

Contact: Andrea Anania

MINUTES OF SEPTEMBER 16, 2010, BOARD MEETING

**MAUCKER UNION, OLD CENTRAL BALLROOM, ROOMS A AND B
UNIVERSITY OF NORTHERN IOWA
CEDAR FALLS, IOWA**

Board Members	September 16, 2010
Bonnie Campbell	Present
Robert Downer	Present
Jack Evans	Present
Michael Gartner	Present
Ruth Harkin	Present
Greta Johnson	Present
Craig Lang	Absent
David Miles	Present
Rose Vasquez	Present

Staff Members

Andrea Anania, Andy Baumert, Brad Berg, Marcia Brunson, Aimee Clayton, Bob Donley, Tom Evans, Diana Gonzalez, Joe Murphy, Joan Racki, Keith Saunders, Patrice Sayre, Todd Stewart, Ilene Tuttle

Regent Institutions

SUI Sally Mason, Edwin Dove, Ken Fisher, Ken Kates, Wallace Loh, Jean Robillard, Paul Rothman, Doug True, Ann Williamson

ISU Gregory Geoffroy, Elizabeth Hoffman, Warren Madden, Micheal D.K. Owen

UNI Ben Allen, Nick Cash, Troy Dannon, Gloria Gibson, Gwen Hanker, David Hensley, Randy Pilkington, Tom Schellhardt, Laurie Watje, Susan Wurtz

ISD Jeanne Prickett, Jim Heuer

IBSSS Patrick Clancy, Don Boddicker

Others

Barry Fick, Springsted Incorporated
Mary Grace Herrington, Iowa Public Radio
David Miller, Iowa Homeland Security and Emergency Management Division

The corresponding docket memorandum for each agenda item, an integral component of the minutes, is available on the Board of Regents website: <http://www.regents.iowa.gov/>.

Copies of these memoranda can also be obtained from the Board Office by calling 515-281-3934.

Call to Order

President Miles called the Board of Regents meeting to order at 8:48 a.m. on September 16, 2010.

Roll Call:

<u>Regent</u>	<u>Campbell</u>	<u>Downer</u>	<u>Evans</u>	<u>Gartner</u>	<u>Harkin</u>	<u>Johnson</u>	<u>Lang</u>	<u>Miles</u>	<u>Vasquez</u>
Present		X	X	X		X		X	X
Absent	X				X		X		

Regents Campbell and Harkin entered the room.

CLOSED SESSION

- MOVED by EVANS, SECONDED by HARKIN, to enter into closed session pursuant to:
 - ◆ Iowa Code section 21.5(1)(c) to discuss strategy with counsel in matters that are presently in litigation and its disclosure would likely prejudice or disadvantage the Board's position in that litigation; and
 - ◆ Iowa Code section 21.5(1)(j) to discuss the purchase of particular real estate where the premature disclosure could reasonably be expected to increase the price the institution would have to pay for that property. The minutes and tape recording of the closed session solely related to the real estate purchase discussion will be available for public examination when the transactions discussed are complete.

<u>Regent</u>	<u>Campbell</u>	<u>Downer</u>	<u>Evans</u>	<u>Gartner</u>	<u>Harkin</u>	<u>Johnson</u>	<u>Lang</u>	<u>Miles</u>	<u>Vasquez</u>
Aye	X	X	X	X	X	X		X	X
Absent							X		

MOTION APPROVED by ROLL CALL.

President Miles reconvened the Board in open session at 9:38 a.m.

University of Iowa Hospitals and Clinics Committee

The University of Iowa Hospitals and Clinics Committee met at this time.

Board Receipt of Committee Report

- MOVED by DOWNER, SECONDED by CAMPBELL, to receive the UIHC Committee report.

<u>Regent</u>	<u>Campbell</u>	<u>Downer</u>	<u>Evans</u>	<u>Gartner</u>	<u>Harkin</u>	<u>Johnson</u>	<u>Lang</u>	<u>Miles</u>	<u>Vasquez</u>
Aye	X	X	X	X	X	X		X	X
Absent							X		

MOTION APPROVED by ROLL CALL.

