AGENDA ITEM 4a SEPTEMBER 16, 2010

Contact: Andrea Anania

MINUTES OF AUGUST 4-5, 2010

MEMORIAL UNION, SUN ROOM IOWA STATE UNIVERSITY AMES, IOWA

Board Members

AUGUST 4, 2010

AUGUST 5, 2010

Bonnie Campbell Robert Downer Jack Evans Michael Gartner Ruth Harkin Greta Johnson Craig Lang David Miles Rose Vasquez

Present Present Present Present Absent Present Present Present Present Present Present Present Absent Present Present Present

Staff Members

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

Regent Institutions

- SUI Sally Mason, Ken Fisher, Ken Kates, Wallace Loh, Jean Robillard, Cheryl Reardon-Hoogerwerf, Carroll Reasoner, Paul Rothman, Doug True
- ISU Gregory Geoffroy, Steve Carter, Elizabeth Hoffman, Lisa Lorenzen, Warren Madden, Gary Wells
- UNI Ben Allen, Randy Pilkington, Tom Schellhardt
- ISD Jeanne Prickett, Jim Heuer
- IBSSS Patrick Clancy, Don Boddicker

Others

Barry Fick, Springsted Incorporated Andrew Nielsen, Deputy Auditor of State Steve Smith, JE Dunn David Vaudt, Auditor of State

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

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 9:03 a.m. on August 4, 2010.

Roll Call:

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

President Miles read a letter from the family of Tyler James Danielson, an Iowa State University student who passed away on March 13, 2010, in an automobile accident. The family expressed thanks to staff at ISU who helped the family deal with the loss.

CLOSED SESSION

> MOVED by LANG, SECONDED by HARKIN, to enter into closed session pursuant to:

 <u>lowa Code</u> §21.5(1)(i) upon request of individuals whose performance is being considered. The individuals have requested that their performance be discussed by the Board in closed session.

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

MOTION APPROVED by ROLL CALL.

President Miles reconvened the Board in open session at 4:53 p.m. and adjourned the meeting.

Call to Order

President Miles called the Board of Regents meeting to order at 8:34 a.m. on August 5, 2010.

Roll Call:

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

President Miles read a letter from the parents of Jon Lacina, an Iowa State University student who passed away in January of 2010.

Institutional Heads and Executive Director Compensation

President Miles thanked the institutional heads and the Executive Director for their work over the last two difficult and challenging years. He noted that compensation had been held flat, furloughs were taken, and university presidents declined performance incentives. He said the compensation recommendations restore some of what has been taken away.

> MOVED by EVANS, SECONDED by DOWNER, to approve the following:

- ISU President Gregory Geoffroy
 - No change to his base salary of \$423,316;
 - Eliminate his performance incentive of \$50,000; and
 - Enter into a new 3-year deferred compensation agreement in an annual amount of \$125,000 (a \$50,000 increase over the current deferred compensation agreement).
- UNI President Ben Allen
 - No change to his base salary of \$320,000;
 - Eliminate his performance incentive of \$25,000; and
 - Increase the final two years of his current deferred compensation program (which matures July 1, 2012) by \$25,000 to \$50,000 annually.

- SUI President Sally Mason
 - Increase her base salary from \$450,000 to \$465,000, effective July 1, 2010;
 - Eliminate her performance incentive of \$80,000; and Increase the final two years of her current deferred compensation program (which matures August 1, 2012) by \$65,000 to \$125,000 annually.
- ISD Superintendent Jeanne Prickett
 - No change to her base salary of \$135,674; and
 - Continue with her current deferred compensation program; \$20,000 per year until June 30, 2011.
- IBSSS Superintendent Patrick Clancy
 - Increase his salary by 2.5% to \$133,250, effective July 1, 2010; and
 - Enter into a three-year deferred compensation agreement in an annual amount of \$20,000, effective July 1, 2010.
- Executive Director Bob Donley
 - Increase his salary by 2.0% to \$147,900; and
 - Create a performance incentive of \$5,000, to be paid after his FY 2011 evaluation.

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

MOTION APPROVED by ROLL CALL.

President Miles thanked the Presidents and Superintendents for their ongoing leadership and appreciated the sacrifices they and so many others have made.

President Mason introduced Dr. Georgina Dodge, new Chief Diversity Officer and Associate Vice President, effective July 1, 2010.

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 LANG, to receive the University of Iowa Hospitals and Clinics Committee report.

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

MOTION APPROVED by ROLL CALL.

Audit/Compliance and Investment Committee

The Audit/Compliance and Investment Committee met at this time.

