funds are insufficient for such purpose, then said insurance proceeds pertaining to the Hospital Facilities shall be used promptly as follows:

(1) for the redemption prior to maturity of the Bonds and Additional Bonds, if any, ratably in the proportion that the outstanding principal of each Series or issue of Bonds or Additional Bonds bears to the total outstanding principal of all Bonds and Additional Bonds; provided that if on any such occasion the principal of any such Series or issue is not subject to redemption, it shall not be regarded as outstanding in making the foregoing computation; or

(2) if none of the outstanding Bonds or Additional Bonds is subject to redemption, then for the purchase on the open market and retirement of said Bonds and Additional Bonds, in the same proportion as prescribed in the foregoing clause (1), to the extent practicable; provided that the purchase price for any such Bond or Additional Bonds shall not exceed the redemption price of such Bond or Additional Bond on the first date upon which it becomes subject to redemption; or

(3) to the extent that the foregoing clauses (1) and (2) cannot be complied with at the time, the insurance proceeds, or the remainder thereof, shall be deposited in a special and separate trust fund, at an official depository of the Board, to be designated the Insurance Account. The Insurance Account shall be held until such time as the foregoing clauses (1) and/or (2) can be complied with, or until other funds become available which, together with the Insurance Account, will be sufficient to make the repairs or replacements originally required, whichever of said events occurs first.

(i) At all times when the Reserve Fund does not contain the maximum aggregate amount required to be on deposit therein, the Board shall procure and maintain use and occupancy insurance on all the facilities, buildings, and structures of the Hospital Facilities, to the extent obtainable, in an amount sufficient to enable the Board to deposit into the Interest and Sinking Fund and the Reserve Fund, out of the proceeds of such insurance, an amount equal to the sums that are required to be deposited into said Funds from the Pledged Revenues during the time the Hospital Facilities are wholly or partially unusable, as a result of loss of use or occupancy caused by the perils covered by fire and extended coverage insurance.

(j) The annual audit hereinafter required shall contain a section commenting on whether or not the Board has complied with the requirements of this Section with respect to the maintenance of insurance, and listing all policies carried, and whether or not all insurance premiums upon the insurance policies to which reference is hereinbefore made have been paid.

(k) The Board will fix, establish, maintain, and collect such rentals, rates, charges, and fees for the use and availability of the Hospital Facilities as are necessary to produce Gross Revenues of the Hospital Facilities sufficient, together with any other available resources, to pay all Current Expenses of the Hospital Facilities, and sufficient, together with other Pledged Revenues, to make all payments and deposits required to be made into the Interest and Sinking Fund, and to maintain the Reserve Fund, in connection with all Bonds and Additional Bonds.

(l) 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.

(m) 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 of Texas System. 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 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.

(n) 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.

(o) 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.

(p) That the Board covenants to and with the purchasers 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 Bonds and all necessary records and proceedings pertaining to the Bonds 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 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 Bonds, and the seal of said Comptroller shall be impressed, or placed in facsimile, on each of the 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 said 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 said Bonds are hereby sold and shall be delivered to a Syndicate headed by _____

for cash for the par value thereof and accrued interest thereon to date of delivery, plus a premium of \$ _____.

D. RECESS

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

Referred to Exec. C.

2/2/73
16 - June.

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM
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Analysis of Proposed Higher Education Sections for New Constitution*

at Austin's request

1. The proposed draft reduces the Higher Education sections from 11 sections containing approximately 3, 109 words to 4 sections containing approximately 1, 758 words.

2. New Sections 10 and 11 continue the Permanent University Fund; new Section 12 continues Permanent University Fund bonds; new Section 13 continues Constitutional tax support for all senior colleges not covered by the Permanent University Fund.

3. The following provisions in the Higher Education sections of the present Constitution have been omitted in the proposed draft:

a) The "first class" provision of old Section 10 is broadened so as to apply to the entire higher education system in new Section 10.

b) The archaic provisions in old Section 11 and 11a which unreasonably limit the investment of the Permanent University Fund are eliminated, leaving only the "prudent man" rule in new Section 11(c).

c) The archaic provision regarding "railroad lands" in old Section 11 is eliminated.

d) The "sale of land" provisions in old Section 12 are incorporated in new Section 11(a).

e) A&M's status as a branch of U. T. in old Section 13 is eliminated, and the A&M System is provided for in new Section 10.

f) The "branch for colored youth" in old Section 14 is eliminated.

g) The grant of one million acres in old Section 15 is eliminated, but it is referred to in new Section 11(a).

h) The 6-year term of office provision in old Section 16 is eliminated.

i) County taxation of University lands in old Section 16a is eliminated.

j) The Confederate tax in old Section 17 is eliminated.

k) The 4% limit on bond interest in old Section 17 is eliminated.

l) The 30 cent tax limit in old Section 17 is eliminated.

m) U. T. Arlington is moved from the Constitutional tax in old Section 17 to the Permanent University Fund in new Section 12.

4. The following provisions are new:

a) In new Section 11(a) the Permanent University Fund is defined, proceeds from sales of land and minerals must be invested, only income may be expended.

b) In new Section 11(b) the Board of Regents is given the management of the Permanent University Fund.

c) In new Section 11(d) the Available University Fund is defined, A&M's and U. T. 's respective shares of that fund are defined, and operating funds are limited to the Austin and College Station institutions.

d) All senior colleges and universities, except those in the U. T. and A&M Systems, will participate in the Constitutional tax as provided by law after 1977. New institutions at Texarkana, Clear Lake, Victoria, Tyler, Laredo, and Corpus Christi are added to the Constitutional tax institutions in new Section 13.

e) All institutions now or hereafter in the U. T. or A&M Systems will participate in the Permanent University Fund. Thus, Health Science Centers in Dallas, Houston, and San Antonio, U. T. San Antonio, U. T. Permian Basin, U. T. Dallas, and U. T. System Nursing School at Austin, Galveston, El Paso, San Antonio, Houston, and Ft. Worth, are added to the institutions that will participate in U. T.'s share of Permanent University Fund in new Section 12. The Texas Maritime Academy and Moody College of Marine Sciences and Maritime Research at Galveston and the Texas Veterinary Medical Diagnostic Laboratory to be located in the Panhandle are added to the institutions that will participate in A&M's share of Permanent University Fund in new Section 12.

f) The 20% limit on Permanent University Fund bonds is raised to 30% in new Section 12.

g) The acquisition of land, library materials, and non-consumable teaching equipment (including computers), the repair of existing buildings, and the refunding of bonds, are added to the permitted expenditures in both new Sections 12 and 13.

h) All general revenue is prohibited for acquisition and construction of new buildings in both new Sections 12 and 13.

NOTE: If Prairie View is placed under a separate governing board, it could either take its place among those institutions which participate in the Constitutional tax fund, or it could be given a specified portion of A&M's present share of the Available Fund in new Section 11(d). At the present time A&M's 1/3 share of the Available Fund amounts to approximately \$10 million per year. If Prairie View participates in the Constitutional tax fund, under present formulas it would receive approximately \$700,000 per year. (The present total annual income in the fund is about \$20 million.) That \$700,000 could either be used to supplement current appropriations, or it would service \$5 million of 10-year bonds. Of course, that annual income will increase as the state property tax valuations are increased.

THE EDUCATION COMMITTEE
of
THE TEXAS CONSTITUTIONAL REVISION COMMISSION

A STATEMENT OF PRINCIPLES RELATING TO HIGHER EDUCATION*

1. The Texas Constitution should continue to provide for a permanent, dependable and sufficient source of funding for non-operating expenditures of senior public institutions of higher education.

2. Therefore, the Permanent University Fund should continue to be included in the Texas Constitution for the benefit of The University of Texas and A&M Systems.

3. Therefore, a permanent dedicated tax to fund the non-operating expenditures of senior public institutions of higher education that do not participate in the Permanent University Fund should continue to be included in the Texas Constitution.

4. All senior public institutions of higher education that receive constitutional funds for non-operating expenditures should continue to be prohibited in the Texas Constitution from receiving General Revenue funds for the acquisition of land and the construction and equipping of new buildings.

5. The Texas Constitution should continue to make operating expenditures of public institutions of higher education, including those funded by the Permanent University Fund, subject to appropriation by the Legislature.

(A draft of the proposed sections in the new Constitution relating to:)*

HIGHER EDUCATION

Section 10. GENERAL. The Legislature shall establish and maintain a system of higher education of the first class, including The University of Texas System, the Texas A&M University System, and such other systems and/or institutions as may be provided by law.

Section 11. PERMANENT UNIVERSITY FUND; ITS ADMINISTRATION; ITS INVESTMENTS; AVAILABLE UNIVERSITY FUND AND ITS EXPENDITURE.

(a) PERMANENT UNIVERSITY FUND. The Permanent University Fund shall consist of the two million acres of land set apart and appropriated for the establishment and maintenance of The University of Texas by the Constitution of 1876 and the Legislative Act of April 10, 1883, together with the proceeds of the sale of such land, including the sale of oil, gas and other minerals from such land, and the securities and other assets purchased with such proceeds. All such proceeds shall be invested, and only the income from the Permanent University Fund may be appropriated and expended.

(b) ADMINISTRATION OF THE PERMANENT UNIVERSITY FUND. The Board of Regents of The University of Texas System shall own fee simple title to and shall have full authority to purchase, invest, sell, lease, exchange, and otherwise manage the land, property, and other assets of the Permanent University Fund.

(c) INVESTMENT OF THE PERMANENT UNIVERSITY FUND. The Board of Regents of The University of Texas System may invest the Permanent University Fund in securities, bonds, or other obligations issued, insured, or guaranteed in any manner by the United States Government, or any of its agencies, in bonds issued by the State of Texas or any political subdivision thereof, and in such bonds, debentures, obligations, preferred stocks, or common stocks issued by corporations, associations or other institutions as the Board of Regents of The University of Texas System may deem to be proper investments for the Permanent University Fund; provided, however, that in making each and all of such investments, the Board of Regents shall exercise the judgment and care under the circumstances then prevailing that men of ordinary prudence, discretion, and intelligence exercise in the management of their own affairs, not in regard to speculation, but in regard to the permanent disposition of their funds, considering the probable income therefrom as well as the probable safety of their capital.

(d) AVAILABLE UNIVERSITY FUND AND ITS EXPENDITURE. The net income (i. e., dividends, interest, and other income less administrative expense) of the Permanent University Fund, exclusive of income and administrative expense attributable to grazing leases of Permanent University Fund land, shall constitute the Available University Fund. Out of one-third of the Available University Fund, the Legislature shall appropriate an annual sum sufficient to pay the principal and interest due on

*Amended 7/19/73

Permanent University Fund bonds or notes issued by the Board of Directors of the Texas A&M University System pursuant to the next following section or its predecessor sections, and the remainder of such one-third of the Available Fund shall be appropriated by the Legislature for the support and maintenance of Texas A&M University at College Station. Out of the other two-thirds of the Available University Fund, the Legislature shall appropriate an annual sum sufficient to pay the principal and interest due on Permanent University Fund bonds or notes issued by the Board of Regents of The University of Texas System pursuant to the next following section or its predecessor sections, and the remainder of such two-thirds of the Available University Fund, plus the net income (i. e. , income less administrative expense) from grazing leases of Permanent University Fund land, shall be appropriated by the Legislature for the support and maintenance of The University of Texas at Austin.

Section 12. TEXAS A&M UNIVERSITY SYSTEM: THE UNIVERSITY OF TEXAS SYSTEM: PERMANENT UNIVERSITY FUND BONDS OR NOTES.

For the purpose of acquiring land (with or without permanent improvements thereon), constructing or equipping new buildings or other permanent improvements, repairing and rehabilitating existing buildings or other permanent improvements, acquiring library books and materials, and/or acquiring non-consumable teaching equipment (including computers), for the Texas A&M University System and all of the institutions now or hereafter included therein, or for the purpose of refunding any bonds heretofore or hereafter issued by the Board of Directors of the Texas A&M University System, said Board of Directors is hereby authorized to issue negotiable bonds or notes not to exceed a total amount of one-third ($1/3$) of thirty percent (30%) of the value of the Permanent University Fund exclusive of real estate at the time of any issuance thereof; and for the purpose of acquiring land (with or without permanent improvements thereon), constructing or equipping new buildings or other permanent improvements, repairing and rehabilitating existing buildings or other permanent improvements, acquiring library books and materials, and/or acquiring non-consumable teaching equipment (including computers), for The University of Texas System and all of the institutions now or hereafter included therein, or for the purpose of refunding any bonds heretofore or hereafter issued by the Board of Regents of The University of Texas System, said Board of Regents is hereby authorized to issue negotiable bonds and notes not to exceed a total amount of two-thirds ($2/3$) of thirty percent (30%) of the value of the Permanent University Fund exclusive of real estate at the time of any issuance thereof. Any bonds or notes issued hereunder shall be payable solely out of the Available University Fund. Bonds or notes so issued shall mature serially or otherwise not more than thirty (30) years from their respective dates.

The Texas A&M University System and all of the institutions now or hereafter included therein, and The University of Texas System and all of the institutions now or hereafter included therein, shall not receive any General Revenue funds for acquiring land (with or without permanent improvements thereon) or for constructing and equipping new buildings or other permanent improvements, except in case of fire, flood, storm, or earthquake occurring at any such institution, in which case an appropriation in an amount sufficient to replace the uninsured loss so incurred may be made by the Legislature out of General Revenue funds.

For the purpose of securing the payment of the principal and interest of such bonds or notes, said Boards are severally authorized to pledge the whole or any part of the respective interests of the Texas A&M University System and The University of Texas System in the Available University Fund, as such interests are described and apportioned in the last preceding section. The Permanent University Fund may be invested in such bonds or notes.

All bonds or notes issued pursuant hereto shall be approved by the Attorney General of Texas and when so approved shall be incontestable. This section shall be self-enacting; provided, however, that nothing herein shall be construed as impairing any obligation heretofore created by the issuance of any outstanding notes or bonds under this section's predecessor sections by the respective Boards prior to the adoption of this section, but any such outstanding notes or bonds shall be paid in full, both principal and interest, in accordance with the terms of such contracts.