- MOVED by DOWNER, SECONDED by HARKIN, to authorize the Executive Director to fix the date or dates for the sale of up to \$112,000,000 in Hospital Revenue Bonds as approved by the UIHC Committee.

<u>Regent</u>	<u>Campbell</u>	<u>Downer</u>	<u>Evans</u>	<u>Gartner</u>	<u>Harkin</u>	<u>Johnson</u>	<u>Lang</u>	<u>Miles</u>	<u>Vasquez</u>
Aye	X	X	X	X	X	X		X	X
Absent							X		

MOTION APPROVED by ROLL CALL.

Board President Report

Provost Gloria Gibson introduced and welcomed Dr. Dwight C. Watson, Dean of College of Education and Dr. Philip Mauceri, Dean of College of Behavioral Sciences.

President Mason thanked Wallace Loh for serving as Executive Vice President and Provost and congratulated him on his soon-to-be appointment as President of the University of Maryland. She also introduced College of Engineering Dean and newly-appointed Interim Provost Barry Butler.

President Miles thanked Wallace Loh for his extraordinary contributions to SUI and extended the Board's best wishes.

President Geoffroy introduced new Associate Provost for Academic Personnel, Dr. Dawn Bratsch-Prince.

President Miles extended the Board's best wishes to Andy Baumert, reported that he is moving on to another part of his professional career, and read a resolution honoring him.

➤ **MOVED** by GARTNER, **SECONDED** by HARKIN, to approve the following Resolution of the Board of Regents, State of Iowa:

WHEREAS, in January 2000, Andy Baumert was appointed Associate Director of Governmental Relations for Iowa State University, where he represented Iowa State University's legislative priorities to Iowa's Executive and Legislative branches of government; and

WHEREAS, Andy Baumert joined the Board of Regents staff in September 2004 as State Relations Officer, where his duties were expanded to represent the legislative priorities of Iowa's Public Universities and Special Schools to Iowa's Executive and Legislature branches of government; and

WHEREAS, Andy served as Interim Executive Director of the Board of Regents from November 1, 2007 until June 9, 2008; and

WHEREAS, during his tenure with the Board of Regents, Andy was a tireless and successful advocate for many critical funding initiatives of Iowa's Public Universities and Special Schools, particularly for many world-class student instructional facilities; and

WHEREAS, specifically for Iowa State University, Andy's work resulted in many projects critical to the University's mission – the Livestock Infectious Disease Isolation Facility, College of Veterinary Medicine Teaching Hospital and Diagnostics Laboratory Renovation, Biorenewables Complex Research Laboratory, and Gerdin Business Building; and

WHEREAS, Andy has also made valuable contributions to the State of Iowa in his many efforts to promote economic development initiatives at Iowa's Public Universities, and the associated benefits to the State, particularly in his direct role with the Grow Iowa Values Fund and his important involvement in State technology transfer initiatives; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Regents, State of Iowa, expresses its deep gratitude to Andy Baumert for his many efforts in promoting and contributing to the excellence of Iowa's Public Universities and Special Schools, and presents to him this plaque in public recognition and honor of his extraordinary service and contributions to the Board of Regents, its institutions, its students and families.

<u>Regent</u>	<u>Campbell</u>	<u>Downer</u>	<u>Evans</u>	<u>Gartner</u>	<u>Harkin</u>	<u>Johnson</u>	<u>Lang</u>	<u>Miles</u>	<u>Vasquez</u>
Aye	x	x	x	x	x	x		x	x
Absent							x		

MOTION APPROVED by ROLL CALL.

President Miles thanked Andy for his outstanding service to Iowa's Public Universities and Special Schools, particularly Iowa State University, and wished him all the best in his new role as Vice President of Marketing and Outreach for the Iowa Association of Independent Colleges and Universities.

President Geoffroy said Andy is one of the most highly-respected lobbyists and reported that legislators praised and complimented him on representing ISU and the Regents.

