



**AGENDA  
SPECIAL CALLED TELEPHONE MEETING  
of  
THE UNIVERSITY OF TEXAS SYSTEM  
BOARD OF REGENTS**

**March 27, 2015**  
Austin, Texas

CONVENE THE BOARD IN OPEN SESSION TO RECESS TO EXECUTIVE SESSION PURSUANT TO *TEXAS GOVERNMENT CODE*, CHAPTER 551

*8:30 a.m.*

1. Personnel Matters Relating to Appointment, Employment, Evaluation, Assignment, Duties, Discipline, or Dismissal of Officers or Employees – Section 551.074
  - a. **U. T. Austin: Discussion and appropriate action regarding individual personnel matters related to the presidential search, including possible naming of finalist(s)**
  - b. **U. T. System: Discussion and appropriate action regarding individual personnel matters relating to appointment, employment, evaluation, compensation, assignment, and duties of presidents (academic and health institutions), U. T. System Administration officers (Executive Vice Chancellors and Vice Chancellors), other officers reporting directly to the Board (Chancellor, General Counsel to the Board, and Chief Audit Executive), and U. T. System and institutional employees**
  - c. **U. T. System Board of Regents: Discussion regarding individual personnel matters associated with the organization of the Board of Regents and the election of officers**
2. Consultation with Attorney Regarding Legal Matters or Pending and/or Contemplated Litigation or Settlement Offers – Section 551.071
  - a. **U. T. System Board of Regents: Discussion with Counsel on pending legal issues**
  - b. **U. T. System Board of Regents: Discussion and possible appropriate action related to legal issues concerning proposed legislation relating to the governance of public institutions of higher education in the State of Texas, including Senate Bill 177**

RECONVENE IN OPEN SESSION TO CONSIDER ACTION, IF ANY, ON EXECUTIVE SESSION ITEMS AND TO CONSIDER AGENDA ITEMS

*9:45 a.m.  
approximately*

1. **U. T. System Board of Regents: Possible election of Board Officers** **Action**
2. **U. T. System Board of Regents: Approval of Consent Agenda** **Action**

**Page 3**

Specific Use Agreement - **U. T. Tyler:** Authorization to negotiate and execute a specific use agreement to grant the nonexclusive use of the Bob and Mary Irwin Baseball Field and associated facilities to Strategic Baseball Ventures of Texas, LLC

3. **U. T. System Board of Regents: Discussion and possible appropriate action related to proposed legislation relating to the governance of public institutions of higher education in the State of Texas, including Senate Bill 177**

**Action**

ADJOURN

*10:00 a.m.  
approximately*

2. **U. T. System Board of Regents: Approval of Consent Agenda**

RECOMMENDATION

The Board will be asked to approve the Consent Agenda item located under the Consent Agenda tab.



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

**Special Called Board Meeting:**

March 27, 2015

Austin, Texas

Specific Use Agreement - U. T. Tyler: Authorization to negotiate and execute a specific use agreement to grant the nonexclusive use of the Bob and Mary Irwin Baseball Field and associated facilities to Strategic Baseball Ventures of Texas, LLC

The Bob and Mary Irwin Baseball Field at U. T. Tyler has been designated by the institution as a special use facility. Regents' *Rules and Regulations*, Rule 80106, regarding Special Use Facilities, allows the use of such facilities by external groups and requires that rates for use must ensure recovery of the operating cost of the facility attributable directly or indirectly to such use. The Rule requires that funds collected by the user in excess of the actual cost of the event must be remitted to the institution unless the Board permits an exception by authorization of a specific use agreement.

U. T. Tyler has determined that the proposed use is of benefit to the institution as it will bring the Tyler community, including prospective students, to the campus. In addition, U. T. Tyler will receive funds to cover facility expenses, as well as additional revenue during a time when the facilities are not otherwise in use. Accordingly, U. T. Tyler requests authorization to negotiate and execute a specific use agreement to allow Strategic Baseball Ventures of Texas, LLC, to retain a portion of revenues generated during home games of the East Texas Pump Jacks baseball team held at the facilities, upon review and approval by the U. T. System Office of Academic Affairs, the U. T. System Office of General Counsel, and the U. T. System Real Estate Office.

TRANSACTION SUMMARY

- Institution: U. T. Tyler
- Type of Transaction: Specific Use Agreement granting nonexclusive use of baseball field and associated facilities
- Facilities: The Bob and Mary Irwin Baseball Field and associated facilities of the U. T. Tyler ballpark located on the U. T. Tyler campus. The facilities shall include common areas of the U. T. Tyler ballpark shared by the baseball and softball fields, and specified adjacent parking lots.

- Agency: Strategic Baseball Ventures of Texas, LLC, a Texas limited liability company
- Fees: Approximately \$15,000 (\$500 per game) for the initial use period. If the parties extend the agreement, the fee will escalate at a rate of 3% annually. Strategic Baseball Ventures of Texas shall also pay to U. T. Tyler approximately \$12,200 for the estimated actual costs of lighting, utilities, field maintenance, and materials relating to the facilities during the initial use period, which amount may be increased by the institution for extension periods to reflect increases in costs.
- Term: The initial use period shall consist of approximately 100 days commencing in mid-May 2015 and expiring in mid-August 2015 and may be extended annually by the mutual agreement of both parties to include a similar use period in up to five subsequent calendar years.
- Intended Use: Strategic Baseball Ventures of Texas shall use the facilities solely for the purpose of conducting practices and home baseball games for the East Texas Pump Jacks, a Texas Collegiate League baseball team. During the term, U. T. Tyler will retain scheduling priority of the facilities for its own mission-related and baseball program use.