Section 13. STATE AD VALOREM TAX FOR THE BENEFIT OF CERTAIN INSTITUTIONS OF HIGHER EDUCATION.

The provisions of Section 17 of Article 7 of the Texas Constitution of 1876, as amended in 1965, shall remain in full force and effect until December 31, 1977.

On and after January 1, 1978, there is hereby levied, in addition to all other taxes permitted by the Constitution of Texas, a state ad valorem tax on property of Ten Cents (10¢) on the One Hundred Dollars (\$100.00) valuation for the purpose of creating a special fund for the purpose of acquiring land (with or without permanent improvements thereon), constructing or equipping new buildings or other permanent improvements, repairing and rehabilitating existing buildings or other permanent improvements, acquiring library books and materials, and/or acquiring non-consumable teaching equipment (including computers), at the herein designated institutions of higher education; provided that none of the proceeds of this tax shall be used for auxiliary enterprises; and the governing board of each such institution of higher education is fully authorized to pledge all or any part of said funds allotted to such institution, as hereinafter provided, to secure bonds or notes issued for one or more of the aforesaid purposes at said respective institutions. Such bonds or notes shall be issued in such amounts as may be determined by the governing boards of said respective institutions, and shall mature serially or otherwise not more than ten (10) years from their respective dates. All bonds shall be examined and approved by the Attorney General of the State of Texas, and when so approved shall be incontestable; and all approved bonds shall be registered in the office of the Comptroller of Public Accounts of the State of Texas.

The funds to be derived from said Ten Cent (10¢) tax levy for each succeeding ten-year period beginning on January 1, 1978, shall be allocated to all state institutions of higher education, other than institutions included in the Texas A&M University System, institutions included in The University of Texas System, and the public community or junior colleges, in such manner as may be provided by law for each such ten-year period.

All herein designated institutions of higher education shall not, from the date on which they become eligible to participate in the special tax fund established by this section, receive any General Revenue funds for acquiring land (with or without permanent improvements thereon) or for constructing

and equipping new buildings or other permanent improvements, except in case of fire, flood, storm, or earthquake occurring at any such institution, in which case an appropriation in an amount sufficient to replace the uninsured loss so incurred may be made by the Legislature out of any General Revenue funds.

The State Comptroller of Public Accounts shall draw all necessary and proper warrants upon the State Treasury in order to carry out the purpose of this section, and the State Treasurer shall pay warrants so issued out of the special fund hereby created for said purpose.

This Section shall be self-enacting. It shall become operative and effective upon its adoption so as to supersede and repeal its predecessor sections; provided further, that nothing herein shall be construed as impairing any obligation created by the issuance of any outstanding notes or bonds under this section's predecessor sections by the respective governing boards prior to the adoption of this section, but such notes or bonds shall be paid in full, both as to principal and interest, from the funds as allocated to such institutions.

Q. C.

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1. U. T. Austin: Recommendation for the Settlement of Cause Number 205,697 in the District Court of Travis County, Texas, Styled in the Estate of C. Perry Patterson, Deceased. --

The Board of Regents of The University of Texas System has heretofore been designated as Trustee under an inter vivos trust agreement and deed to certain real estate of certain gifts made by Dr. C. Perry Patterson, longtime distinguished Professor of Government at The University of Texas at Austin. All of such instruments were the subject of various law suits which were tried in the District Court of Travis County, duly appealed to the Court of Civil Appeals and the Supreme Court of Texas, which resulted in judgment in favor of the heirs at law of Dr. Patterson.

Upon Dr. Patterson's death, his last will and testament was offered for probate by Mr. J. Rector Allen, independent executor under such will, which will provided that the rest and residue of Dr. Patterson's estate was to pass to the Board of Regents of The University of Texas System, as trustee, for the purpose set out in the aforementioned trust agreement. The Probate Court denied probate of said will on the grounds that Dr. Patterson was of unsound mind and had executed such purported last will and testament while under the undue influence of various employees of The University of Texas System.

The will contest has been appealed to the District Court of Travis County, Texas, as styled above by the law firm of Small, Herring, Craig & Werkenthin, Counsel retained by the Board of Regents to defend its interest in connection with all of the Patterson litigation. The firm of Small, Herring, Craig & Werkenthin, after consultation with the Office of the Attorney General, is recommending that the above styled will contest be settled for the sum of approximately \$50,000 and has submitted a historical memorandum and summary which is attached hereto for information of the Board of Regents. (Pages 4 - 10)

The Associate Deputy Chancellor for Investments, Trusts and Lands joins in the recommendation of the law firm of Small, Herring, Craig & Werkenthin and the University Attorneys in recommending settlement of such litigation with the heirs at law for certain stocks and securities worth approximately \$50,000, and that the same be used for the establishment of the Patterson Fellowship Fund in Government.

LAW OFFICES
SMALL, HERRING, CRAIG & WERKENTHIN
SUITE 900
PERRY-BROOKS BUILDING
AUSTIN, TEXAS 78701

July 9, 1973

C. C. SMALL
(1888-1971)
472-8355
AREA CODE 512

C. C. SMALL, JR.
CHARLES F. HERRING
RICHARD CRAIG
FRED B. WERKENTHIN
JOHN F. MOREHEAD
ROYCE JAY HAILEY, JR.
LAWRENCE S. SMITH
EDWARD C. SMALL
LARRY W. LANGLEY
CHARLES B. KREUTZ
JOHN RICHARD LOCK

To The Board of Regents

SUMMARY OF ATTACHED REPORT:

We are involved in a will contest proceeding. The Board was named Trustee of the Estate of Caleb Perry Patterson, longtime distinguished Professor of Government. An offer to pay the Board \$50,000.00 has been made to settle this litigation and we recommend that it be accepted.

We should settle this litigation because our chances of winning are not good. We must win not only the will contest proceeding, but also a second suit involving the legal construction of the will. To get the full benefits to which we may be entitled a third suit to set aside some attorney fees and administrators fees must also be filed and won.

The offer amounts to over 50% of the possible recovery. If we won the will contest and the will construction case, and if we also set aside the fees, then the offer would amount to only 35% of the possible recovery. Our percentage chance of winning is not nearly as high as the percentages which the offer represents.

There follows a more detailed report of this litigation and the legal difficulties with which we are faced. If you are familiar with the history of this litigation, you may desire to turn directly to page 3 of the report.

We will attempt to answer any questions that may arise.

LAW OFFICES
SMALL, HERRING, CRAIG & WERKENTHIN
SUITE 900
PERRY-BROOKS BUILDING
AUSTIN, TEXAS 78701

July 9, 1973

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AREA CODE 512

TO THE MEMBERS OF THE BOARD OF REGENTS:

We are currently representing the Board in Cause Number 205,697 in the District Court of Travis County, Texas, styled In the Estate of C. Perry Patterson, Deceased. Dr. Patterson, by will, left his property to the Board, as Trustees, for the benefit of graduate students studying political science. Dr. Patterson's heirs at law filed a contest to the probate of the will, alleging that Dr. Patterson lacked the mental capacity to execute a will. In the alternative, the contestants alleged that officials of the University of Texas exercised undue influence over the free will of Dr. Patterson. In effect, they claim we forced Dr. Patterson to leave his property to the Board to the exclusion of his heirs at law.

A trial was had in the Probate Court of Travis County, and the Judge concluded that Dr. Patterson did in fact lack sufficient mental capacity to execute a valid will. We have appealed this finding of the District Court.

A proposal has been made to settle this litigation, and we recommend that the Board accept their offer. A brief history of this litigation will bring our current problems into sharper focus.

-1-

1. In January of 1966 Dr. Patterson executed two instruments which had been prepared at Dr. Patterson's insistence, by the Legal Staff of the University of Texas. One of these instruments conveyed Dr. Patterson's home to the University and the other (which covered his personal property) set up a trust for the benefit of graduate students in political science. He retained the use of his property for the remainder of his life.

2. In February, 1969, Donald Yarborough filed a deed to Dr. Patterson's home dated in August of 1965, the year before our deed.

3. The University filed a trespass to try title suit to remove the cloud on our title which was caused by the Yarborough deed.

4. About this time, Dr. Patterson was declared non compos mentis. The guardian of Dr. Patterson's estate secured the consent of the Legislature to sue the Board to set aside both the deed and the trust.

5. The Board v. Yarborough case and Guardian v. the Board case were consolidated and tried in the summer of 1970. We were totally unsuccessful at the trial and in our appeal. Yarborough ended up with the house. All of Dr. Patterson's personal property was handed over to the Guardian to hold for the benefit of Dr. Patterson.

6. Some five months after the University's deed and the trust were executed, Dr. Patterson executed a will leaving any remaining property he had to the trust.

7. A summary of the time sequence will help summarize these events:

August 1965 - Yarborough deed

January 1966 - Deed and trust to Board

June 1966 - Will leaving everything to trust. This is the instrument involved in the lawsuit which we propose to settle.

March 1969 - Board sues Yarborough

March 1969 - Dr. Patterson declared non compos mentis

November 1969 - Guardian sues Board

July 1970 - Both cases tried and lost

November 1971 - Dr. Patterson dies

January 1972 - Supreme Court refuses to hear our appeal and in effect upholds the decision of the trial court

February 1972 - Mr. J. Rector Allen, as independent executor, offers the June 1966 will for probate, which is our will

The Board has probably already noted that the will which we seek to have probated leaves all of Dr. Patterson's estate to a trust which has been declared invalid. That is only one of the many legal problems with which we are faced. There are three lawsuits, two of which we must win in order to get anything, and a third

which could increase our recovery by as much as \$40,000.00.

LAWSUIT NO. 1: This is the will contest and the only suit presently on file. As stated, this case involves Dr. Patterson's mental capacity and our undue influence. There are five reasons that this case should be settled.

- A. A jury in July 1970 found, after a trial, that Dr. Patterson was mentally incapable of making a deed or a trust some five months before our will was signed. The County Judge, in August 1972, after listening to the evidence, decided he lacked the capacity to execute this very will. So you can see that the contestants are not barefooted when it comes to testimony.
- B. There is a good possibility that the judgment in the July 1970 case will be admitted into evidence in our up-coming trial. This means that we must sit quietly while the contestants tell the jury over and over that the "Supreme Court has already said that he was incompetent five months before the will was executed". What juror is going to say the Supreme Court is wrong?
- C. Some very serious charges are contained in the contestants' allegations of undue influence against some

very good people. They should not be subjected, publically, a third time to these ridiculous charges. Also, many of our witnesses are very advanced in years and a week long trial would be a definite hardship.

D. An appeal to higher courts is a certainty.

E. A retrial is a possibility.

LAWSUIT NO. 2: After we win No. 1, we still must win No. 2 before we have anything. The heirs at law will sue the Board alleging that the legacy in the will, which was left to the trust, fails because there is no trust. It has already been declared invalid.

In order to be successful in this suit we must prevail under the legal doctrine known as incorporation by reference. Whether this exists in Texas under these circumstances is an open question. I simply don't know how the Supreme Court would decide the question.

THE MONEY

What do we get if we win? There is approximately \$90,000.00 left in the estate. The contestants have offered to pay us \$50,000.00 in stocks, valued on April 19, 1973.

LAWSUIT NO. 3: After we have won Lawsuits No. 1 and No. 2, we can go after approximately \$40,000.00 in overpayments which

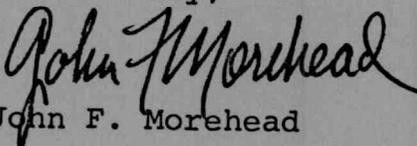
have been made by the temporary administrator to himself and to the attorneys for the guardian in the original lawsuit. Our chances here are about even. Accepting the \$50,000.00 would include releasing any claims in this regard.

This writer realizes that \$50,000.00 seems a small sum to accept when compared with the present value of the gifts made in January of 1966 (house and personal property), which now would exceed \$250,000.00. However, we should be realistic and consider our responsibilities both to Dr. Patterson and to the graduate students in political science. We should look at the facts as they exist today. The house is gone. The trust is gone. The chances of prevailing in both Lawsuit No. 1 and No. 2 are NOT good. Any litigation would be protracted.

We have discussed this matter at length with Mr. J. C. Davis of the Attorney General's office. We have neither requested permission nor are we authorized to speak for Mr. Davis. However, during our discussions with him, after explaining the situation to him, he definitely agreed that the offer should be accepted.

We respectfully recommend that you accept the contestants' offer to settle this entire controversy.

Yours truly,


John F. Morehead

dw

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2. U. T. Permian Basin: Recommendation to Acquire Lot 6 and North 6 Feet of Lot 7, Block 6, Idlewild Estates, An Addition to City of Odessa, Ector County, Texas, for President's Home.--

A satisfactory property has been located that will serve as an official residence for the President of The University of Texas of the Permian Basin. The property is legally described as Lot 6 and north 6 feet of Lot 7, Block 6, Idlewild Estates, an addition to the City of Odessa, Ector County, Texas, according to plat thereof in Volume 6, Page 13 of Plat Records of Ector County, excepting oil, gas and other minerals. This property is commonly identified as 1625 Englewood.

The asking price for the property is \$58,628.46, including closing costs and filing fees, for which an appropriation has been made. The remainder of the appropriation will be used for furnishings, refurbishing and miscellaneous expenses in the acquisition of said property.

System Administration concurs in the recommendation of The University of Texas of the Permian Basin Administration that the property be acquired since appraisals confirming the value have been obtained.

It is further recommended that the Chairman of the Board be authorized to execute and/or accept any and all instruments necessary to consummate this transaction after the instruments have been approved as to content by Deputy Chancellor Walker and as to form by a University Attorney.

3. Galveston Medical Branch: Request for Authority to Institute
Condemnation Proceedings to Acquire Block 612, Lot 12, Lot 2
in the City of Galveston, Texas. --

The University of Texas Medical Branch has endeavored to acquire those certain lots described as Block 612, Lot 12 and Block 612, Lot 2 in the City of Galveston, Texas but have been unable to reach agreement with the owners. In order to acquire these properties for campus expansion, it is requested that permission be granted to institute condemnation proceedings to acquire the above-described tracts.

System Administration concurs in the recommendation of President Blocker that appropriate legal action be taken by way of condemnation to acquire the above-described land.