CONSENT AGENDA

- ◆ Minutes of August 4-5, 2010, Board Meeting
- ◆ Conflict of Interest Vendors
 - President Miles reported that ISU removed Robert Thompson from consideration as a Conflict of Interest Vendor because he no longer works for the University.
- ◆ University of Iowa Equipment Purchase
- ◆ Revisions to Chapter 4 of the Board of Regents Policy Manual
- ◆ Revisions to Chapter 7 of the Board of Regents Policy Manual
- ◆ Revisions to Chapter 9 of the Board of Regents Policy Manual
- ◆ Request to Create a New Division at the University of Iowa – Division of World Languages, Literatures, and Cultures
- ◆ Iowa Lakeside Laboratory Regents Resource Center 2009-10 Annual Report and Budget Request for 2010-11
- ◆ Report of Crime Statistics at the Universities for the Quarter Ending June 30, 2010
- MOVED by GARTNER, SECONDED by EVANS, to approve the CONSENT AGENDA; Conflict of Interest Vendor Robert Thompson was removed from consideration.

<u>Regent</u>	<u>Campbell</u>	<u>Downer</u>	<u>Evans</u>	<u>Gartner</u>	<u>Harkin</u>	<u>Johnson</u>	<u>Lang</u>	<u>Miles</u>	<u>Vasquez</u>
Aye		x	x	x	x	x		x	x
Absent	x						x		

MOTION APPROVED by ROLL CALL.

Flood Recovery Authorizations (ISU)

Vice President Warren Madden provided an overview of the University's flood recovery to date and on the proposed flood recovery authorizations.

- MOVED by GARTNER, SECONDED by JOHNSON, to:
 - ◆ Ratify the Executive Director's actions related to the utilization of capital project delivery and purchasing processes to recover buildings temporarily lost due to flood damage at Iowa State University, as outlined in the attachment to the docket memorandum; and
 - ◆ Receive the oral report on University flood recovery activities to date.

<u>Regent</u>	<u>Campbell</u>	<u>Downer</u>	<u>Evans</u>	<u>Gartner</u>	<u>Harkin</u>	<u>Johnson</u>	<u>Lang</u>	<u>Miles</u>	<u>Vasquez</u>
Aye	x	x	x	x	x	x		x	x
Absent							x		

MOTION APPROVED by ROLL CALL.

Presentation on Okoboji Entrepreneurial Institute

UNI Business and Community Services Director Randy Pilkington and SUI John Pappajohn Entrepreneurial Center Director David Hensley provided an overview of the Okoboji Entrepreneurial Institute (OEI).

Student Business Incubator Manager Laurie Watje talked about her experience in working with entrepreneurial students and explained the OEI selection process. Students Gwen Hanker and Nick Cash elaborated on how the OEI experience has enriched their education.

In response to President Pro Tem Evans, Nick Cash elaborated on his start-up digital publishing book business, Book Hatchery.

- The Board received the update by GENERAL CONSENT.

University of Iowa Update of Flood Recovery Status

Vice President Doug True provided an update on the University of Iowa flood recovery status. He introduced Iowa Homeland Security and Emergency Management Division (HSEMD) Director David Miller who outlined the role that HSEMD plays in a disaster situation.

- The Board received the update by GENERAL CONSENT.

Sale and Award of \$19,775,000 Athletic Facilities Revenue Bonds, Series S.U.I. 2010

Joan Racki introduced Barry Fick from Springsted, Incorporated, the Board’s financial advisor. Mr. Fick reported that: (1) six bids were received; (2) the winning bid was submitted by the firm of Morgan Stanley & Co. Inc.; and (3) the true interest cost was 3.6477%.

- MOVED by EVANS, SECONDED by GARTNER, to approve A Resolution providing for the sale and authorizing the issuance of Athletic Facilities Revenue Bonds, Series S.U.I. 2010, in the amount of \$19,775,000, for the purpose of improving, remodeling, repairing, furnishing, equipping and building additions to Carver- Hawkeye Arena, funding a debt service reserve fund, and paying costs of issuance.

<u>Regent</u>	<u>Campbell</u>	<u>Downer</u>	<u>Evans</u>	<u>Gartner</u>	<u>Harkin</u>	<u>Johnson</u>	<u>Lang</u>	<u>Miles</u>	<u>Vasquez</u>
Aye	x	x	x	x	x	x		x	x
Absent							x		

MOTION APPROVED by ROLL CALL.