Board Receipt of Committee Report

- > MOVED by EVANS, SECONDED by LANG, to:
 - Approve the FY 2010 Audit Progress and FY 2011 Internal Audit Plans;
 - Approve Renewal of Associated Bond Contracts; and
 - Receive the Audit/Compliance and Investment Committee report.

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

CONSENT AGENDA

- Minutes of June 9, 2010, Board Meeting
- Semi-Annual Claims Activity Reports January 1, 2010 June 30, 2010
- Conflict of Interest Vendors
- Five-Year Institutional Roads Program
- Statewide Research and Development School Advisory Council Membership
- Adoption of Amendments to the Iowa Administrative Code
- Naming of Bargaining Teams
- T. Anne Cleary Walkway Emergency Steam System Repairs (SUI)
- Iowa State University Equipment Purchase
 - In response to President Pro Tem Evans, Vice President Madden reported that the Large Scale Virtual Reality Display and Tracking System is a federally-funded project to expand the capability of ISU's Virtual-Reality Applications Center (VRAC) in generating visual images. President Geoffroy added that this purchase has enormous impact and will keep ISU's VRAC at the top as the best in the world.
- Appointments to Boards and Commissions
- Proposed Course Changes at the University of Iowa
- Request for a New Program at Iowa State University Bachelor of Industrial Design Program
- Request for a Name Change at the University of Northern Iowa Department of Design, Textiles, Gerontology and Family Studies to School of Applied Human Sciences
- University Treasurers Temporary Investment Income
- Nursing Programs Accreditation Report at the University of Iowa
- School of Music Accreditation Report at the University of Iowa
- Agreement with the Nebraska Department of Education
 - At President Miles' request, Executive Director Donley explained the addendum to the agreement.
- MOVED by EVANS, SECONDED by HARKIN, to approve the CONSENT AGENDA.

<u>Regent</u>	<u>Campbell</u>	Downer	<u>Evans</u>	<u>Gartner</u>	<u>Harkin</u>	<u>Johnson</u>	Lang	<u>Miles</u>	Vasquez
Aye	Х	х	Х		Х		Х	Х	Х
Absent				Х		х			
Abstain		Х*							-

* Regent Downer abstained on one agenda item only – T. Anne Cleary Walkway – Emergency Steam System Repairs (SUI).

Legislative Study Committee Report on Residental Services on the Campus of the lowa Braille and Sight Saving School

Superintendent Patrick Clancy: (1) reported on the Committee's work to examine the future of IBSSS, specifically as it relates to the residential component of the program, facilities use, and how best to meet the needs of blind- and visually-impaired students in the future; (2) explained the proposed seven recommendations; (3) reminded the Board that the legislature asked for the report by August 31st; and (4) and anticipated full implementation of the recommendations by the Fall of 2012, if approved.

President Miles thanked him and everyone for a thoughtful and inclusive process that clearly put the needs of blind and visually-impaired students first. He commended the participants for a well-done study and report and was supportive of the recommendations.

At Regent Lang's request, committee member Regent Vasquez commented on the process, outcome of the study, and the future of services to blind- and visually-impaired students.

Regent Gartner congratulated Superintendent Clancy for his leadership and expressed his support. In response to questions from Regent Gartner, Superintendent Clancy elaborated on the number of students affected in recommendations four and five and the anticipated revenue and future relationship with AmeriCorps NCCC.

Superintendent Clancy responded to President Pro Tem Evans' question about the anticipated human resources needed if the recommendations are adopted.

- MOVED by VASQUEZ, SECONDED by GARTNER, to:
 - Approve the recommendations of the Board of Regents Study Committee on residential services and facility utilization at the Iowa Braille and Sight Saving School; and
 - Direct the Board Office to submit the final report to the Legislative Council by August 31, 2010.

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

Register of University of Iowa Capital Improvement Business Transactions

Vice President True provided a brief overview on the proposed transactions.

- > MOVED by EVANS, SECONDED by DOWNER, to:
 - Approve the following actions for the lowa River Landing Ambulatory Care Clinic Facility Development 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 (see Attachment A in docket memorandum);
 - Accept the Board Office recommendation that the project meets the necessary criteria for Board consideration;
 - Approve the schematic design and project description and budget (\$71.675 million) with the understanding this approval will constitute final Board approval and authorization to proceed with construction; and
 - Adopt a Resolution authorizing the Executive Director to fix the dates for the sale of up to \$60 million Hospital Revenue Bonds.
 - Authorize permission to proceed with project planning for the following projects:
 - Increase West Campus Steam Capacity project and the selection of Shive-Hattery, Inc. as the design professional;
 - Supplemental Flood Mitigation Utility System and Campus Recreation and Wellness Center project and the selection of Shive-Hattery, Inc., as the design professional;
 - Hancher, Voxman, Clapp Raze Facility project and the selection of OPN Architects, as the design professional; and
 - Art Building Raze Facility project, including the consultant selection process of an lowa architectural firm.

