

**BOARD OF REGENTS  
STATE OF IOWA**

**AGENDA ITEM 1c  
AUGUST 6-7, 2008**

**Contact: Andrea Anania**

**MINUTES OF JULY 2, 2008  
BOARD OF REGENTS, STATE OF IOWA**

**TELEPHONIC BOARD MEETING**

**HOST SITE: BOARD OF REGENTS OFFICE, 11260 AURORA AVE, URBAN DALE, IOWA**

**Board Members**

Bonnie Campbell, Jenny Connolly, Robert Downer, Jack Evans, Michael Gartner, Ruth Harkin, Craig Lang, David Miles, Rose Vasquez

**Staff Members**

Andrea Anania, Brad Berg, Mark Braun, Marcia Brunson, Aimee Clayton, Bob Donley, Sheila Doyle, Tom Evans, Joan Racki, Patrice Sayre

**Regent Institutions**

University of Iowa  
Iowa State University  
University of Northern Iowa  
Iowa School for the Deaf  
Iowa Braille and Sight Saving School

The corresponding docket memorandum for each agenda item, an integral component of the minutes, is available on the Board of Regents web site: [www2.state.ia.us/regents](http://www2.state.ia.us/regents).

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

**President Miles called the meeting to order at 1:00 p.m. on July 2, 2008, and took a roll call.**

**Flood Recovery Authorizations**

President Miles asked President Mason to comment on the flooding in Iowa City. President Mason reported that the University is facing extraordinary and challenging conditions as a result of the 2008 floods and noted that extraordinary conditions require extraordinary measures. She said that the University is attempting to continue to deliver a high-quality education and, in order to do that, it is essential that the University work as quickly and hard as it possibly can to recover and remediate affected facilities. She added that the proposed authorizations will allow the University to move more swiftly in the rebuilding and recovery process and asked Vice President for Finance and Operations Doug True to elaborate on the proposed request.

Vice President True thanked the Board for considering the proposed request and reported that the University is working on President Mason's directives to get the summer session going; open as scheduled in the fall and not disrupt students, including housing; and make sure the utilities system is running and reliable before winter. He said that the: (1) University is trying to mitigate business interruptions from activities that are crucial to moving forward; (2) intent for the authorizations is to allow the University to move quickly, be fair and competitive, and deviate minimally from normal processes; and (3) expectation is to exercise the authority granted by the Governor in the fewest possible instances.

President Miles expressed appreciation to Governor Culver for the disaster proclamation and for allowing flexibility to temporarily ease processes, which will expedite the recovery effort. On behalf of all Iowans who have a stake in the Regent institutions and the University of Iowa, he thanked President Mason, the National Guard, administration, faculty, staff, students, citizens, and everyone else that have helped with the recovery effort.

President Miles stated that he is pleased with the proposal and the suggested limitations, anticipated the same quality work and quality result, and emphasized the need to be transparent and completely accountable.

In response to a question from President Pro Tem Evans, Vice President True elaborated on the differences between change orders and bid build.

- MOVED by CONNOLLY, SECONDED by EVANS, to approve the capital project process temporary changes requested by the University of Iowa.

<u>Regent</u>	<u>Campbell</u>	<u>Connolly</u>	<u>Downer</u>	<u>Evans</u>	<u>Gartner</u>	<u>Harkin</u>	<u>Lang</u>	<u>Miles</u>	<u>Vasquez</u>
Aye	x	x		x	x	x	x	x	x
Nay									
Abstain			x						

MOTION APPROVED by ROLL CALL.

**Special Legislative Session Agenda**

In anticipation of a special legislative session, President Miles suggested that the Board asks the legislature to include the Regents among the agencies or entities that have the ability to dispense with competitive bidding procedures in the event of an emergency situation. He noted that the Iowa Code makes several exemptions for other governmental agencies.

Regent Lang asked if the process allows the Governor to weigh in on this situation and said that the current process may be slower, but it still works. He believed that the top elected official in the state should have a say in the matter.

State Relations Officer Mark Braun said that authority would allow the Board to move more deliberately and more efficiently with regard to emergency situations.

President Miles clarified that this would not empower any of the Regents institutions to assume such authority independently and that the Board would need to meet in order to allow dispensation of any competitive bidding procedures in the event of an emergency situation.

Regent Lang stated that he believes this is the Governor's role and that he does not support the idea of an exemption.

In response to a question from Regent Vasquez, State Relations Officer Braun said that other agencies have exemptions that were added mostly after the 1993 floods and that he did not know why the Regents were not included. He added that an exemption would clarify that the legislature and the Governor agree that the Board of Regents should have the responsibility to waive procedures in an emergency situation. Regent Vasquez commented that leaving the Regents out was most likely not intentional and that an exemption for the Regents seemed logical.

President Miles said that he respects Regent Lang's well-stated concerns and noted that the legislature and the Governor would need to act upon any legislation, which would indicate their support or nonsupport for the Board of Regents to have the authority to waive procedures in an emergency situation.

- MOVED by DOWNER, SECONDED by CONNOLLY, to adopt the recommended legislative program for the special legislative session.

<u>Regent</u>	<u>Campbell</u>	<u>Connolly</u>	<u>Downer</u>	<u>Evans</u>	<u>Gartner</u>	<u>Harkin</u>	<u>Lang</u>	<u>Miles</u>	<u>Vasquez</u>
Aye	x	x	x	x	x	x		x	x
Nay							x		
Abstain									

MOTION APPROVED by ROLL CALL.

Regent Downer asked if there is a possibility that this may be one of a number of items that the Regents may request during the special session. President Miles said that there is a possibility, but he is not aware of anything else at this point. He added that leadership is still trying to get its arms around what the expenses may be and that there may be something more.

President Mason thanked the Board for their support and for all of the support throughout the year. She said that she did not anticipate dealing with one of the top 10 disasters in the United States and added that support from the Board, other institutions, Iowans, and people around the world has been heartwarming and has kept spirits high in Iowa City. President Miles thanked President Mason for all of her efforts.

**President Miles adjourned the meeting at 1:25 p.m.**