Report of the Coordinating Council for Hearing Services

Regent Vasquez explained the Coordinating Council’s recommendations for the future education of all Iowa students who are deaf and hard of hearing.

Dr. Diana Gonzalez thanked Regent Vasquez and Sister Jude Fitzpatrick for their leadership in helping the 22-member Council unanimously accept the recommendations.

In response to President Miles, Regent Vasquez elaborated on the role of the Executive Council with respect to the preferred future of services.

- MOVED by VASQUEZ, SECONDED by GARTNER, to approve the recommendations of the Coordinating Council for Hearing Services.

<u>Regent</u>	<u>Campbell</u>	<u>Downer</u>	<u>Evans</u>	<u>Gartner</u>	<u>Harkin</u>	<u>Johnson</u>	<u>Lang</u>	<u>Miles</u>	<u>Vasquez</u>
Aye	x	x	x	x	x	x		x	x
Absent							x		

MOTION APPROVED by ROLL CALL.

Request to Approve Universities’ Strategic Plans

ISU President Geoffroy and Provost Hoffman, SUI President Mason, and UNI President Ben Allen and Provost Gloria Gibson gave presentations on their respective university’s proposed strategic plan.

President Miles commended the institutions on their plans. He noted the special and unique contributions the institutions make as well as their critical role in Iowa.

Regent Gartner said the plans were great and thought the more people at the table during development, the better. He said it struck him that various aspects of labor were not always at the table and thought that it would be better if they were present.

- MOVED by EVANS, SECONDED by DOWNER, to approve the strategic plans at the University of Iowa, Iowa State University, and the University of Northern Iowa.

<u>Regent</u>	<u>Campbell</u>	<u>Downer</u>	<u>Evans</u>	<u>Gartner</u>	<u>Harkin</u>	<u>Johnson</u>	<u>Lang</u>	<u>Miles</u>	<u>Vasquez</u>
Aye	x	x	x	x	x	x		x	x
Absent							x		

MOTION APPROVED by ROLL CALL.

President Pro Tem Evans thanked Dick Jacobson for his gifts to the Regent universities and requested that he be invited to a future meeting so the Board could thank him in person. President Miles requested that Executive Director Donley make the necessary arrangements.

FY 2012 Operating Appropriations Requests

Patrice Sayre provided an overview on the requests.

- MOVED by GARTNER, SECONDED by CAMPBELL, to:
 - ◆ Approve, based on proposed spending and funding plans, the identified operating appropriations request for FY 2012 totaling \$639 million; and
 - ◆ Authorize actions of designated Regent staff in seeking collaboration and partnerships between Regent institutions and other sectors of state government. The Regent legislative efforts are an integral part in successfully receiving requested funding.

<u>Regent</u>	<u>Campbell</u>	<u>Downer</u>	<u>Evans</u>	<u>Gartner</u>	<u>Harkin</u>	<u>Johnson</u>	<u>Lang</u>	<u>Miles</u>	<u>Vasquez</u>
Aye	x	x	x	x	x	x		x	x
Absent							x		

MOTION APPROVED by ROLL CALL.

Proposals to Reduce General University Support for Athletics

Presidents Geoffroy and Allen briefed the Board on their respective university’s proposal.

At President Miles’ request, President Allen elaborated on the three funding models presented and Athletic Director Troy Dannon explained the University’s thought process on adding an additional guarantee football game in FY 2013, how it can be arranged and the opportunities and challenges it presents.

- MOVED by JOHNSON, SECONDED by GARTNER, to approve proposals from Iowa State University and the University of Northern Iowa to reduce General University fund support for Athletics.

<u>Regent</u>	<u>Campbell</u>	<u>Downer</u>	<u>Evans</u>	<u>Gartner</u>	<u>Harkin</u>	<u>Johnson</u>	<u>Lang</u>	<u>Miles</u>	<u>Vasquez</u>
Aye	x	x	x	x	x	x		x	x
Absent							x		

MOTION APPROVED by ROLL CALL.

