

Meeting No. 1,076

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

Pages 1 - 3

September 19, 2011

Austin, Texas

MEETING NO. 1,076

MONDAY, SEPTEMBER 19, 2011.--The members of the Board of Regents of The University of Texas System convened this special called meeting via telephone conference call at 3:10 p.m. on Monday, September 19, 2011, in the Chairman's Office on the Ninth Floor, Ashbel Smith Hall, 201 West Seventh Street, Austin, Texas, with the following participation:

ATTENDANCE.--

Present

Chairman Powell
Vice Chairman Foster
Vice Chairman Hicks
Vice Chairman Dannenbaum
Regent Cranberg
Regent Gary
Regent Hall
Regent Pejovich
Regent Stillwell
Regent Rutkauskas, Student Regent, nonvoting

In accordance with a notice being duly posted with the Secretary of State and there being a quorum present, Chairman Powell called the meeting to order.

RECESS TO EXECUTIVE SESSION.--At 3:12 p.m., Chairman Powell announced a quorum present and said the Board would recess to convene in Executive Session pursuant to *Texas Government Code* Section 551.071 to consider those matters listed on the Executive Session agenda.

RECONVENE IN OPEN SESSION.--At 4:25 p.m., the Board reconvened in open session for the following actions taken on matters discussed in Executive Session.

1. U. T. Austin: Discussion of potential legal issues related to athletic conference membership and contracting

See Item 1 on Page 2 for related action taken in Open Session.

2. U. T. System Board of Regents: Discussion with legal counsel regarding legal issues related to Regents' *Rules and Regulations*, Rule 10403, Sections 9 and 10

No action was taken on this item.

AGENDA ITEMS

1. U. T. Austin: Delegation to act on matters related to athletic conference membership and contracting

Vice Chairman Hicks moved that The University of Texas System Board of Regents

- a. ratify the delegation to the President of The University of Texas at Austin of the authority to negotiate and execute documents for terms of continued participation in the Big 12 conference; and
- b. delegate to the President of U. T. Austin the authority to review the terms and conditions of a possible change in athletic conference membership and, if he deems such action appropriate following due consideration to continued Big 12 membership and to the impact on student athletes and the long-term best interest of U. T. Austin, to apply for, to negotiate, and to execute appropriate documents related to a change in conference membership, with the understanding that the President will work on all such matters in consultation with the Chairman, the Board's two Athletics Liaisons, the Chancellor, the Executive Vice Chancellor for Academic Affairs, and the Vice Chancellor and General Counsel and with the further understanding that any change in conference membership must be submitted to the Board of Regents for final ratification.

The motion was seconded and carried unanimously.

2. U. T. Austin: Authorization to use the Frank C. Erwin, Jr. Special Events Center for a concert to benefit victims of the Texas wildfires

The Board authorized an exception to the Regents' *Rules and Regulations*, Rule 80106 regarding Special Use Facilities, to allow an external entity to use the Frank C. Erwin, Jr. Special Events Center at The University of Texas at Austin for a concert, with net proceeds used to benefit victims of the Texas wildfires.

U. T. Austin proposes to allow the use of the Frank C. Erwin, Jr. Special Events Center for a concert to benefit victims of the recent devastating wildfires in Central Texas. These fires have destroyed more than 34,000 acres and more than 1,500 homes, with losses estimated to reach approximately \$250 million.

U. T. Austin will waive the Erwin Center's normal rental fee and recover only minimum out-of-pocket costs to support the concert. In addition, all net proceeds will be dispersed to Central Texas community organizations and charities via the Central Texas Wildfire Fund at the Austin Community Foundation for the benefit of victims of the fires. Approval of this item authorized a one-time use of the Erwin Center as described for this event.

This item was brought to the Board of Regents at this time to allow concert promoters time to organize and promote the event, which is planned for mid-October 2011.

RECESS TO EXECUTIVE SESSION.--At 4:32 p.m., Chairman Powell announced a quorum present and said the Board would recess to convene in Executive Session pursuant to *Texas Government Code* Section 551.071 to consider those matters listed on the Executive Session agenda.

RECONVENE IN OPEN SESSION.--At 4:42 p.m., the Board reconvened in open session to adjourn. No action was taken on matters discussed in Executive Session.

ADJOURNMENT.--There being no further business, the meeting was adjourned at 4:43 p.m.

/s/ Carol A. Felkel
Secretary to the Board of Regents

September 28, 2011