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

Register of Iowa State University Capital Improvement Business Transactions

Vice President Warren Madden described the proposed transactions.

In response to Regent Downer, Vice President Madden elaborated on how to optimize use of the East Campus Auditorium facility.

President Geoffroy requested that the Board of Regents approve "Troxel Hall" as the name for the **East Campus Auditorium** project in honor of Doug Troxel who made a \$5 million commitment to make this facility possible.

- > MOVED by DOWNER, SECONDED by LANG, to approve:
 - The following actions for the East Campus Auditorium 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 (see Attachment A in docket memorandum);
 - Accept the Board Office recommendation that the project meets the necessary criteria for Board consideration;
 - Approve permission to proceed with project planning, including the architectural selection process; and
 - Based upon the significant accomplishments and contributions of the donor, approve the naming of the East Campus Auditorium and authorize the President of the Board of Regents to sign the gift agreement on behalf of the Board.
 - The project description and budget (\$7,600,000) for the Utilities Veterinary Medicine Steam Supply Improvements project and the selection of Farris Engineering to provide engineering services for the project.
 - The revised project budget (\$4,590,000) for the Horticulture Greenhouse Replacement 2006 project.

Regent	<u>Campbell</u>	Downer	<u>Evans</u>	Gartner	<u>Harkin</u>	<u>Johnson</u>	Lang	<u>Miles</u>	Vasquez
Aye	х	Х	Х	Х	Х		Х	Х	х
Absent						х			-
Abstain								Х*	

MOTION APPROVED by ROLL CALL.

President Miles abstained on the Horticulture - Greenhouse Replacement 2006 project only.

MOVED by LANG, SECONDED by GARTNER, to approve the name of "Troxel Hall" for the East Campus Auditorium project.

President Miles thanked Doug Troxel for his generosity.

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

Iowa River Landing Satellite Medical Facility (IRLSMF) Project Labor Agreement

General Counsel Tom Evans and Vice President for JE Dunn Construction Company Steve Smith appeared before the Board.

General Counsel Evans reminded the Board that, at its June 2010 meeting, the Board directed UIHC and the construction manager for the IRLSMF to seek to negotiate a mutually acceptable project labor agreement (PLA) with the Cedar Rapids/Iowa City Building and Construction Trades Council (CRICBT) for the construction of that facility. Mr. Evans reported that a tentative agreement had been reached and highlighted the components of that tentative agreement.

Per President Pro Tem Evans' request, General Counsel Evans provided details of the terms of the PLA. Additionally, he explained the hiring process under the PLA per Regent Downer's request. General Counsel Evans also discussed the grievance resolution process, labor management committee, compensation and benefits, uniform work rules, contract and surety bond performance requirements, bond waivers for targeted small business, claims against contractors, Regents rights under Iowa statutes, and bid package requirements. He thanked CRICBT representatives for their give and take during negotiations.

In response to President Miles, Steve Smith spoke to his experience with PLAs and said that he felt very good about this particular agreement.

President Miles asked General Counsel Evans for his thoughts on the impact of hiring lowans. Mr. Evans reported that the team thought this tentative PLA will have more lowans working on this particular project than perhaps otherwise.

A motion was MOVED by CAMPBELL and SECONDED by HARKIN to approve the project labor agreement.

Regent Downer said he would not vote for this PLA and expressed concern that apprentices from community colleges would be treated differently than those certified by the U.S. Department of Labor. General Counsel Evans expanded upon how the trade councils work in conjunction with the community colleges. Regent Downer requested that the Board do everything in its power to assure that the playing field is level between those certified by community college apprenticeship programs and those certified by the U.S. Department of Labor.

President Miles agreed with Regent Downer and said the Board is a strong supporter of community colleges and has great confidence in their training programs in this regard. He said he supports anything the Board can do with the trades to assure a level playing field.

Noting that she is an alum of a community college, Regent Campbell agreed with Regent Downer and President Miles.

> MOVED by CAMPBELL, SECONDED by HARKIN, to approve the project labor agreement.

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

University of Iowa Proposed Property Purchase and Lease

Vice President True provided a brief overview of the proposed purchase and lease.

Discussion was held regarding local property taxes and the University.

