

**MINUTES**

**OF THE**

**SPECIAL TELEPHONIC MEETING OF THE**

**BOARD OF REGENTS**

**OF**

**THE TEXAS A&M UNIVERSITY SYSTEM**

**HELD IN**

**COLLEGE STATION, TEXAS**

**February 21, 2006**

*(Approved May 25-26, 2006)*

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**MINUTES OF THE  
SPECIAL TELEPHONIC MEETING  
OF THE BOARD OF REGENTS  
February 21, 2006**

**CONVENE**

Mr. John White, Chairman of the Board, convened a special telephonic meeting of the Board of Regents of The Texas A&M University System, at 2:04 p.m., on Tuesday, February 21, 2006, in the Board of Regents Meeting Room, Memorial Student Center, on the campus of Texas A&M University (TAMU), College Station, Texas.

The following members of the Board were present by telephone:

Mr. John White, Chairman  
Mr. Bill Jones, Vice Chairman  
Mr. Phil Adams  
Mr. Lupe Fraga  
Mr. Lowry Mays  
Mr. Erle Nye  
Mr. Gene Stallings  
Ms. Ida Clement Steen

The following member of the Board was present in the Board Meeting Room:

Mr. Tyson Voelkel (Student Regent)

The following member of the Board was not present:

Dr. Wendy Gramm

Mr. White said that in accordance with the Texas Government Code, that allows governing boards to meet by telephone, each party to the conference call must clearly identify himself/herself prior to speaking. Mr. White called the roll and said a quorum was present. He welcomed Mr. Voelkel who was attending his first Board meeting. Mr. White asked Ms. Spillers if the following members of the administration were present: Dr. Bob McTeer, Chancellor; Mr. James Hooton, Executive Vice Chancellor for Finance; Mr. Scott Kelly, Deputy General Counsel; and Ms. Terri Parker, Director of System Communications. Ms. Spillers responded in the affirmative. Ms. Spillers said that Mr. Tim Coffey, an attorney with the System Office of General Counsel, and Mr. Josh Baugh, a reporter with the *Bryan/College Station Eagle*, were also present.

Mr. White said that the posted purpose of this special telephonic meeting was for discussion and appropriate action regarding two agenda items: Item 1 – Purchase of Land and a Leasehold Interest in Approximately 0.62 Acres of Land in Houston, Texas (Harris County) and Item 2 – Appointment of J. Patrick O'Brien as President of West

Texas A&M University. Mr. White said that Dr. O'Brien was named the sole finalist for the position of President of WTAMU at the January 26-27, 2006, Board Meeting and his name has been posted as the finalist for this position for the required 21 days.

**RECESS TO EXECUTIVE SESSION**

At 2:07 p.m., Mr. White announced that having convened in open session, the Board would enter into executive session to consider matters as permitted in Chapter 551 of the Texas Government Code, 551.072, for deliberations regarding the purchase, exchange, lease, or value of real property; and 551.074 for deliberations regarding personnel matters relating to appointment, employment, evaluation, reassignment, duties, discipline or dismissal of an officer or employee, or to hear complaints or charges against an officer or employee.

Mr. White said that in accordance with the law, no final action, decision, or vote with regard to any matter considered in the executive session would be made or taken.

*(Secretary's Note: The Board adjourned its executive session at 2:33 p.m. Mr. Jones recused himself from all discussion on Item 1.)*

**RECONVENE IN OPEN SESSION**

Mr. White reconvened the meeting at 2:34 p.m. and announced that the Board met in executive session from 2:07 p.m. until 2:33 p.m. He said that they conferred with the Chancellor and his staff on Items 1 and 2.

The Board took action as set forth below:

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**MINUTE ORDER 053-2006 (AGENDA ITEM 01)**

**AUTHORIZATION FOR THE PURCHASE OF LAND AND  
A LEASEHOLD INTEREST IN APPROXIMATELY  
0.62 ACRES OF LAND IN HOUSTON, TEXAS (HARRIS COUNTY),  
THE TEXAS A&M UNIVERSITY SYSTEM**

Mr. Nye moved adoption of the minute order. Mr. Mays seconded the motion. Mr. White said that he would call each regent's name so that their vote could be properly recorded. The regents voted as follows: Jones – recused himself from voting on this item and Mr. White announced that Mr. Jones also recused himself from discussion of this item during executive session; Adams - yes, Fraga - yes, Mays - yes, Nye - yes, Stallings - yes, and Steen - yes. Mr. White said that he voted “yes.” Mr. White said that for the record Mr. Voelkel, the student regent, was not eligible to vote. The following minute order was adopted:

The Chancellor of The Texas A&M University System, or his designee, following approval for legal sufficiency by the Office of General Counsel, is authorized to negotiate the purchase of a tract of land containing approximately 0.62 acres situated in the P.W. Rose Survey, Abstract No. 645, Harris County, Texas, located adjacent to the building housing the new Prairie View A&M University School of Nursing between Main Street and Fannin Street, Houston, Texas, and the leasehold estate on that land created by virtue of a Ground Lease recorded under Clerk's File No. W483607 of the Harris County Official Public Records of Real Property, and is further authorized to execute and deliver all documents he or his designee deems necessary to consummate the purchase. The purchase price for the subject land and leasehold interest is \$5,100,000 in addition to an independent covenant to make available to Memorial Hermann Hospital System 350 contract parking spaces in the Prairie View A&M University School of Nursing Parking Garage upon such terms as the Chancellor or his designee shall determine to be in the best interest of the A&M System. The purchase price of \$5,100,000 and all transaction costs are hereby approved and appropriated from Permanent University Fund Debt Proceeds, Account No. 084240. The covenant for contract parking spaces is also hereby approved.

The Board of Regents of the Texas A&M University System (Board) reasonably expects to incur debt in one or more obligations for this project, and all or a portion of the proceeds received from the sale of such obligations is reasonably expected to be used to reimburse the account(s) for amounts previously appropriated and/or expended from such account(s).

**MINUTE ORDER 054-2006 (AGENDA ITEM 02)**

**APPOINTMENT OF  
J. PATRICK O'BRIEN  
AS PRESIDENT OF WEST TEXAS A&M UNIVERSITY**

Mr. Nye moved adoption of the minute order. Mr. Mays seconded the motion. Mr. White said he would call each regent's name so that their vote could be properly recorded. The regents voted as follows: Jones - yes, Adams - yes, Fraga - yes, Mays - yes, Nye - yes, Stallings - yes, and Steen - yes. Mr. White said that he voted "yes." Mr. White said that for the record Mr. Voelkel, the student regent, was not eligible to vote. The following minute order was adopted:

Upon the recommendation of the Chancellor, the Board of Regents of The Texas A&M University System hereby appoints Dr. J. Patrick O'Brien, President of West Texas A&M University, effective May 15, 2006, at an initial salary of \$225,000.

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**ADJOURNMENT**

There being no further business Mr. White called for a motion to adjourn. Mr. Nye made a motion to adjourn. He extended a welcome to Mr. Voelkel and said that the Board looked forward to meeting him in person and to having him participate in their deliberations. Mr. Jones seconded the motion and by a unanimous vote, the special telephonic meeting was adjourned at 2:35 p.m., the same day.

Vickie Burt Spillers  
Executive Secretary to the Board  
The Texas A&M University System

*(The minutes were transcribed by Jackie Bell, Executive Secretary, Office of the Board of Regents.)*