President Miles said this issue is difficult and challenging and thanked all three universities for their work and for the progress they have made over the past several years.

Regent Gartner expressed concern that the Board of Regents is not involved in multi-million dollar agreements, such as the recent University of Iowa football coach contract extension, but must approve equipment purchases of over \$1 million.

Five-Year Capital Plans, Including FY 2012 Capital Request

Joan Racki provided an overview of the five-year plans.

➤ MOVED by EVANS, SECONDED by DOWNER, to:

- ◆ Approve the Five-Year State-Funded Capital Plan for FY 2012 – FY 2016 of \$664.7 million, including a capital request of \$138.5 million for FY 2012, to be funded by capital appropriations or Academic Building Revenue Bonds (Table 1, page 5 in the memorandum).
- ◆ Receive the Five-Year Capital Plan (FY 2012 – FY 2016) of \$379.2 million for the University of Iowa Hospitals and Clinics to be funded by Hospital Building Usage Funds, Hospital Revenue Bonds, and Gifts (Table 2, pages 6-7 in the memorandum).
- ◆ Receive the report on FY 2012 – FY 2016 capital plans of \$562.0 million for the universities and special schools to be funded by sources other than capital appropriations, Academic Building Revenue Bonds, or UIHC Funds (Table 3, pages 8-10 in the memorandum).

<u>Regent</u>	<u>Campbell</u>	<u>Downer</u>	<u>Evans</u>	<u>Gartner</u>	<u>Harkin</u>	<u>Johnson</u>	<u>Lang</u>	<u>Miles</u>	<u>Vasquez</u>
Aye	x	x	x	x	x	x		x	x
Absent							x		

MOTION APPROVED by ROLL CALL.

Register of Iowa State University Capital Improvement Business Transactions

Vice President Madden provided an overview of the proposed transactions.

➤ MOVED by DOWNER, SECONDED by JOHNSON, to approve:

- ◆ The following actions for the **Curtiss Hall - Harl Commons** project, a major capital project as defined by Board policy:
 - ◆ Acknowledge receipt of the University's initial submission of information to address the Board's capital project evaluation criteria (Attachment A in the memorandum);
 - ◆ Accept the Board Office recommendation that the project meets the necessary criteria for Board consideration; and
 - ◆ Authorize permission to proceed with project planning, including the selection of Architects Smith-Metzger for the project.
- ◆ The following actions for the **Curtiss Hall - Student Services Mall** project, a major capital project as defined by Board policy:
 - ◆ Acknowledge receipt of the University's final submission of information to address the Board's capital project evaluation criteria (Attachment B in the memorandum);
 - ◆ Accept the Board Office recommendation that the project meets the necessary criteria for Board consideration; and
 - ◆ Approve the schematic design, project description and budget (\$3,600,000) with the understanding that approval will constitute final Board approval and authorization to proceed with construction.

<u>Regent</u>	<u>Campbell</u>	<u>Downer</u>	<u>Evans</u>	<u>Gartner</u>	<u>Harkin</u>	<u>Johnson</u>	<u>Lang</u>	<u>Miles</u>	<u>Vasquez</u>
Aye	x	x	x	x	x	x		x	x
Absent							x		

MOTION APPROVED by ROLL CALL.

Register of University of Northern Iowa Capital Improvement Business Transactions

Vice President Tom Schellhardt described the proposed transactions.

- **MOVED** by GARTNER, **SECONDED** by HARKIN, to approve the following actions for the **Apartment Housing – Phase 2a** and the **Bartlett Hall Renovation / Baker Hall Demolition** projects, major capital projects as defined by Board policy.
 - ◆ Acknowledge receipt of the University’s initial submission of information to address the Board’s capital project evaluation criteria (Attachment A in the memorandum [Apartment Housing project] and Attachment B [Bartlett Hall Renovation project]);
 - ◆ Accept the Board Office recommendation that the projects meet the necessary criteria for Board consideration; and
 - ◆ Authorize permission to proceed with project planning, including the selection of INVISION as the architectural firm for the Apartment Housing project and the utilization of the architectural selection process for Bartlett Hall Renovation project.