- > MOVED by LANG, SECONDED by HARKIN, to approve:
 - The purchase, for the benefit of the University of Iowa, of a property located at 107 Grove Street in Iowa City, Iowa, from Timothy Negro at the price of \$170,000; and
 - A lease with Mr. Negro for his use of the property for a one-year term beginning August 15, 2010.

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

MOTION APPROVED by ROLL CALL.

Iowa State University Proposed Property Sale

Vice President Madden provided a brief overview of the proposed property sale.

MOVED by EVANS, SECONDED by DOWNER, to approve the sale for the benefit of Iowa State University of approximately 38 acres of land located approximately four miles south of campus and one mile west of Kelley on the north side of 280th Street to the Committee for Agricultural Development, at the sale price of \$280,000.

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

MOTION APPROVED by ROLL CALL.

Institutional Agreements, Leases and Easements

Joan Racki provided a brief overview of the proposed leases and agreement.

- > MOVED by LANG, SECONDED by HARKIN, to:
 - Ratify one lease and one agreement for the benefit of the University of Iowa; and
 - Approve one lease amendment for the benefit of Iowa State University.

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

Sale and Issuance of \$28,225,000 Academic Building Revenue Bonds, Series I.S.U. 2010 Joan Racki introduced Barry Fick from Springsted, Incorporated, the Board's financial advisor. Mr. Fick reported that: (1) seven bids were received; (2) the winning bid was submitted by the firm of Robert Baird; and (3) the true interest cost was 3.966%.

MOVED by LANG, SECONDED by EVANS, to approve A Resolution providing for the sale and authorizing and providing for the issuance and securing the payment of \$28,225,000 Academic Building Revenue Bonds, Series I.S.U. 2010, for the purpose of paying a portion of the costs of constructing, improving, remodeling, repairing, and equipping the Chemistry Building (Hach Hall) facilities and certain veterinary medical facilities on the campus of Iowa State University of Science and Technology, funding interest during construction and a reserve fund, and paying the costs of issuance.

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

MOTION APPROVED by ROLL CALL.

University of Iowa Update of Flood Recovery Status

Vice President True updated the Board on flood recovery and recognized: (1) Interim Vice President of Legal Affairs and General Counsel Carroll Reasoner for all of her hard work; and (2) Iowa Homeland Security and Emergency Management Division Administrator David Miller for his and his department's great job in working with the University.

> The Board received the report by GENERAL CONSENT.

Highlighted Economic Development Project

Provost Hoffman introduced Iowa State University Research Park (ISURP) Director Steve Carter, who talked about how ISURP compares nationally, discussed its business model, highlighted a few success stories, and reported on its economic impact and future.

At Regent Lang's request, Director Carter explained how ISURP mentors start-up companies.

Regent Downer stated that keeping track of the number of ISU graduates employed as a result of ISURP would be a significant benefit for presentation to the legislature to show how ISURP is a positive factor in retaining young people in Iowa.

In response to President Pro Tem Evans, Director Carter explained that the focus of ISURP is to build businesses whereas the focus of the ISU Research Foundation is on development and distribution of intellectual property.

In response to Regent Vasquez, Director Carter said it is typical for well-recognized companies to bring ideas to ISURP and gave some examples.

> The Board received the report by GENERAL CONSENT.

Institutional Heads and Executive Director Compensation

President Miles clarified that the Board did not change the overall compensation opportunity for the three University Presidents, but rather moved items that were formerly an incentive opportunity to a deferred compensation opportunity, and to a cash opportunity in the case of President Mason.

Regent Gartner said he would have voted yes on the Consent Agenda, but was out of the room at the time the vote was taken.

Faculty Presentation at Iowa State University: "Improving the Reliability of Eyewitnesses"

Professor Gary Wells discussed eyewitness identification and its impact on law enforcement policies and practices across the United States.

> The Board received the presentation by GENERAL CONSENT.

Grow Iowa Values Fund Proposals

Andy Baumert presented the request for Board approval of the FY 2011 Grow Iowa Values Fund proposals from the universities. The specific proposals were presented by SUI Assistant Vice-president for Research and Economic Development Cheryl Reardon-Hoogerwerf, ISU Director for Industry Relations Lisa Lorenzen, and UNI Director of Business and Community Services Randy Pilkington.

MOVED by HARKIN, SECONDED by GARTNER, to approve the Regent universities' FY 2011 Grow Iowa Values Fund proposals.

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

MOTION APPROVED by ROLL CALL.

Special Schools Strategic Plan Progress Reports

ISD and IBSSS Superintendents Prickett and Clancy gave presentations to the Board on their strategic plan progress.

> The Board received the reports by GENERAL CONSENT.

President Miles adjourned the meeting at 1:51 p.m.

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