4. Houston Health Science Center (Houston Medical School): Site Acquisition for Permanent Building - Phase II and Other Agreements with Hermann Hospital Estate and Texas Medical Center, Inc. --

At its meeting on July 21, 1972, the Board of Regents of The University of Texas System authorized the acceptance of land from the Texas Medical Center and a lease of a tract of land from the Hermann Hospital Estate together with the necessary air rights and underground rights and authorized the Chairman of the Board to execute the necessary instruments and do all things necessary to acquire the above land as a construction site for the expansion of The University of Texas Medical School at Houston.

In the negotiations which followed between The University staff and representatives of the Texas Medical Center and Hermann Hospital Estate the area for the construction site was agreed upon which will be approximately two-thirds on University land and one-third on Hermann Hospital Estate land under a 99 year lease from Hermann which has an option to renew for 50 more years. It was also determined that additional instruments would be necessary. It is now proposed to: (1) release portions of the "easement ways" contained in that certain Deed to the Board from the Texas Medical Center, Inc. dated February 19, 1971; (2) accept Deed to Board that certain 0.02549 acre tract of land in the P. W. Rose Survey, Abstract No. 645, Houston, Texas, subject to the existing restrictions imposed upon the Texas Medical Center by instrument dated February 27, 1946; (3) accept Deed to Board of that certain 0.06980 acre tract of land subject to the existing restrictions imposed upon the Texas Medical Center by instrument dated February 27, 1946, together with underground and air rights; (4) accept Lease from Trustees of Hermann Hospital Estate to the Board as a part of the construction site that certain 0.20003 acres, that certain 0.33680 acres, that certain 0.18929 acres of land in the P. W. Rose Survey, Abstract No. 645, Houston, Texas; (5) execute an operating agreement in connection with Ross Sterling Avenue which is an internal thoroughfare; (6) establish by agreement parking and traffic controls for the new medical school; (7) execute agreements to observe restrictions of Texas Medical Center.

System Administration recommends that in addition to the authorizations granted at the July 21, 1972 meeting that the parking arrangements, the operating agreement for Ross Sterling Avenue, the easement reservations, and restrictive covenants relative to the Houston Medical School in the Texas Medical Center be in all things approved and that the Chairman of the Board be authorized to execute any and all instruments when approved as to content by Deputy Chancellor Walker and form by a University attorney.

GALVESTON MEDICAL BRANCH: RETIREMENT OF CHIEF ADMINISTRATIVE OFFICER EFFECTIVE AUGUST 31, 1974.--With respect to the Chief Administrative Officer of The University of Texas Medical Branch at Galveston, the following was authorized:

1. President Blocker will ^{continue in his present office until his retirement} retire from his administrative position as President effective at the close of business August 31, 1974.
2. Dr. Blocker is appointed an Ashbel Smith Professor of Surgery, as recommended by the Galveston Medical Branch Executive Committee, effective September 1, 1973. Upon his retirement Dr. Blocker will retain his faculty status and will be designated President-Emeritus.
3. After September 1, 1974, Dr. Blocker shall have such duties as are assigned to him by the new Chief Administrative Officer, but it is the intent of the Board of Regents and the Chancellor that such duties shall include developmental responsibilities for the Marine Biomedical Institute, the Gymnasium and Rehabilitation Center, the History of Medicine section of the Library, the Institute for the Medical Humanities, and alumni and professional group relations.
4. For as long as he is physically able to discharge the duties assigned to him, Dr. Blocker's total annual compensation from all sources will be not less than his total annual compensation from all sources during the last year prior to his retirement.
5. The terms of any modified service by Dr. Blocker after the age of seventy shall be as set forth in the Regents' Rules and Regulations, Part One, Chapter III, Section 31.

President Blocker will continue as President until his retirement from that office effective at the close of business on August 31, 1974.

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70897

5. U. T. System: 1973-74 Operating Budgets. --The 1973-74 Operating Budgets for The University of Texas System will be mailed under separate cover no later than Thursday, July 19, 1973. The budgets to be adopted are as follows. Each includes auxiliary enterprises, government contracts and grants and current restricted funds as applicable:

System Administration and Available University Fund
The University of Texas at Arlington
The University of Texas at Austin
The University of Texas at Dallas
The University of Texas at El Paso
The University of Texas of the Permian Basin
The University of Texas at San Antonio
The University of Texas Health Science Center at Dallas
The University of Texas Medical Branch at Galveston
The University of Texas Health Science Center at Houston
The University of Texas Health Science Center at San Antonio
The University of Texas System Cancer Center
The University of Texas System School of Nursing
Medical Service Research and Development Plan for 5 Health
Science Centers (one volume)

6. Health Science Centers: Report of Medical Affairs Committee Regarding Personnel Matters in Medical Institutions. --Chairman Nelson wishes to report that progress is being made regarding personnel matters in medical institutions but that the report has not been finalized.

7. Galveston Medical Branch: Personnel Matters. --

Chancellor LeMaistre recommends approval by the Board of Regents for the following related to the retirement of Dr. Blocker as President of the Galveston Medical Branch.

- (1) President Blocker will retire from his administrative position as President effective September 1, 1974.
- (2) Dr. Blocker will retain his faculty status, will be designated President-Emeritus, and will be appointed as an Ashbel Smith Professor of Surgery, as recommended Galveston Medical Branch Executive Committee. The effective date of this named professorship will be September 1, 1973.
- (3) Dr. Blocker will retain such duties and responsibilities as are assigned to him by the new Chief Administrative Officer, and it is the intent of the Chancellor and that of the Board of Regents that these specifically include development activities for the Marine Biomedical Institute, the Institute for the Medical Humanities, and alumni and professional group relations.
- (4) Assuming the maintenance of good health, and the concurrence of the Chief Administrative Officer, Dr. Blocker's annual compensation from all sources shall not be less than _____ (the amount will be recommended at the Board meeting) from September 1, 1974 until the end of the fiscal year in which he reaches the age of seventy (70).
- (5) The terms of any modified service by Dr. Blocker after the age of seventy shall be as set forth in the Regents' Rules and Regulations, Part One, Chapter III, Section 31.



THE UNIVERSITY OF TEXAS MEDICAL BRANCH
GALVESTON, TEXAS 77550

June 27, 1973

Office of the Dean of Medicine

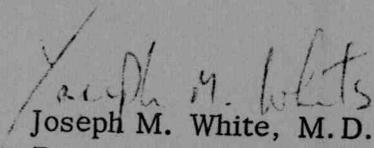
Charles A. LeMaistre, M.D.
Chancellor
The University of Texas System
601 Colorado
Austin, Texas 78701

Dear Doctor LeMaistre:

I am pleased to transmit to you the recommendation of the Faculty Awards Committee of The University of Texas Medical Branch, endorsed unanimously by the Executive Committee of the Faculty, that President Truman G. Blocker be appointed Ashbel Smith Professor of Surgery.

I urge your approval.

Sincerely,


Joseph M. White, M.D.
Dean of Medicine

JMW/liz
Enclosure



THE UNIVERSITY OF TEXAS MEDICAL BRANCH
GALVESTON, TEXAS 77550

June 20, 1973

OFFICE OF THE DEAN OF MEDICINE

RECEIVED
JUN 21 1973

THE UNIVERSITY OF TEXAS
MEDICAL BRANCH

Joseph M. White, M. D.
Dean of Medicine
University of Texas Medical Branch
Galveston, Texas 77550

Dear Doctor White:

The Faculty Awards Committee met on June 19, 1973, to discuss the recommendation that Dr. Truman G. Blocker, Jr., be appointed as an Ashbel Smith Professor of Surgery. Present were: Drs. B. Bowman, W. Hild, W. C. Levin and J. C. Thompson.

Dr. Blocker has literally dedicated his entire professional life to the University of Texas Medical Branch. Since his graduation from this institution, except for brief periods of training elsewhere, he has faithfully and effectively served it.

He has excelled in all of his responsibilities--as a teacher, as a clinical investigator, as a surgeon and as an administrator. The traditions established by the founders of this school have matured under his leadership; and, simultaneously, the physical facilities have been upgraded to a level consonant with the requirements of an expanding and intellectually exciting university component. His most important contributions to the University have been the result of a singular combination of an appreciation of the need to encourage present and recruit new faculty, who possess the highest standards of academic performance and a tenacity of purpose, which causes him never to be deflected from his eventual goals.

Truman Blocker has been showered with honors by professional societies, by the U.S. and foreign governments and by other universities, as tributes to his contributions to the health sciences. It is only fitting, therefore, that the University of Texas join this recognition of his many accomplishments by making him an Ashbel Smith Professor of Surgery.

Sincerely yours,

William C. Levin, M. D.
Chairman, Faculty Awards Committee

WCL:gh
cc: to all members

8. Galveston Medical Branch: Selection Committee for Chief Administrative Officer.--Pursuant to the Regents' Rules and Regulations, Part One, Chapter II, Section 4.1, Chairman McNeese will announce the appointment of the following to the Selection Committee for the Chief Administrative Officer of The University of Texas Medical Branch at Galveston:

Regents' Committee for Selection
of Chief Administrative Officer

for

The University of Texas Medical Branch at Galveston

Board of Regents:

Mr. A. G. McNeese, Jr.
Joe T. Nelson, M. D.
Mr. Frank C. Erwin, Jr.

The University of Texas System:

Charles A. LeMaistre, M.D., Chancellor (Chairman
of this Committee)
Mr. E. D. Walker, Deputy Chancellor for
Administration
Dr. William Knisely, Vice Chancellor for
Health Affairs
Dr. James Wagener, Assistant Vice-Chancellor
for Academic Programs

Chief Administrative Officers of Component Institutions:

Frank Harrison, M.D., President of The University
of Texas Health Science Center at San Antonio
R. Lee Clark, M. D., President of The University
of Texas System Cancer Center
Charles Sprague, M.D., President of The University
of Texas Health Science Center at Dallas

9. U. T. System: Personnel Matters Related to the Santa Rita Award. --

Chancellor LeMaistre recommends approval of the nomination of Cecil H. Green for the 1973 Santa Rita Award. The Santa Rita Award Committee consists of Mr. Preston Shirley, Chairman; Regent Jenkins Garrett, and Mr. Joe Dealey.

The criteria for the Santa Rita Award are as follows:

A System-wide award which may be made annually to a limited number of individuals who have made valuable contributions over an extended period to The University of Texas System (or any of its components). The recipient may be judged on the basis of a broad list of criteria, primary among which will be his 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 as to serve as a high example of selfless and public-spirited service. Of particular interest will be the extent to which such individual activity may have generated similar attitudes from other public and private sectors toward the University System.

Previous recipients of the Santa Rita Award are:

Miss Ima Hogg	1968
Mr. Hines H. Baker	1969
Mr. Eugene McDermott	1969
Chancellor-Emeritus Harry Ransom	1971

A brief listing of the contributions of Cecil Green to higher education in general and to The University of Texas System in particular is as follows:

...gave the Cecil H. and Ida Green Chair in Marine Science at the Medical Branch at Galveston,

...gave the Cecil H. and Ida Green Honors Chair in the Natural Sciences at U.T. Dallas

...gave gifts of such magnitude to The University of Texas that the Board of Regents authorized the naming of two buildings--(1) the Green Center at U.T. Dallas (being built for 1975 use), and (2) the Cecil H. and Ida M. Green Basic Sciences Teaching Building at Southwestern Medical School,

...gave basic support to the Family Planning Program at U.T. Southwestern Medical School,

...is a long-time trustee of, and contributor to, the Southwestern Medical Foundation, which serves as a development board for U.T. Southwestern Medical School,

...served on the Engineering Foundation Advisory Council at U.T. Austin,

...was instrumental in establishing TAGER and worked to have The University of Texas units in North Texas included in that network,

...gave the "Ida Green," a 130-foot oceangoing vessel, to be used for geophysical research at the Galveston Medical Branch.

The Greens have also contributed laboratories to The Children's Medical Center in Dallas, a teaching facility of the U.T. Dallas Medical School.

Some other schools to which the Greens have contributed are as follows:

TCU--chair
SMU--chair, renovation of McFarlin Memorial Auditorium
MIT--Earth Sciences Building and at least one chair
St. Mark's School for Boys in Dallas--Student Center
Fort Worth's Trinity Valley School for Boys--Main Building
Austin College--Green Theatre in Performing Arts

Since The University of Texas System Development Board, which no longer exists, had the prior responsibility for granting this award and reporting this to the Board of Regents as trustees, this recommendation of the Award Committee is being submitted directly to the Board of Regents for approval and authorization to grant the award.

10. U. T. Arlington: Recommended Nominations to Development Board. --

The University of Texas at Arlington Development Board is still in an organizational phase and has not, as yet, held an official meeting, elected officers, or drawn for terms. On March 16, 1972, the Board of Regents approved 33 nominations for the initial 25 memberships and to date 13 have accepted membership, 6 declined to serve, 4 did not respond to the contact, and 10 are still membership possibilities.

Chancellor LeMaistre concurs in the recommendation of Acting President Nedderman that the additional seven (7) individuals set forth below be approved as nominees to this Development Board.

Following the acceptance of Board membership, and the drawing of terms, these will be reported for the record to the Board of Regents.

Nominations for Full Terms

<u>Name and Address</u>	<u>Business Affiliation</u>
Mr. Fred Bondurant Bondurant Brothers Insurance 120 East Abram Street Arlington, Texas 76010	Insurance
Mr. Stewart W. DeVore, Sr. DeVore, Bagby, McGahey, and Ross Arlington Bank and Trust Building Arlington, Texas 76010	Attorney
Mr. Richard Meihaus Executive Vice President Texas Industries 715 Avenue H East Arlington, Texas 76010	Manufacturing
Mr. Joe Rady Rady and Associates, Inc. Continental Life Building Fort Worth, Texas	Engineering Consultant
Mr. Mike Shapiro General Manager and Vice President WFAA Communications Center Dallas, Texas 75201	Communications
Mr. Durwood Sutton President, Grand Prairie State Bank 200 West Main Street Grand Prairie, Texas 75050	Banking
Mr. Robert L. Thornton Chairman of the Board Mercantile National Bank 1704 Main Street Dallas, Texas 75201	Banking

11. U. T. Arlington: Recommended Nominations to College of Business Administration Advisory Council. --

The University of Texas at Arlington College of Business Administration Advisory Council is still in an organizational phase and has not, as yet, reached its authorized membership of thirty (30). On October 20, 1972 the Board of Regents approved 35 nominees for the initial 30 memberships and to date 21 have accepted membership, one (1) has declined to serve, 8 did not respond to the contact, and 5 are still membership possibilities.