<u>Regent</u>	<u>Campbell</u>	<u>Downer</u>	<u>Evans</u>	<u>Gartner</u>	<u>Harkin</u>	<u>Johnson</u>	<u>Lang</u>	<u>Miles</u>	<u>Vasquez</u>
Aye	x	x	x	x	x	x		x	x
Absent							x		

MOTION APPROVED by ROLL CALL.

University of Northern Iowa Proposed Property Exchange

Vice President Tom Schellhardt described the proposed property exchanges.

- **MOVED** by EVANS, **SECONDED** by DOWNER, to approve the:
 - ◆ Property exchange between the University of Northern Iowa and the City of Cedar Falls which would:
 - ◆ Transfer to the City 4,026 square feet of property (3,123 square feet in Parcel 1 and 903 square feet in Parcel 3 or a total of .092424 acres) located in the 1200 block of 23rd Street adjacent (south) to the Multimodal Transportation Center in Cedar Falls, Iowa; and
 - ◆ Transfer to the University 5,390 square feet (.123737 acres in Parcel 2) of City property located on the south side of reconfigured 23rd Street between the Multimodal Transportation Center and Bartlett Hall in Cedar Falls, Iowa.
 - ◆ Waiver of Board Policy 9.02 C2: To convey real estate for monetary consideration based on appraisal.
 - ◆ Approval of the property exchange between the University of Northern Iowa and the Municipal Electric and Gas Utilities of the City of Cedar Falls which would:
 - ◆ Transfer to the Cedar Falls Municipal Utility (CFU) a 20 foot wide piece of land which currently includes an easement for the benefit of the CFU (8,104.62 square feet in Parcel B) located at 2412 West 27th Street (south of UNI Warehouse 1 and the Tallgrass Prairie Center) in Cedar Falls, Iowa; and
 - ◆ Transfer to the University of 8,118 square feet (33 x 246 foot piece of land in Parcel A) of CFU property located east of the University of Northern Iowa property in Cedar Falls, Iowa.
 - ◆ Waiver of Board Policy 9.02 C2: To convey real estate for monetary consideration based on appraisal.

<u>Regent</u>	<u>Campbell</u>	<u>Downer</u>	<u>Evans</u>	<u>Gartner</u>	<u>Harkin</u>	<u>Johnson</u>	<u>Lang</u>	<u>Miles</u>	<u>Vasquez</u>
Aye	x	x	x	x	x	x		x	x
Absent							x		

MOTION APPROVED by ROLL CALL.

Institutional Agreements, Leases and Easements

Joan Racki provided a brief overview of the easement.

- MOVED by CAMPBELL, SECONDED by HARKIN, to approve one easement for the benefit of the University of Iowa.

<u>Regent</u>	<u>Campbell</u>	<u>Downer</u>	<u>Evans</u>	<u>Gartner</u>	<u>Harkin</u>	<u>Johnson</u>	<u>Lang</u>	<u>Miles</u>	<u>Vasquez</u>
Aye	x	x	x	x	x	x		x	x
Absent							x		

MOTION APPROVED by ROLL CALL.

Interim Report of Post-Tenure Review Policies at the Universities

SUI Faculty Senate President Edwin Dove, ISU Faculty Senate President Micheal D.K. Owen, and UNI Faculty Senate Chair Susan Wurtz discussed the interim report of post-tenure policies at the universities. Presentation of the full report is anticipated in April 2011.

- The Board received the interim report by GENERAL CONSENT.

Inter-Institutional Cooperation Task Force Progress Report

This item was postponed until the October Board meeting.

Iowa Public Radio Annual Report

IPR Chief Executive Officer Mary Grace Herrington updated the Board on IPR's current activities.

President Miles thanked CEO Herrington for her leadership and for IPR's announcements, which reflect that IPR is a joint service of Iowa's public universities. He said IPR is a tremendous resource for Iowa and thanked Regent Gartner and others who started it so that Iowa has a single public radio service.

- The Board received the report by GENERAL CONSENT.

Update on Iowa School for the Deaf Symposium

This item was postponed until the October Board meeting.

President Miles adjourned the meeting at 3:40 p.m.