Chancellor LeMaistre concurs in the recommendation of Acting President Nedderman that the additional 8 individuals set forth below be approved as nominees to this Advisory Council for terms to expire in 1976.

When the membership of this Advisory Council is complete, it will be reported for the record to the Board of Regents.

<u>Name, Address</u>	<u>Business Affiliation</u>	<u>Term Ends</u>
Mrs. Virginia Cook Sr. Vice President, Residential Div. Henry S. Miller Companies 6717 Preston Road Dallas, Texas 75205	Realty	1976
Mrs. Irene Martinez Garcia Chairman of the Board El Fenix Corporation 11075 Harry Hines Boulevard Dallas, Texas 75229	Food Services	1976
Mr. P. B. Garrett, Consultant Texas Bank & Trust Company P.O. Box 50688 Dallas, Texas 75250	Finance	1976
Mrs. Ebby Halliday, President Ebby Halliday Realtors P.O. Box 12247 Dallas, Texas 75205	Realty	1976
Mr. V. F. Martin Chairman of the Board Modern America Companies P.O. Box 30647 Dallas, Texas 75230	Investments	1976
Mr. W. N. McKinney, President American-Mayflower Company 950 W. Mockingbird Lane Dallas, Texas 75247	Moving and Storage Services	1976
Mr. Everett O. Siegele Plant Manager, General Motors 2525 East Abram Arlington, Texas 76010	Auto Industry	1976
Mr. Merle Volding, President Practical Management Associates, Inc. 4830 Hallmark Drive Dallas, Texas 75229	Management Consulting	1976

12. U. T. Arlington: Recommendation to Establish the U. T. Arlington Graduate School of Social Work Advisory Council and to Authorize Nominations Thereto. --

Chancellor LeMaistre concurs in the recommendation of Acting President Nedderman that the Graduate School of Social Work be authorized to initiate an advisory council in furtherance of the programs of that School and requests regental approval for this advisory council.

Chancellor LeMaistre also concurs in Acting President Nedderman's recommendations for nominees and alternates to the Graduate School of Social Work Advisory Council and requests approval of the nominees set forth below.

In accordance with routine procedures, following acceptance of the nomination the complete membership of this Advisory Council will be reported for the record.

NOMINATIONS FOR FULL TERMS

<u>Name, Address</u>	<u>Business Affiliation</u>	<u>Term Ends</u>
Doris Adams, M. D. 3521 Drexel Drive Dallas, Texas 75205	Civic Leader	1976
R. G. Alexander, D.D.S. 840 West Mitchell Arlington, Texas	Private Practice	1976
Mr. Jim Clark, <i>Sr.</i> 3303 Lee Parkway Dallas, Texas 75219	Investments	1976
Mr. Harry B. Crutcher 1307 Pacific Dallas, Texas 75201	Attorney	1976
Mr. Roy Dulak Executive Director Community Council of Greater Dallas 311 Akard - Life Building Dallas, Texas 75202	Social Agency	1976
Rabbi Irwin Goldenberg 10026 Regal Park Lane Dallas, Texas 75230	Civic Leader	1976
Mr. Richard Greene President Arlington Savings Association Arlington, Texas 76010	Banking	1976
Reverend C. A. Holliday 210 Harding Fort Worth, Texas 76102	Civic Leader	1976

<u>Name, Address</u>	<u>Business Affiliation</u>	<u>Term Ends</u>
Mr. Manuel Jara Jara Printing Company 616 West Magnolia Avenue Fort Worth, Texas 76104	Printing Firm	1976
Louis Levy, M. D. 918 8th Avenue Fort Worth, Texas 76104	Private Practice	1976
Mrs. Tommy G. Mercer 500 Alta Drive Fort Worth, Texas 76107	Civic Leader	1976
Miss Bettye Perot Post Office Box 45142 Dallas, Texas 75235	Civic Leader	1976
Mr. Randy Ratliff Greater Dallas Community Relations Agency 1408 Life Building 311 Akard Dallas, Texas 75202	Social Agency	1976
Mrs. Richard Snider 207 Sunset Court Arlington, Texas 76013	Civic Leader	1976
Mrs. Jane Wetzel 3311 Beverly Drive Dallas, Texas	Civic Leader	1976
Mr. Glenn Wilkins Executive Vice-President and General Manager Tarrant County United Fund and Community Council 210 East Ninth Street Fort Worth, Texas 76102	Social Agency	1976

NOMINATIONS FOR UNEXPIRED TERMS

Not Applicable

NOMINATIONS FOR FULL TERMS

Not Applicable

ALTERNATE NOMINATIONS

<u>Name, Address</u>	<u>Business Affiliation</u>	<u>Term Ends</u>
Mr. A. I. Davies Vice President Sears, Roebuck and Company 1000 Belview Dallas, Texas 75295	Retail	1976
Mrs. W. D. Farrar 1731 Woods Drive Arlington, Texas 76010	Real Estate	1976
Mr. Jerry Pikulinski Director, Manpower Planning North Central Texas Council of Governments Drawer COG Arlington, Texas 76010	Local Government	1976
Rabbi Robert Schur Beth-El Congregation Post Office Box 2232 Fort Worth, Texas 76101	Civic Leader	1976
Mr. Byron B. Searcy 901 Penn Fort Worth, Texas 76102	Real Estate	1976
Dr. Herbert Shore (Ph. D.) Golden Acres 2525 Centerville Road Dallas, Texas	Social Agency	1976
Mr. Philip Waibel Chairman & Manager of Personnel Operations-Bell Helicopter 900 Live Oak Court Arlington, Texas 76012	Industry-Federal	1976

13. U. T. Austin: Recommended Nominations to Development Board. --

Chancellor LeMaistre concurs in the recommendation of President Spurr that the nominees set forth below to the Development Board of The University of Texas at Austin be approved.

The list includes three (3) alternates who would be utilized in the event that one of the primary nominees elects not to serve or to fill unexpired terms which occur during the year.

In accordance with routine procedures, following acceptance of the nomination the complete membership of this Development Board will be reported for the record.

NOMINATIONS FOR FULL TERMS

<u>Name, Address</u>	<u>Business Affiliation</u>	<u>Term Ends</u>
** Mr. Marvin K. Collie Vinson, Elkins, Searls, Connally, & Smith First City National Bank Building Houston, Texas 77002	Attorney	1976
** Mr. Franklin W. Denius Clark, Thomas, Harris, Denius, & Winters Post Office Box 1148 Austin, Texas 78767	Attorney	1976
** Mr. Bob R. Dorsey Gulf Oil Corporation Post Office Box 1166 Pittsburgh, Pennsylvania 15230	President	1976
*Mr. Elton M. Hyder, Jr. Tilley, Hyder, & Law 1609 Oil & Gas Building Fort Worth, Texas 76102	Attorney	1976
** Mr. Dan M. Krausse Earth Resources Company 303 Expressway Tower 6116 North Central Expressway Dallas, Texas 75206	President	1976
*Mr. Richard G. Miller 1507 Rim Road El Paso, Texas 79902	Retired, former owner of White House Stores	1976
** Mr. Preston Shirley Mills, Shirley, McMicken, & Eckel 700 First Hutchins-Sealy Nat'l. Bank Building Galveston, Texas 77550	Attorney	1976

*New Nominee
**Reappointment

NOMINATIONS FOR FULL TERMS (continued)

<u>Name, Address</u>	<u>Business Affiliation</u>	<u>Term Ends</u>
*Mr. Ralph Spence 813 Citizens National Bank Bldg. Tyler, Texas 75701	Petroleum Producer	1976
**Mr. Jack G. Taylor 3421 Monte Vista Austin, Texas 78731	Investments	1976
**Mr. J. D. Wrather, Jr. Wrather Corporation 270 North Canon Drive Beverly Hills, California 90210	Chairman and President	1976

ALTERNATE NOMINATIONS

<u>Name, Address</u>	<u>Business Affiliation</u>
Mr. Jack S. Blanton Scurlock Oil Company Houston Club Building Houston, Texas 77002	President
Mr. Ben F. Love Texas Commerce Bancshares Post Office Box 2558 Houston, Texas 77001	President
Mr. Thomas D. McCrummen, Jr. The American Bank of Austin Post Office Box 772 Austin, Texas 78767	President

*New Nominee

**Reappointment

Present membership is listed on following page.

NOTE: Secretary Thedford submits as additional information the present membership of the U. T. Austin Development Board:

	<u>Term Expires</u>
Mr. Rex G. Baker, Jr., Houston	1974
Senator Lloyd M. Bentsen, Jr., Washington, D. C.	1974
Mr. H. H. Coffield, Rockdale	1974
Mr. L. L. Colbert, Detroit, Michigan	1974
Mr. Marvin K. Collie, Houston	1973
Mr. C. W. Cook, White Plains, New York	1974
Mr. B. W. Crain, Jr., Longview	1974
Mr. Joe M. Dealey, Dallas	1974
Mr. Franklin W. Denius, Austin	1973
Mr. Bob R. Dorsey, Pittsburgh, Pennsylvania	1973
Mr. Walter W. Fondren III, Houston	1973
Mr. Hayden W. Head, Corpus Christi	1974
Mr. Dan M. Krausse, Dallas	1973
Mr. Wales H. Madden, Jr., Amarillo	1974
Mrs. Eugene McDermott, Dallas	1975
Mr. J. Mark McLaughlin, San Angelo	1975
Mr. J. M. Odom, Austin	1974
Mr. B. D. Orgain, Beaumont	1975
Mr. Preston Shirley, Galveston	1973
Mr. Jack G. Taylor, Austin	1973
Mr. John P. Thompson, Dallas	1975
Mr. Dan C. Williams, Dallas	1975
Mr. J. D. Wrather, Jr., Beverly Hills, California	Regent Representative 1973

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14. U. T. Austin: Recommended Nominations to School of Architecture Foundation Advisory Council. --

Only 12 members

Chancellor LeMaistre concurs in the request of President Spurr that the individuals set forth below be approved as nominees to the School of Architecture Foundation Advisory Council for the terms indicated. One individual is nominated for alternate status.

In accordance with usual procedures, following contact with these nominees, the full membership of this Advisory Council will be reported for the record.

NOMINATIONS FOR FULL TERMS (within existing membership limits)

<u>NAME, ADDRESS</u>	<u>BUSINESS AFFILIATION</u>	<u>TERM ENDS</u>
<i>Herschel Fisher</i> Mr. O'Neil Ford Ford, Powell, & Carson 528 King William Street San Antonio, Texas 78204	Private Practice - Architect	1976
Mr. Wolf E. Jessen The Jessen Associates, Inc. 401 West 29th Street Austin, Texas 78705	Architect	1976
William Sheveland, AIA/AIP 4014 Hawthorne Ave. Dallas, Texas 75219	Private Practice - Planner	1976
Bill C. Booziotis 4310 Westside Dallas, Texas	Private Practice - Architect	1976

NOMINATIONS FOR UNEXPIRED TERMS (If Applicable)

None

NOMINATIONS FOR FULL TERMS (due to an increase in authorized membership)

None

ALTERNATE NOMINATIONS

W. Hobby
Mrs. William P. Hobby
Houston Post
P. O. Box 326
Houston, Texas 77001

Investments

B. W. Crain

Present membership is listed on following page.

NOTE: Secretary Thedford submits as additional information the present membership of the School of Architecture Foundation Advisory Council:

	<u>Term Expires</u>
Mr. Max Brooks, Austin	1974
Mr. Charles William Brubaker, Chicago, Illinois	1974
Mr. Edwin W. Carroll, El Paso	1973
Mr. Samuel E. Dunnam IV, Austin	1974
Mr. O'Neil Ford, San Antonio	1973
The Honorable Hubert R. Hudson, Brownsville	1974
Mr. Wolf E. Jessen, Austin	1973
Mr. Charles E. Lawrence, Houston	1975
Mr. James R. Pratt, Dallas	1975
Mr. John M. Rowlett, Houston	1973

15. U. T. Austin: Recommended Nominations to Arts and Sciences Foundation Advisory Councils. --

In compliance with previous instructions from the Board, President Spurr is proceeding to reorganize the old Arts and Sciences Council to provide separate councils for the College of Humanities, College of Social and Behavioral Sciences, College of Natural Sciences, and Division of General and Comparative Studies. To complete this process Chancellor LeMaistre concurs with the recommendation of President Spurr that:

- (1) The authorized membership of the Arts and Sciences Foundation Advisory Councils be increased from 24 to 30 members.
- (2) The individuals set forth below be approved as nominees to the Councils (with specific assignment to a Council to be made later) for the terms indicated. It should be noted that there are fourteen (14) alternates proposed to ensure that there are sufficient nominees to complete the membership of the four Councils.

Following the approval of these nominees and the completion of the Councils membership, these will be reported for the record at a future meeting of the Board.

NOMINATIONS FOR TERMS AS SHOWN*

<u>NAME, ADDRESS</u>	<u>BUSINESS AFFILIATION</u>	<u>COLLEGE COUNCIL</u>	<u>TERM</u>
Mr. Thomas D. Anderson Anderson, Brown, Orn, Pressler & Jones 1122 Southwest Tower Houston, Texas 77002	Attorney at Law	Division of General & Comparative Studies	1974
Mr. R. Gordon Appleman Weeks, Bird and Appleman 400 Fort Worth Club Building Fort Worth, Texas 76102	Attorney at Law	Division of General & Comparative Studies	1974
Mrs. Trammell Crow 4500 Preston Road Dallas, Texas 75205	Housewife	Social & Behavioral Sciences	1975
Dr. Herschel H. Cudd (Ph.D.) Amoco Chemicals Corporation 130 East Randolph Drive Chicago, Illinois 60701	President	Natural Sciences	1975
Mr. Edwin M. Gale Warren Refrigerator Company, Inc. Post Office Box 3928 Beaumont, Texas 77704	President	Humanities	1975
Mrs. Radcliffe Killam Post Office Box 499 Laredo, Texas 78040	Housewife	Humanities	1975

Mrs. William H. Snyder III 3910 Bryn Mawr Dallas, Texas 75225	Housewife	To be assigned	1976
Mr. Milton P. Levy, Jr. National Chemsearch Corp. P.O. Box 217 Irving, Texas 75060	Chairman of Executive Committee	To be assigned	1976

NOMINATIONS FOR UNEXPIRED TERMS*

<u>NAME, ADDRESS</u>	<u>BUSINESS AFFILIATION</u>	<u>COLLEGE COUNCIL</u>	<u>TERM</u>
Mrs. Jack S. Blanton 3390 Inwood Drive Houston, Texas 77019	Civic Leader	To be assigned	1976
Mrs. Clyde Parker P.O. Box 152 Kerrville, Texas 78028	Housewife	To be assigned	1976

NOMINATIONS FOR FULL TERMS (due to the increase in authorized membership)

<u>NAME, ADDRESS</u>	<u>BUSINESS AFFILIATION</u>	<u>COLLEGE COUNCIL</u>	<u>TERM ENDS</u>
Mrs. Hayden W. Head 5601 Ocean Drive Corpus Christi, Texas 78401	Housewife	To be assigned	1976
Dr. L. L. Lankford, M.D. 7251 Brookcove Lane Dallas, Texas 75214	Private Practice	To be assigned	1976
Rabbi Levi Olin 3131 Maple Dallas, Texas 75201	Rabbi	To be assigned	1976
Mrs. Dolph Briscoe Governor's Mansion 1010 Colorado Austin, Texas 78701	Civic Leader	To be assigned	1976
Mrs. Nellie Connally 2411 River Oaks Houston, Texas 77091	Civic Leader	To be assigned	1976
Mrs. Perry Bass 45 Westover Road Fort Worth, Texas 76107	Housewife	To be assigned	1976

ALTERNATE NOMINATIONS

<u>NAME, ADDRESS</u>	<u>BUSINESS AFFILIATION</u>	<u>COLLEGE COUNCIL</u>
Mr. Lloyd Birdwell 1708 Industrial Dallas, Texas 75207	Office Furniture Supplier	To be assigned
Mr. Lenoir Moody Josey, II 579 North Post Oak Lane Houston, Texas 77024	Attorney at Law	To be assigned
Mr. Richard Lane 2210 San Gabriel Austin, Texas 78701	Real Estate	To be assigned

<u>NAME, ADDRESS</u>	<u>BUSINESS AFFILIATION</u>	<u>COLLEGE COUNCIL</u>
Mrs. Theo M. Heesch 5433 Pagewood Houston, Texas 77027	Housewife	To be assigned
Mrs. John W. Browning 615 Ridgemont San Antonio, Texas 78209	Housewife	To be assigned
Mr. Dixon Cain 3031 Humble Bldg. Houston, Texas 77002	Engineer	To be assigned
Mrs. Robert Hearon, Jr. 4601 Cat Mountain Austin, Texas 78731	Housewife	To be assigned
Mrs. Garland Lasater La Mota Falfurrias, Texas 78355	Housewife	To be assigned
Mrs. Celia Morris NBW Tower New Rochelle, New York 10801	Senior Editor Change Magazine	To be assigned
Mr. Ferd C. Meyer, Jr. Mathews, Nowlin, McFarlin & Barrett Alamo National Bank Bldg. San Antonio, Texas 77505	Attorney at Law	To be assigned
Mr. E. G. Morrison Austin National Bank Bldg. Austin, Texas 78705	Investments	To be assigned
Mr. Richard Keeton Vinson, Elkins, Searls & Smith 21st Floor First City Nat. Bank Bldg. Houston, Texas 77002	Attorney at Law	To be assigned
Dr. Ross McDonald (Ph.D.) Texas Instruments P.O. Box 5474 Dallas, Texas 75222	Vice President	To be assigned
Mr. Carl Newton The Fox Company 1734 Brdwy San Antonio, Texas 77505	President	To be assigned

* Terms of renominated members have been adjusted to provide for nomination of 1/3 of the Council each year.



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

President

June 22, 1973

THE UNIVERSITY OF TEXAS AT AUSTIN
 OFFICE OF THE PRESIDENT
 JUN 23 1973
 For this and Related
 Please Address Mr.
 Stephen H. Spurr

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

Dear Mickey:

May I draw your attention to the fact that we are in the process of setting up separate councils for the College of Humanities, the College of Social and Behavioral Sciences and the College of Natural Sciences, and we are assigning current members of the former Arts and Sciences Council to that of the three separate college councils.

At the same time, however, we are unable to ascertain on which college council the prospective new members would prefer to sit, and, therefore, we are asking for approval of a rather long list of names for the Arts and Science Councils with the understanding that, if approved, we will determine the council to which we will allocate these individuals at the time we approach them for the first time. Because of this rather complicated evolutionary procedure, we are putting a much larger number of names on our proposed list of nominees than would otherwise be the case, as we feel it desirable to have backup in order to make sure we can fill out each of the three new college councils. I hope this procedure will be acceptable.

Sincerely yours,

Spurr

Stephen H. Spurr

SHS:gp

16. U. T. Austin: Recommended Nominations to College of Business Administration Foundation Advisory Council. --

Chancellor LeMaistre concurs in the recommendation of President Spurr that the individuals listed below be approved as nominees to the College of Business Administration Foundation Advisory Council for the terms indicated.

Following acceptance of the position by these nominees, the full membership of this Advisory Council will be reported for the record.

NOMINATIONS FOR FULL TERMS (within existing membership limits)

<u>name</u>	<u>business affiliation</u>	<u>term ends</u>
Mr. Javier Garza Laredo National Bank PO Box 59 Laredo, Texas 78040	Senior Vice President Laredo National Bank	1976
Mr. Robert J. Hibbetts H. V. Robertson & Co. 900 American National Bank Bldg. Amarillo, Texas 79105	Partner H. V. Robertson & Co.	1976
Mr. William J. Kaplan Foley's of Houston 1110 Main Houston, Texas 77002	Vice President, Merchandising Foley's of Houston	1976
** Mr. Fred H. Moore Mobil Oil Corporation 602 City National Bank Bldg. Austin, Texas 78701	Consultant Mobil Oil Corporation	1976
Mrs. Margaret Scarbrough Wilson Scarbrough's Department Store 512 Congress Austin, Texas 78704	President Scarbrough's Department Store	1976

**Reappointment

Present membership is listed on following page.

NOTE: Secretary Thedford submits as additional information the present membership of the College of Business Administration Foundation Advisory Council:

	<u>Term Expires</u>
Mr. John Cargile, San Angelo	1974
Mr. Andrew Delaney, Houston	1975
Mr. Robert C. Drummond, New York, New York	1975
Mr. Charles W. Duncan, Jr., Atlanta, Georgia	1973
Mr. William F. Farah, El Paso	1973
Mr. F. B. Goldman, Dallas	1975
Mr. Robert W. Goodman, Jr., Houston	1974
Mr. James B. Goodson, Dallas	1975
Mr. Thomas Johnson, Jr., Austin	1975
Mr. Oscar C. Lindemann, Dallas	1975
Mr. Ben F. Love, Houston	1974
Mr. E. James Lowrey, Houston	1975
Mr. Max Mandel, Laredo	1973
Mr. Fred H. Moore, Austin	1973
Mrs. Alfred Negley, San Antonio	1974
Mr. Sheldon I. Oster, Houston	1975
Mr. Leslie Peacock, San Francisco, California	1975
Mr. Leland C. Pickens, Dallas	1973
Mr. James Scurlock, Tyler	1975
Mr. William Seay, Dallas	1974
Dr. Fladger F. Tannery, Frisco	1974
Mr. Jack G. Taylor, Austin	1974
Mr. Jere Thompson, Dallas	1974
Mr. C. S. Wallace, Jr., Houston	1975
Mr. W. Duke Walser, Houston	1975

17. U. T. Austin: Recommended Nominations to School of Communication Foundation Advisory Council. --

Chancellor LeMaistre concurs in the recommendation of President Spurr that the individuals listed below be approved as nominees to the School of Communication Foundation Advisory Council.

The list includes five alternates in order of preference who would be utilized in the event that one of the primary nominees elects not to serve, or to fill unexpired terms which occur during the year.

Following acceptance of the position by these nominees, the full membership of this Advisory Council will be reported for the record.

NOMINATIONS FOR FULL TERMS (within existing membership limits)

<u>Name, Address</u>	<u>Business Affiliation</u>	<u>Term Ends</u>
Mr. Jean William Brown, President Rives, Dyke and Company, Inc. P. O. Box 6596 Houston, Texas 77005	Advertising agency executive	1976
Mr. Norman Campbell, President Tracy-Locke Advertising & Public Relations, Inc. 1407 Main Street Dallas, Texas 75202	Advertising and public relations executive	1976
**Mr. Jack W. Harris, President ✓ KPRC & KPRC-TV P. O. Box 2222 Houston, Texas 77001	Radio and television executive	1976
Mr. Richard J.V. Johnson, President The Houston Chronicle 801 Texas Avenue Houston, Texas 77002	Newspaper executive	1976
**Mr. John T. Jones, Jr., President ✓ Rusk Corporation 3413 Gulf Building Houston, Texas 77002	Radio executive	1976
**Mr. Banks L. Miller, Jr., President Banks Miller & Associates P. O. Box 772 Austin, Texas 78767	Public relations executive	1976
**Mr. Bill M. Sansing, President ANAMARK, INC. 500 East Anderson Lane #231 Austin, Texas 78752	Public relations executive	1976

**Reappointments

NOTE: Secretary Thedford submits as additional information the present membership of the School of Communication Foundation Advisory Council:

	<u>Term Expires</u>
*Mr. Jim Clark, Amarillo	1975
Mr. Jackson L. Douglas, Fort Worth	1974
Mr. Lee M. Dubow, Houston	1975
Mr. James C. Gresham, Killeen	1974
Mr. Jack W. Harris, Houston	1973
Mr. Edward H. Harte, Corpus Christi	1973
Mr. Robert E. Hollingsworth, Dallas	1975
Mr. Robert E. Huchingson, St. Louis, Missouri	1975
Mr. W. Thomas Johnson, Jr., Austin	1975
Mr. John T. Jones, Jr., Houston	1973
Mr. Wendell W. Mayes, Jr., Austin	1975
Mr. Thomas D. McCrummen, Jr., Austin	1973
Mr. Banks L. Miller, Jr., Austin	1973
Mr. David H. Morris, Houston	1974
Paul F. Paulsen, M.D., Austin	1974
Mr. Earl Podolnick, Austin	1974
Mr. Guy Ryan, San Diego, California	1973
Mr. Bill M. Sansing, Austin	1973
Mr. Wayne C. Sellers, Palestine	1974
Mr. Mike F. Shapiro, Dallas	1974
Mrs. Homer Thornberry, Austin	1975

Life Member

Mr. Silas B. Ragsdale, Houston

18. U. T. Austin: Recommended Nominations to Engineering Foundation
Advisory Council. --

Chancellor LeMaistre concurs in the recommendation of President Spurr that the six nominees for membership terms ending in 1976 set forth below be approved. Three vacancies are for regular terms which expire in 1973, two vacancies are for unexpired terms originally ending in 1974 but for which the term of office has been changed to 1976, and one new position with a term ending in 1976.

If all of these nominees are approved and elect to serve, the membership of this Council will be 27, and the full membership will be reported for the record at a future meeting of the Board.

REQUEST FOR NOMINATIONS

Engineering Foundation Advisory Council
The University of Texas at Austin

NOMINATIONS FOR FULL TERMS (within existing membership limits)

<u>Name, Address</u>	<u>Business Affiliation</u>	<u>Term Ends</u>
Mr. Z. D. Bonner Gulf Oil Chemical Company P. O. Box 1166 Pittsburgh, Pennsylvania 15230	President Gulf Oil Chemical Company	1976
Mr. Ernest H. Cockrell, Jr. Suite 999, The Main Building Houston, Texas 77002	Independent Oil Producer	1976
Mr. James P. Malott Continental Oil Company P. O. Box 2197 Houston, Texas 77001	Vice President-Production Western Hemisphere Petroleum Division Continental Oil Company	1976
Dr. Judson S. Swearingen Rotoflow Corporation 2235 Carmelina Avenue Los Angeles, California 90064	President Rotoflow Corporation	1976
Mr. Erwin L. Wahlsten ALCOA Point Comfort, Texas 77978	Operations Manager ALCOA	1976

NOMINATIONS FOR FULL TERMS (due to an increase in authorized membership)

Mr. T. Wayne Warren Pennzoil Company 900 Southwest Tower Houston, Texas 77002	Group Vice President Manufacturing, Marketing and Development	1976
--	---	------

Present membership is listed on following page.

NOTE: Secretary Thedford submits as additional information the present membership of the Engineering Foundation Advisory Council:

	<u>Term Expires</u>
Mr. Malcolm D. Abel, Midland	1973
Mr. Warren S. Bellows, Jr., Houston	1974
Mr. Louis Castelli, Dallas	1975
Mr. Louis F. Davis, Los Angeles, California	1974
Mr. Bob R. Dorsey, Pittsburgh, Pennsylvania	1973
Mr. Milton Earl Eliot, Houston	1974
Mr. Thomas O. English, Pittsburgh, Pennsylvania	1974
Mr. Melvin H. Gertz, Dallas	1975
Mr. Maurice F. Granville, New York, New York	1974
Dr. Claude R. Hocott, Houston	1974
Mr. Gordon C. Hurlbert, Pittsburgh, Pennsylvania	1974
Dr. John E. Kasch, Chicago, Illinois	1974
Mr. John H. Long, Pittsburgh, Pennsylvania	1975
Mr. Frank W. McBee, Jr., Austin	1974
Mr. L. B. Meaders, Dallas	1974
Mr. G. H. Meason, Houston	1975
Mr. Robert Lee Parker, Tulsa, Oklahoma	1975
Mr. Arthur M. Patureau, Sherman Oaks, California	1974
Mr. Ashley Home Priddy, Dallas	1974
Mr. Albert J. Range, San Antonio	1975
Mr. David L. Rooke, Freeport	1974
Mr. John W. Sheehan, Houston	1975
Mr. Roy Tolk, Amarillo	1975
Mr. Everett F. Zurn, Erie, Pennsylvania	1974
Dr. Robert S. Schechter, Austin	1974
Dr. Herbert H. Woodson, Austin	1973

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19. U. T. Austin: Recommended Nominations to the Fine Arts Foundation Advisory Council. --

Chancellor LeMaistre concurs in the recommendation of President Spurr that the individuals listed below be approved as nominees to the College of Fine Arts Foundation Advisory Council for the terms indicated.

Following acceptance of the position by these nominees, the full membership of this Advisory Council will be reported for the record.

NOMINATIONS FOR FULL TERMS (within existing membership limits)

<u>NAME, ADDRESS</u>	<u>BUSINESS AFFILIATION</u>	<u>TERM ENDS</u>
Mrs. Thomas D. Anderson 3925 Del Monte Drive Houston, Tx. 77019	Housewife	1976
Mrs. Phil Bolin 3504 Harrison Wichita Falls, Tx. 76308	Housewife	"
Miss Ima Hogg Inwood Manor, Apt. 9B 3711 San Felipe Road Houston, Tx. 77027	Philanthropist	"
Mrs. Wolf E. Jessen 2311 Shoal Creek Boulevard Austin, Tx. 78705	Housewife	"
Mrs. D. J. Sibley, Jr. 2210 Windsor Road Austin, Texas, 78703	Housewife	"
Mr. Robert D. Straus P. O. Box 2544 Houston, Texas 77001	Chairman of the Board, R. D. Straus Co.	"
Mr. Sam H. Weatherford, III P. O. Box 2345 Fort Worth, Tx. 76101	President, Metro Real Properties	"
Mr. Marshall F. Wells 3033 Wroxton Houston, Tx. 77005	Foundation Executive	"

All reappointments

Present membership is listed on following page.

NOTE: Secretary Thedford submits as additional information the present membership of the Fine Arts Foundation Advisory Council:

	<u>Term Expires</u>
Mrs. Thomas D. Anderson, Houston	1973
Mrs. Phil Bolin, Wichita Falls	1973
Mrs. R. Max Brooks, Austin	1974
Mr. Charles Clark, McAllen	1975
Mr. B. W. Crain, Jr., Longview	1974
Mrs. Trammell Crow, Dallas	1974
Miss Nina Cullinan, Houston	1974
Mrs. Ben J. Fortson, Jr., Fort Worth	1974
Mrs. Walter Foxworth, Dallas	1975
Mrs. W. St. John Garwood, Austin	1975
Mrs. Elizabeth B. Guiberson, Dallas	1975
Dr. George S. Heyer, Jr., Austin (Ph.D.)	1975
Miss Ima Hogg, Houston	1973
Miss Ann H. Holmes, Houston	1975
Mrs. Wolf E. Jessen, Austin	1973
Mrs. Albert P. Jones, Austin	1975
Mrs. Amy Freeman Lee, San Antonio	1974
Mrs. Eugene McDermott, Dallas	1974
Mrs. George S. Nalle, Austin	1975
Mrs. Alexander J. Oppenheimer, San Antonio	1975
Mr. Francis Prinz, Fort Worth	1975
Mrs. D. J. Sibley, Jr., Austin	1973
Mr. Robert D. Straus, Houston	1973
Mr. Sam H. Weatherford III, Fort Worth	1973
Mr. Marshall Wells, Houston	1973
Mrs. Wallace S. Wilson, Houston	1975

20. U. T. Austin: Recommended Nominations to Geology Foundation
Advisory Council. --

Chancellor LeMaistre concurs in the recommendation of President Spurr that the (1) eight nominees for regular term membership ending in 1976, (2) four alternates for membership, and (3) five nominees for newly created membership positions with terms ending in 1976, be approved. These five new membership positions will bring the authorized membership on this Council to thirty (30).

In accordance with the usual procedures, the complete membership of this Council will be reported for the record at a future meeting of the Board.

REQUEST FOR NOMINATIONS
Geology Foundation Advisory Council
The University of Texas at Austin

NOMINATIONS FOR FULL TERMS

<u>Name, Address</u>	<u>Business Affiliation</u>	<u>Term Ends</u>
Mr. Leslie Bowling 1417 National Bank of Commerce Bldg. New Orleans, Louisiana 70112	Independent Petroleum Geologist	1976
Mr. Ray A. Burke Union Oil Co. of California Union Oil Center 461 South Boylston Street Los Angeles, California	Senior Vice President Union Oil Company of California	1976
Mr. Rodger E. Denison Mobil Research & Development Corp. P. O. Box 900 Dallas, Texas 75221	Research Associate Mobil Research & Development Corp.	1976
Mr. Robert W. Eaton Lake Ronel Oil Company P. O. Box 179 Tyler, Texas 75701	Manager, Exploration Lake Ronel Oil Company	1976
Mr. Clement E. George 231 Western United Life Bldg. Midland, Texas 79701	Geological Consultant	1976
Mr. Jack C. Kern Chevron Oil Company The California Company Div. 1111 Tulane Avenue New Orleans, Louisiana 70112	Div. Exploration Manager Chevron Oil Company	1976
Mr. John L. Loftis, Jr. Exxon Company, USA P. O. Box 2180 Houston, Texas 77001	Vice President & Director Exxon Company, USA	1976
Mr. Roger S. Plummer, Jr. Champlin Petroleum Company P. O. Box 9365 Fort Worth, Texas 76107	President Champlin Petroleum Company	1976

NOMINATIONS FOR FULL TERMS (due to an increase in authorized membership)

<u>Name, Address</u>	<u>Business Affiliation</u>	<u>Term Ends</u>
Mr. J. W. Barbisch Quintana Petroleum Corp. 500 Jefferson Building Houston, Texas 77002	Manager of Exploration Quintana Petroleum Corp.	1976
Mr. John F. Bricker Exchange Oil & Gas Corp. 16th Floor 1010 Common Street New Orleans, Louisiana 70112	Independent Petroleum Geologist	1976
Mr. W. Kenley Clark The Superior Oil Company P. O. Box 1521 2600 First City Natl. Bank Bldg. Houston, Texas 77001	Senior Vice-President The Superior Oil Company	1976
Mr. R. W. Heggland Western Hemisphere Petroleum Corp. Continental Oil Co. P. O. Box 2197 Houston, Texas 77001	Vice President of Exploration Western Hemisphere Petroleum Corp. Continental Oil Co.	1976
Mr. M. Allen Reagan, Jr. Houston Natural Gas Corp. Houston Natural Gas Building Houston, Texas 77001	Senior Vice President Houston Natural Gas Corp.	1976

ALTERNATE NOMINATIONS (in order of preference)

<u>Name, Address</u>	<u>Business Affiliation</u>
Mr. Don Boyd 1137 600 Building Corpus Christi, Texas 78401	Independent Petroleum Geologist
Mr. W. Henry Cardwell Delmar Petroleum Inc. 710 The Main Building Houston, Texas 77002	Vice President, Exploration and Production Delmar Petroleum Inc.
Mr. William F. Reynolds J.C. and W.F. Reynolds Petroleum Co. 700 First Wichita Natl. Bank Bldg. Wichita Falls, Texas 76301	Independent Oil Producer J.C. and W.F. Reynolds Petroleum Co.
Mr. C. W. Alcorn, Jr. The Spears-Alcorn Well Service Inc. Box 3187 Houston Highway Victoria, Texas 77901	President The Spears-Alcorn Well Service Inc.

Present membership is listed on following page.

NOTE: Secretary Thedford submits as additional information the present membership of the Geology Foundation Advisory Council:

	<u>Term Expires</u>
Mr. Julius Babisak, Dallas	1974
Mr. Leslie Bowling, New Orleans, Louisiana	1973
Mr. Ray A. Burke, Los Angeles, California	1973
Mr. J. Ben Carsey, Houston	1975
Mr. George H. Coates, San Antonio - dead -	1974
Mr. Morgan J. Davis, Houston	1975
Mr. Rodger E. Denison, Dallas	1973
Mr. Robert W. Eaton, Tyler	1973
Mr. Clem E. George, Midland	1973
Dr. George R. Gibson, Midland	1974
Mr. William E. Gipson, Houston	1975
Mr. Jack C. Kern, New Orleans, Louisiana	1973
Mr. Jack K. Larsen, Amarillo	1975
Mr. John L. Loftis, Jr., Houston	1973
Mr. Frank W. Michaux, Houston	1975
Mr. Holland C. McCarver, Houston	1974
Mr. James R. Moffett, New Orleans, Louisiana	1975
Mr. John D. Moody, New York, New York	1975
Mr. O. Scott Petty, Jr., San Antonio	1975
Mr. Roger S. Plummer, Jr., Fort Worth	1973
Mr. Wilton E. Scott, Houston	1974
Mr. Edd R. Turner, Jr., Houston	1974

*Chas. Coates
successor*

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21. U. T. Austin: Recommendation to Establish the Graduate School of Library Science Foundation Advisory Council and to Make Nominations Thereto. --

Chancellor LeMaistre concurs in the recommendation of President Spurr that the Graduate School of Library Science be authorized to initiate an advisory council in furtherance of the programs of that School and requests regental approval for this advisory council.

Chancellor LeMaistre also concurs in President Spurr's recommendations for nominees and alternates to the Graduate School of Library Science Foundation Advisory Council and requests approval of the nominees set forth below.

In accordance with routine procedures, following acceptance of the nomination the complete membership of this Advisory Council will be reported for the record.

NOMINATIONS FOR TERMS AS SHOWN

<u>Name, Address</u>	<u>Business Affiliation</u>	<u>Term Ends</u>
✓ Mrs. Lillian Bradshaw Director Dallas Public Library 1954 Commerce Street Dallas, Texas 75201	Dallas Public Library	1975
✓ Mrs. Phyllis Burson, Director LaRetama Public Library 505 North Mesquite Street Corpus Christi, Texas	Corpus Christi Public Library	1974
✓ Mrs. H. E. Butt, Jr. c/o The H. E. Butt Foundation The United Savings Building Corpus Christi, Texas 77711	Library Trustee	1975
✓ Mr. David Hennington, Director Houston Public Library 500 McKinney Avenue Houston, Texas 77002	Houston Public Library	1974
✓ Mrs. William P. Hobby State Capitol Austin, Texas 78711	Chairman, National Library Week in Texas	1975
✓ Mr. Ray Janeway, Dean of Library Services Texas Tech University Complex P. O. Box 4079 Lubbock, Texas 79409	Texas Tech	1976
✓ Mr. C. A. Mitts, III Vice-President Continental National Bank Fort Worth, Texas 77002	Banker, investments	1976
✓ Dr. Dorman Winfrey (Ph.D.) Librarian Texas State Library Texas Archives and Library Building 1201 Brazos Street Box 12927, Capitol Station Austin, Texas 78711	Texas State Library	1974

ALTERNATE NOMINATIONS (in order of preference)

<u>Name, Address</u>	<u>Business Affiliation</u>
Mr. Richard O'Keefe, Director Rice University Library 6100 South Main Street Box 1892 Houston, Texas 77001	Rice University
Mr. Victor Jeffress, Librarian McLennan Community College Library 1400 College Drive Waco, Texas 76708	McLennan Community College, GSLS alumnus
Mr. Dechard Turner, Librarian Perkins School of Theology Southern Methodist University Dallas, Texas 75222	Southern Methodist University
Mr. Harry J. Middleton, Director Lyndon B. Johnson Library 2313 Red River Austin, Texas 78705	Lyndon B. Johnson Library
Dr. Robert R. Douglass (Ph.D.) Professor Emeritus of Library Science 6701 Circle S Road Austin, Texas 78745	Retired dean

22. U. T. Austin (McDonald Observatory): Recommended Nominations to McDonald Observatory Advisory Council. --

Chancellor LeMaistre concurs in the recommendation of President Spurr that the individuals listed below, five for terms ending in 1976 and one alternate, be approved as nominees to the McDonald Observatory Advisory Council.

Following approval of these nominees, and the completion of the Council membership, the complete membership of the Council will be reported for the record at a future meeting of the Board.

NOMINATIONS FOR FULL TERMS (within existing membership limits)

<u>Name, Address</u>	<u>Business Affiliation</u>	<u>Term Ends</u>
✓ Mr. Cecil H. Green P. O. Box 5474 Dallas, Texas 75222	Investments	1976
Mr. James Kaster State Representative State National Bank Plaza El Paso, Texas 79925	Politics	1976
Mr. Curtis T. Vaughan 248 Geneseo Rd. San Antonio, Texas 78209	Business man and Amateur Astronomer	1976
Mrs. Wm. R. Lloyd, Jr. 5 Pine Forest Circle Houston, Texas 77027	Foundation Executive	1976
✓ Mr. C. C. Cowell, Jr. Ft. Davis State Bank Ft. Davis, Texas 79734	Banker	1976

ALTERNATE NOMINATIONS

<u>Name, Address</u>	<u>Business Affiliation</u>
Mr. Richard Lane* c/o G. McDonald Real Estate 5406-1/2 Parkcrest Austin, Texas 78731	Real Estate

*Presently a member - to continue for one more year should one of nominees refuse.

23. U. T. Austin: Recommended Nominations to Pharmaceutical Foundation Advisory Council. --

Chancellor LeMaistre concurs in the recommendation of President Spurr that the nominees set forth below to the Pharmaceutical Foundation Advisory Council be approved.

The list includes eight alternates in order of preference who would be utilized in the event that one of the primary nominees elects not to serve, or to fill unexpired terms which occur during the year.

Following acceptance of the position by these nominees, the full membership of this Advisory Council will be reported for the record.

NOMINATIONS FOR FULL TERMS (within existing membership limits)

<u>Name, Address</u>	<u>Business Affiliation</u>	<u>Term Ends</u>
*Mr. Henry Ashworth 7900 Westheimer, Apt. 113 Houston, Texas 77042	Registered pharmacist	1976
*Mr. Robert J. Epperson Vice President-Gen. Mgr. Truett Laboratories Division Southwestern Drug Corporation 13450 Harry Hines Dallas, Texas 75234	Drug research	1976
*Mr. Glenn Smith Vice President Behrens Inc. 219 South 4th Waco, Texas 76703	Wholesale drugs	1976
*Mr. Eugene L. Vykukal Vice President-Dir. of Sales Southwestern Drug Corporation P. O. Box 6099 Dallas, Texas 75222	Wholesale drugs	1976
*Mr. Lonnie J. Yarbrough Yarbrough's Professional Pharmacy 117 Piner Street Denton, Texas 76201	Community pharmacist	1976
Mr. J. Adan Trevina Amex Pharmacy 3030 Canal Street Houston, Texas 77003	Community pharmacist	1976

*Renomination

NOMINATIONS FOR FULL TERMS (due to an increase in authorized membership)

<u>Name, Address</u>	<u>Business Affiliation</u>	<u>Term Ends</u>
Mr. Tim L. Vordenbaumen, Sr. Apothecary Shop 323 Navarro Street San Antonio, Texas 78205	Community pharmacist	1976
Mr. Gus Steenken Gus's Drug Store P. O. Box 490 Georgetown, Texas 78626	Community pharmacist	1976

ALTERNATE NOMINATIONS (in order of preference)

<u>Name, Address</u>	<u>Business Affiliation</u>
Mr. Jan M. Klinck 721 BC Avenue McAllen, Texas 78501	Chain pharmacy
Mr. Jim Allen, Jr. 3106 Stardust Austin, Texas 78757	Chain pharmacy
Mr. Bill Pittman Hospital Pharmacy 6700 Elmhurst Amarillo, Texas 79106	Registered pharmacist
Mr. Lloyd McGrew P. O. Box 270 Cisco, Texas 76437	Community pharmacist
Mr. W. E. (Bill) Yeager Frankston Drug P. O. Box 8 Frankston, Texas 75763	Community pharmacist
Mr. Jim Bates 501 Denise Marshall, Texas 75670	Community pharmacist
Mr. David Adlof 201 Ferris Avenue Waxahachie, Texas 75165	Community pharmacist
Mr. W. J. (Bill) Edwards Edwards Pharmacy P. O. Box 2050 Galveston, Texas 77550	Community pharmacist

Present membership is listed on following page.

NOTE: Secretary Thedford submits as additional information the present membership of the Pharmaceutical Foundation Advisory Council:

	<u>Term Expires</u>
Mr. Curtis M. Armstrong, San Antonio	1974
Mr. Henry Ashworth, Houston	1973
Mr. Harry H. Brusenhan, San Antonio	1974
Mr. Robert J. Epperson, Dallas	1973
Mr. Ralph L. Good, Jr., Tyler	1975
Mr. Wayne A. Gound, Dallas	1975
Mr. Thomas W. Hawkins, Austin	1974
Mr. Charles R. Henry, Dallas	1974
Dr. William R. Lloyd, San Antonio (Ph.D.)	1974
Mr. Noel Martinez, McAllen	1974
Mr. Leslie H. Muenzler, Victoria	1975
Mrs. Hazel M. Pipkin, Bryan	1975
Mr. Joy Riddle, Lubbock	1973
Mr. Russell L. Seitz, San Angelo	1975
Mr. Glenn Smith, Waco	1973
Mr. Paul F. Trantham, Sr., Fort Worth	1974
Mr. Eugene C. Volcik, Austin	1975
Mr. Eugene L. Vykukal, Dallas	1973
Mr. Lonnie J. Yarbrough, Denton	1973

24. U. T. Austin: Recommended Nominations to School of Social Work Foundation Advisory Council. --

Chancellor LeMaistre concurs in the recommendation of President Spurr that the nominees set forth below to the Social Work Foundation Advisory Council be approved.

The list includes five alternates in order of preference who would be utilized in the event that one of the primary nominees elects not to serve, or to fill vacancies which may occur during the year.

Following acceptance of the position by these nominees, the complete membership of this Advisory Council will be reported for the record.

NOMINATIONS FOR FULL TERMS (within existing membership limits)

<u>Name, Address</u>	<u>Business Affiliation</u>	<u>Term Ends</u>
Mrs. Marjie Barrett 1306-A North 43rd St. Waco, Texas 76710	Social Work Consultant	1976
Miss Lasca Fortassain Planning Director Community Welfare Council Suite 532, Three Americas Building 118 Broadway San Antonio, Texas 78205	Community Welfare Council	1976
Mr. Walter H. Richter Executive Assistant Texas Electric Co-ops, Inc. 18140 Burnet Road Austin, Texas 78759	Texas Electric Co-ops, Inc.	1976
Dr. Robert L. Sutherland Executive Associate The Hogg Foundation for Mental Health The University of Texas at Austin Austin, Texas 78712	The Hogg Foundation for Mental Health	1976
Mr. A. Fred Swearingen Senior Minister The Parkway Presbyterian Church Post Office Box 6333 Corpus Christi, Texas 78411	Minister	1976
*Mrs. William Hobby 6300 Belo Horizonte Circle Austin, Texas 78731	Civic Leader	1976

*New appointee

ALTERNATE NOMINATIONS (in order of preference)

<u>Name, Address</u>	<u>Business Affiliation</u>
Mr. James Harvey Route 8, Box 274F Austin, Texas 78704	Department of Public Welfare
Mrs. Zenobia Bedford V.A. Hospital 2002 Hokombe Boulevard Houston, Texas 77025	V.A. Hospital
Mrs. Juanita Delaney Route #3, Box 358A Tyler, Texas 75701	Department of Public Welfare
Mr. Fred Souflee, Director Chicano Training Center, Inc. 3520 Montrose, Suite 216 Houston, Texas 77006	Social Work Education
Mr. Charles Wright, Director Texas Baptist Children's Home Round Rock, Texas 78664	Texas Baptist Children's Home

NOTE: Secretary Thedford submits as additional information the present membership of the School of Social Work Foundation Advisory Council:

	<u>Term Expires</u>
Mrs. Robert Ayres, Jr., San Antonio	1975
Mrs. Marjie Barrett, Waco	1973
Mrs. E. J. Burke, Jr., San Antonio	1974
Mr. Cecil E. Burney, Corpus Christi	1975
Mrs. Kenneth A. Covell, Fort Worth	1975
Mr. Ross Forney, Dallas	1974
Miss Lasca Fortassain, San Antonio	1973
The Honorable Charles F. Herring, Austin	1975
Mr. Bert Holmes, Dallas	1975
Mrs. Kelly E. McAdams, Austin	1973
Mrs. Roy E. McDermott, Fort Worth	1974
Mr. Edward Protz, Galveston	1974
Mr. Bernard Rapoport, Waco	1974
Mr. Walter H. Richter, Austin	1973
Mr. A. Fred Swearingen, Corpus Christi	1973
Dr. Robert L. Sutherland, Austin	1973
Mr. Larry E. Temple, Austin	1974
Mr. Raymond Vowell, Austin	1975

25. U. T. Dallas: Recommended Nominees to Development Board. --

Chancellor LeMaistre concurs in the recommendation of President Jordan that the nominees set forth below to the Development Board of The University of Texas at Dallas be approved.

The list includes thirteen alternates in order of preference who would be utilized in the event that one of the primary nominees elects not to serve, or to fill unexpired terms which occur during the year.

In accordance with routine procedures, following acceptance of the nomination the complete membership of this development board will be reported for the record.

NOMINATIONS FOR REGULAR TERMS (within existing membership limits)

<u>Name, Address</u>	<u>Business Affiliation</u>	<u>Term Ends</u>
*Mr. Clifton W. Cassidy, Jr. Chairman of the Board Richardson Savings and Loan Association Richardson Savings Bldg. Richardson, Texas 75080	Richardson Savings & Loan	1976
*Mr. A. I. Davies Vice President Southwestern Territory Sears, Roebuck and Company 1409-1509 South Lamar Dallas, Texas 75215	Sears, Roebuck & Co.	1976
*Mr. Sol Goodell Thompson, Knight, Simmons & Bullion Republic National Bank Bldg. Dallas, Texas 75201	Attorney	1976
*Mr. Robert E. Hollingsworth Administrative Assistant The Dallas Times Herald Herald Square Dallas, Texas 75202	Dallas Times Herald	1976
*Mr. Gifford K. Johnson President American Biomedical Corporation P. O. Box 6113 Dallas, Texas 75222	American Biomedical Corp.	1976
*Mr. James W. Keay President Republic National Bank of Dallas P. O. Box 5961 Dallas, Texas 75222	Republic National Bank	1976
*Mr. C. J. Thomsen Vice President Texas Instruments Incorporated P. O. Box 5474, MS 233 Dallas, Texas 75222	Texas Instruments Incorporated	1976

*Reappointments

NOMINATIONS FOR UNEXPIRED TERMS

<u>Name, Address</u>	<u>Business Affiliation</u>	<u>Term Ends</u>
Mr. Leland S. Turner, Jr. President Dallas Power & Light Company 1506 Commerce Dallas, Texas 75201	Dallas Power & Light Co.	1974
Mr. Avery Mays President Avery Mays Construction Co. P. O. Box 35612 Dallas, Texas 75235	Avery Mays Construction Co.	1975

ALTERNATE NOMINATIONS (in order of preference)

<u>Name, Address</u>	<u>Business Affiliation</u>
Mr. John Lawrence - <i>full member</i> Chairman Dresser Industries, Inc. P. O. Box 718 Dallas, Texas 75221	Dresser Industries, Inc.
Mr. Mike A. Myers 830 Republic National Bank Bldg. Dallas, Texas 75201	Attorney
Mr. Roland Boyd Boyd, Veigel & Gay 218 East Louisiana McKinney, Texas 75069	Attorney
Mr. Nathaniel A. Owings 1 Maritime Plaza San Francisco, California 94101	Architect
Mr. Wm. J. (Bill) Moyers 360 East 72nd Street New York, New York 10021	PBS - Television
Mrs. Walter L. (Carolyn) Foxworth 7047 Elmridge Drive Dallas, Texas 75240	Housewife (Husband) Foxworth-Galbraith Lumber Co.

ALTERNATE NOMINATIONS (in order of preference) -- (Continued)

<u>Name, Address</u>	<u>Business Affiliation</u>
Mr. Thomas C. Unis Strasburger, Price, Kelton, Martin & Unis 1200 One Main Place Dallas, Texas 75250	Attorney
Mr. Peter J. O'Donnell, Jr. 4275 First National Bank Bldg. Dallas, Texas 75202	Investments
Mr. W. C. McCord President Lone Star Gas Company 301 South Harwood Dallas, Texas 75201	Lone Star Gas Company
Mr. W. W. Dillard William Dillard and Associates Mockingbird Tower East 1241 West Mockingbird, Suite 12E Dallas, Texas 75247	Land Developers
Mr. Charles T. Bush, Jr. P. O. Box K Athens, Texas 75751	Red Dot Buildings, Memorial Park, and Rancher
Mr. H. S. Billingsley Chairman Dr. Pepper Company 5523 East Mockingbird Lane Dallas, Texas 75206	Dr. Pepper Company
Mr. Kenneth R. Terry President First Bank and Trust P. O. Box 827 Richardson, Texas 75080	First Bank & Trust of Richardson

Present membership is listed on following page.

NOTE: Secretary Thedford submits as additional information the present membership of the U. T. Dallas Development Board:

	<u>Term Expires</u>
Mr. J. Fred Bucy, Dallas	1975
Mr. Clifton W. Cassidy, Jr., Richardson	1973
Mr. Robert L. Cattoi, Richardson	1974
Mr. A. Earl Cullum, Jr., Dallas	1974
Mr. Alfred I. Davies, Dallas	1973
Mr. Sol Goodell, Dallas	1973
Mr. James B. Goodson, Dallas	1975
Mr. Morris Hite, Dallas	1975
Mr. Robert Hollingsworth, Dallas	1973
Mr. Gifford K. Johnson, Dallas	1973
Mrs. John Leddy Jones, Dallas	1975
Mr. Philip R. Jonsson, Dallas	1975
Mr. James W. Keay, Dallas	1973
Mr. Jack B. Krueger, Dallas	1974
Mr. Mark Martin, Dallas	1975
Mr. Jerry P. Owens, Richardson	1974
Mr. Charles A. Raper, Dallas	1975
Mr. James M. Spellings, Dallas	1974
Mrs. Theodore H. Strauss, Dallas	1974
Mr. Jere W. Thompson, Dallas	1974
Mr. C. J. Thomsen, Dallas	1973
Mr. Miles Woodall, Jr., Richardson	1974
Mr. Warren Woodward, Dallas	1975

26. U. T. El Paso: Recommended Nominations to Development Board. --

Chancellor LeMaistre concurs in the recommendation of President Templeton that the nominees set forth below to the Development Board of The University of Texas at El Paso be approved.

The list includes five alternates in order of preference who would be utilized in case one of the primary nominees elects not to serve, or to fill vacancies which may occur during the year.

In accordance with routine procedures, following acceptance of the nomination, the complete membership of this development board will be reported for the record.

NOMINATIONS FOR FULL TERMS

<u>Name, Address</u>	<u>Business Affiliation</u>	<u>Term Ends</u>
* Mr. Richard N. Azar Dickshire-Coors 203 Chelsea El Paso, Texas 79905	President, Dickshire-Coors	1976
** Mr. Marion S. Bell Phelps Dodge Refinery Corp. P. O. Box 20001 El Paso, Texas 79998	Vice-President, Phelps Dodge	1976
** Dr. Gordon L. Black, M. D. Bldg. 2, El Paso Medical Center 1501 Arizona Avenue El Paso, Texas 79902	Private practice	1976
** Mr. Jack V. Curlin Price's El Paso Dairy P. O. Box 3008 El Paso, Texas 79923	Business manager, Robert Price's Dairy Enterprises	1976
* Mr. William H. Gardner Mountain Bell P. O. Box 2010 El Paso, Texas 79999	Vice-President, Mountain Bell	1976
* Mr. Robert E. Goodman Goodman, Hallmark and Akard Suite 13A El Paso National Bank Bldg. El Paso, Texas 79901	Attorney and partner, Goodman, Hallmark & Akard	1976
* Mr. Robert C. Heasley Lincoln National Life Insurance Co. 4529 Montana Avenue El Paso, Texas 79903	General Agent and Manager, Lincoln National Life Insurance Company	1976
* Mr. Fred Hervey Fred Hervey Interests P. O. Box 20888 El Paso, Texas 79998	Chairman of the Board, Circle K Corporation & Mayor of El Paso	1976

NOMINATIONS FOR FULL TERMS (CONTINUED)

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<u>Name, Address</u>	<u>Business Affiliation</u>	<u>Term Ends</u>
** Mr. Louis B. McKee Robert E. McKee, Inc. P. O. Box 20562 El Paso, Texas 79999	Executive Vice-President Robert E. McKee, Inc.	1976
* Mr. L. A. Miller M & M Refrigeration Supply Co. P. O. Box 3604 El Paso, Texas 79923	Chairman of the Board, M & M Refrigeration Supply Co.	1976
* Mr. Tad R. Smith Kemp, Smith, White, Duncan and Hammond 2000 State National Plaza El Paso, Texas 79901	Attorney and partner, Kemp, Smith, White, Duncan and Hammond	1976
* Reappointments		
** New Appointments		

ALTERNATE NOMINATIONS (in order of preference)

<u>Name, Address</u>	<u>Business Affiliation</u>
Mr. Charles C. Gaither Citizens State Bank of Ysleta P. O. Box 17578 El Paso, Texas 79917	Chairman of the Board, Citizens State Bank of Ysleta
Mr. Bates M. Belk Edwards, Belk, Hunter and Kerr 2nd Floor Bassett Tower El Paso, Texas 79901	Attorney and partner, Edwards, Belk, Hunter and Kerr
Mr. Leonard A. Goodman, Jr. John Hancock Mutual Life Ins. Co. 433 Executive Center El Paso, Texas 79902	General Agent and manager, John Hancock Mutual Life Ins. Co.
Mr. W. H. Orme-Johnson, Jr. El Paso Machine and Steel Works P. O. Box 9397 El Paso, Texas 79984	President, El Paso Machine and Steel Works
Mr. William C. Peticolas Peticolas, Luscombe, Stephens and Windle Suite 12E El Paso Nat'l Bank Bldg. El Paso, Texas 79901	Attorney and partner, Peticolas, Luscombe, Stephens and Windle

Present membership is listed on following page.

NOTE: Secretary Thedford submits as additional information the present membership of the U. T. El Paso Development Board:

	<u>Term Expires</u>
Eugenio A. Aguilar, D.D.S., El Paso	1974
Mr. Richard Azar, El Paso	1973
Mr. Charles H. Foster, El Paso	1974
Mr. Hugh K. Frederick, Jr., El Paso	1975
Mr. William Gardner, El Paso	1973
Mr. Robert H. Given, El Paso	1975
Mr. Robert Goodman, El Paso	1973
Mr. William B. Hardie, El Paso	1973
Mr. Robert Heasley, El Paso	1973
Mr. Fred Hervey, El Paso	1973
Mr. George V. Janzen, El Paso	1975
Mr. B. Glen Jordan, El Paso	1975
Mr. Ted Karam, El Paso	1975
Mr. Dennis H. Lane, El Paso	1974
Mr. C. H. Leavell, El Paso	1974
Mr. John MacGuire, El Paso	1973
Mr. George Matkin, El Paso	1974
Mr. L. A. Miller, El Paso	1973
Mr. Jose G. Santos, El Paso	1974
Mr. Fred D. Schneider, El Paso	1974
Mr. Edward Schwartz, El Paso	1974
Mr. Tad Smith, El Paso	1973
Mr. Lewis K. Thompson, El Paso	1973
Mr. W. B. Warren, El Paso	1973
Mr. Sam D. Young, Jr., El Paso	1975

27. Galveston Medical Branch: Recommended Nominations to Development Board. --

Chancellor LeMaistre concurs in the recommendation of President Blocker that those individuals listed below be approved as nominees to The University of Texas Medical Branch at Galveston Development Board for the terms indicated. No alternates have been recommended, and President Blocker and the administrative officer responsible for the Development Board are aware that if vacancies occur during the year they will not be filled until the appropriate time next year. Acceptance by all of these nominees would increase the membership from 19 to 21.

Following acceptance of the position by the nominees, the full membership of this Development Board will be reported for the record.

NOMINATIONS FOR FULL TERMS

<u>NAME/ADDRESS</u>	<u>BUSINESS</u>	<u>TERM ENDS</u>
George Valter Brindley, Jr., M. D. Scott & White Clinic Temple, Texas 76501	Administrator, Scott & White Clinic	1976
*Van D. Goodall, M. D. 110 North Avenue F Clifton, Texas 76634	Private Practice	1976
*Jesse B. Heath, M. D. 404 North Madison Madisonville, Texas 77864	Private Practice	1976
Denton Kerr, M. D. 6436 Fannin Houston, Texas 77025	Private Practice	1976
T. C. Lewis, Jr., M. D. P.O. Box 1192 Sherman, Texas 75090	Private Practice	1976
*C. M. Phillips, M. D. Box 817 Levelland, Texas 79336	Private Practice	1976
*Mr. Preston Shirley 4602 Sherman Galveston, Texas 77550	Attorney	1976
* Courtney M. Townsend, M. D. Box 10 Paris, Texas 75460	Private Practice	1976
*Mr. John M. Winterbotham Bank of the Southwest Bldg. Houston, Texas	Stocks & Investments	1976

*Reappointments

Present membership is listed on following page.

NOTE: Secretary Thedford submits as additional information the present membership of the Galveston Medical Branch Development Board:

	<u>Term Expires</u>
Mr. Carl R. Byard, Galveston	1975
H. Frank Connally, Jr., M.D., Waco	1975
McIver Furman, M.D., Corpus Christi	1975
Van D. Goodall, M.D., Clifton	1973
Walter F. Hasskarl, M.D., Brenham	1974
Jesse B. Heath, M.D., Madisonville	1973
Mr. Rai Kelso, Galveston	1975
Mr. Harris Kempner, Galveston	1974
Robert W. Kimbro, M.D., Cleburne	1975
Mr. W. L. Moody, IV, Galveston	1974
C. M. Phillips, M.D., Levelland	1973
Mrs. Edward Randall, Jr., Galveston	1975
Harvey Renger, M.D., Hallettsville	1975
William Seybold, M.D., Houston	1974
Mr. Preston Shirley, Galveston	1973
Courtney M. Townsend, M.D., Paris	1973
Jim M. Vaughn, M.D., Tyler	1975
Mr. John M. Winterbotham, Houston	1973
Mr. Sam P. Woodson, Jr., Fort Worth	1974

29. University Cancer Center (M. D. Anderson): Recommended Nominations to Board of Visitors of University Cancer Foundation. --

Chancellor LeMaistre concurs in the recommendation of President Clark that the following nominees for membership on the Board of Visitors of The University Cancer Foundation be approved. The list is set forth in the following categories:

- (1) Renominations for new terms (three)
- (2) New appointments for terms, originally approved as alternates by the Board of Regents in 1972 (three)
- (3) Nominees for Alternate Status (six) from which, in addition to the usual purposes of replacing those who decline to serve or to fill interim vacancies, two unexpired terms will be filled. (Mr. David Searls for 1975 and Mr. Allan Shivers for 1975)

In accordance with routine procedures, following acceptance of the nomination the complete membership of this Board of Visitors will be reported for the record.

<u>Name, Address</u>	<u>Business Affiliation</u>	<u>Term Ends</u>
(Presently on Board -- Re-Appointments:)		
1. Mr. Hub Hill 2101 Mercantile Bank Bldg. Dallas, Texas 75201	Investments	1976
2. Mr. Leroy Jeffers 2010 First City Nat'l Bank Bldg. Houston, Texas 77002	Attorney	1976
3. Mr. Robert Mosbacher 1300 Main Street Houston, Texas 77002	Independent Oil Operator	1976
(Pool Previously Approved by the Board of Regents:)		
1. Mr. Paul Barnhart 3358 Inwood Houston, Texas 77019	Independent Oil Operator	1976
2. Mrs. H. M. Crosswell, Jr. 3756 Knollwood Houston, Texas 77019	Housewife	1976
3. Mr. V. F. "Doc" Neuhaus Brownsville, Texas	Financier	1976
(Nominations for the Pool -- Being Submitted to the Board of Regents at This Time:)		
1. Mr. Ernest Deal President, Fannin Bank Houston, Texas	Banker	
2. Mrs. Margaret Bowdle Wichita Falls, Texas	Independent Oil Operator	

<u>Name, Address</u>	<u>Business Affiliation</u>	<u>Term Ends</u>
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(-- continuation of Nominations for the Pool -- Being Submitted At This Time:)

- | | | |
|--|--------------------------|--|
| 3. Mr. Lester Clark
Breckenridge, Texas | Independent Oil Operator | |
| 4. Mrs. Lyde Devall
Kilgore, Texas | Publisher | |
| 5. Mr. Ben F. Love
President, Texas Commerce Bank
P. O. Box 2558
Houston, Texas 77001 | Banker | |
| 6. Mrs. Margaret Tobin
340 Terrell Road
San Antonio, Texas | Investments | |

NOTE: Secretary Thedford submits as additional information the present membership of the University Cancer Foundation Board of Visitors:

	<u>Term Expires</u>
Mr. Thomas D. Anderson, Houston	1974
Mr. Hines H. Baker, Houston	1974
Mr. Warren S. Bellows, Jr., Houston	1974
Mr. Benjamin L. Bird, Fort Worth	1974
Mr. Mac O. Boring, Jr., Odessa	1975
Mrs. Ernest Cockrell, Jr., Houston	1975
Mr. John S. Dunn, Sr., Houston	1975
Mr. Fred Erisman, Longview	1973
Mr. Hub Hill, Dallas	1973
Mr. Leroy Jeffers, Houston	1973
Mr. Radcliffe Killam, Laredo	1975
Mr. George H. Landreth, Midland	1973
Mr. Charles H. Leavell, El Paso	1974
Mrs. John A. Matthews, Abilene	1973
Mr. William L. Moody, IV, Galveston	1975
Mr. Jack R. Morrison, Victoria	1974
Mr. Robert Mosbacher, Houston	1973
Mrs. Corbin J. Robertson, Houston	1974
Mr. Nat S. Rogers, Houston	1974
Mr. David T. Searls, Sr., Houston	1975
Mr. Dudley C. Sharp, Sr., Houston	1975
Mr. Allan Shivers, Austin	1975
Mr. Ernest L. (Pete) Wehner, Houston	1975
Mr. James A. Whittenburg, III, Amarillo	1974

30. System Nursing School: Recommended Nominations to System School of Nursing Development Board. --

Chancellor LeMaistre concurs in the request of President Willman that the individuals set forth below be approved as nominees to the System School of Nursing Development Board. Of the five nominated for alternate status, only one is new. The other four were approved for alternate status in 1972.

In accordance with routine procedures, following acceptance of the nomination the complete membership of this development board will be reported for the record.

NOMINATIONS FOR FULL TERMS

<u>Name, Address</u>	<u>Business Affiliation</u>	<u>Term Ends</u>
Mr. Sterling Steves ✓ Fort Worth Club Building Suite 524 Fort Worth, Texas 76102	Steves, Morgan, and Bodoin Attorneys at Law	1976
Mrs. Harris L. Kempner, Jr. ✓ 2633 Gerol Drive Galveston, Texas 77550	Civic Leader	1976
Mrs. Jeanette Rockefeller ✓ 2502 Canterbury Lane E Seattle, Washington 98112	Civic Leader	1976
Mr. Roderic M. Bell ✓ Presbyterian Hospital of Dallas 8200 Walnut Hill Lane Dallas, Texas 75231	Administrator Presbyterian Hospital of Dallas	1976
Mrs. Presley E. Werlein, Jr. ✓ 3221 Avalon Houston, Texas 77019	Civic Leader	1976
Mr. E.A. Stumpf ✓ 4 Powder Horn Lane Houston, Texas 77024	Maryland American General Insurance Company	1976

ALTERNATE NOMINATIONS

<u>Name, Address</u>	<u>Business Affiliation</u>
Mrs. Joe Christie 6800 Westside Drive El Paso, Texas 79932	Civic Leader
Mrs. Garland Lasater La Mota Falfurrias, Texas	Civic Leader

ALTERNATE NOMINATIONS (Continued)

<u>Name, Address</u>	<u>Business Affiliation</u>
Mr. Will Mann Richardson 922 S. College Street Tyler, Texas	Attorney
Mr. Frank Yturria Suite 500 Boca Chica Tower 2100 Boca Chica Boulevard Brownsville, Texas 78520	Banker, Rancher
Mr. Willard E. Walbridge* 3460 Piping Rock Lane Houston, Texas 77027	Capital Cities Broadcasting Corporation

*Mr. Walbridge is to be fifth alternate in addition to the four above which were approved in July, 1972.

NOTE: Secretary Thedford submits as additional information the present membership of the System School of Nursing Development Board:

	<u>Term Expires</u>
Mr. John B. Armstrong, Kingsville	1975
Mr. Richard Azar, El Paso	1974
Mr. Jerry Bell, Austin	1973
Mr. J. E. Connally, Abilene	1975
Mrs. Richard T. Davis, San Antonio	1973
Mrs. Lena E. Finke, Anahuac	1973
Mr. Russell H. Fish, Jr., Austin	1975
Miss Ellanor A. Fondren, Houston	1974
Mr. Arthur I. Ginsburg, Fort Worth	1974
Max E. Johnson, M.D., San Antonio	1975
Mr. Ike S. Kampmann, Jr., San Antonio	1975
Sister Virginia Kingsbury, Chicago, Illinois	1973
Mr. Dudley D. McCalla, Austin	1974
Mr. Tom E. Nelson, Jr., Austin	1973
Mrs. Patrick J. Nugent, Austin	1975
Mrs. Henry B. Palmer, Austin	1974
Mrs. Albert F. Vickers, Austin	1974
Mrs. Ovid Youngblood, Waco	1973