UNT SYSTEM

BOARD OF REGENTS
Teleconference Meeting Agenda

UNT System Building
1901 Main Street, Room 762
Dallas, Texas
December 12, 2013 – 8:30 am

The University of North Texas System Board of Regents will convene a Special Called meeting by telephone according to the following agenda. It is necessary to conduct this special meeting by telephone because it was not possible to convene a quorum in one place in a timely manner and discussion of the agenda matters are of sufficient urgency to be considered prior to the next regularly scheduled meeting of the Board on January 16, 2014

I. Call to Order

II. Identification of Participants

III. EXECUTIVE SESSION*

Consultation with Attorneys Regarding Legal Matters or Pending and/or Contemplated Litigation or Settlement Offers - Texas Government Code Section 551.071

Consultation with attorneys regarding confidential legal matters, including pending, threatened, and contemplated litigation or settlement offers; contemplated, ongoing and/or finalized investigations and any findings, conclusions or recommendations related to those investigations.

Consultation with attorneys regarding confidential legal matters associated with the litigation styled City of Denton, Acting By and Through Its Electric Utility Department, Denton Municipal Electric vs. University North Texas and V. Lane Rawlins, Its President In His Official Capacity

Personnel Matters Relating to Appointment, Employment, Evaluation, Reassignment, Duties, Discipline, or Dismissal of Officers or Employees – Texas Government Code Section 551.074

Consideration of individual personnel matters relating to the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of University and System officers and employees.

Consideration of individual personnel matters relating to the appointment of President for the University of North Texas.

IV. Reconvene in open session to consider action, if any, on executive session items
Action Items

2013-104	UNT	Approval of a Power Purchase Agreement between UNT and Denton Municipal Electric
2013-105	UNTS	Appointment of President of the University of North Texas

V. Adjournment

UNT SYSTEM

Board Briefing

Committee: Finance

Date Filed: December 10, 2013

Title: Delegation of Authority to Negotiate and Execute a Multi-Year Power Purchase Agreement between UNT and Denton Municipal Electric, a Wholly Owned Municipal Electric Utility of the City of Denton

Background:

The University of North Texas (UNT) is required to purchase its electrical power from Denton Municipal Electric, a wholly owned municipal electric utility of the City of Denton (collectively "City"), for all UNT facilities located within the City's exclusive service area.

UNT is proposing to enter into a multi-year agreement for the purchase of electricity with the City for an initial term of six (6) years, effective September 30, 2013, with provisions for additional five (5) year terms. During the initial term and each renewal term of the agreement, UNT will not be subject to any base rate increases.

The City will utilize its best efforts to provide UNT with the quantity of UNT's desired Renewable Energy Credits to assist UNT in achieving its sustainability goal of utilizing renewable energy.

The City, in collaboration with UNT, will identify and relocate selected overhead electric distribution lines to underground facilities. Other overhead electric distribution and transmission lines may be relocated at UNT's expense payable on a ten (10) year amortization basis. UNT will grant necessary easements to the City at no cost and the City will provide operations and maintenance services for the UNT electric system on a "time and materials" basis.

Financial Analysis/History:

According to UNTS Regents Rule 03.903, the Board must approve contracts in excess of $1,000,000 in value.

Andrew M. Harris

Digitally signed by Andrew M. Harris
DN: cn=Andrew M. Harris, o=VP for Finance and Administration, ou=University of North Texas, email=aharris@unt.edu, c=US
Date: 2013.12.11 13:48:38 -06'00'

Institution Chief Financial Officer

Allen Clemson

Digitally signed by Allen Clemson
DN: cn=Allen Clemson, o=System, ou=UNTS, email=allen.clemson@untsystem.edu, c=US
Date: 2013.12.13 15:36:44 -06'00'

Interim Vice Chancellor for Finance

Legal Review:

This item has been reviewed by General Counsel.

Nancy S. Footer
Digitally signed by Nancy S. Footer
DN: cn=Nancy S. Footer, o=UNT System, ou=OGC, email=nancy.footer@untsystem.edu, c=US
Date: 2013.12.16 16:50:23 -06'00'

Vice Chancellor/General Counsel

Schedule:

If approved by the Board and the Denton City Council, the agreement will be effective September 30, 2013.

Recommendation:

It is recommended that the Board of Regents authorize and approve the following Board Order.

Recommended By:

Andrew M. Harris

UNT Vice President for Finance & Administration

V. Lane Rawlins
Digitally signed by V. Lane Rawlins
DN: cn=V. Lane Rawlins, o=University of North Texas, ou=President, email=v.rawlins@unt.edu, c=US
Date: 2013.12.11 13:07:18 -06'00'

President

Lee Jackson
Digitally signed by Lee Jackson
DN: cn=Lee Jackson, o=UNT System, ou=Chancellor's Office, email=chancellor@unt.edu, c=US
Date: 2013.12.16 16:38:35 -06'00'

Chancellor

UNT SYSTEM

Board Order

Title: Delegation of Authority to Negotiate and Execute a Multi-Year Power Purchase Agreement between UNT and Denton Municipal Electric, a Wholly Owned Municipal Electric Utility of the City of Denton

Board of Regents Order 2013-104

At an official meeting of the Board of Regents of the University of North Texas System properly posted and held on December 12, 2013, pursuant to a motion made by Regent Milton Lee and seconded by Regent Al Silva, the Board approved the motion presented below:

Whereas, UNT desires to enter into a multi-year agreement for the purchase of electricity with Denton Municipal Electric, a wholly owned municipal electric utility of the City of Denton (collectively "City"), and

Whereas, the initial term of the agreement will be six (6) years commencing on September 30, 2013, with provisions for additional five (5) year terms.

Now, Therefore, The Board of Regents authorizes and approves the following:

1. The Chancellor or his designee to negotiate and execute a multi-year agreement for the purchase of electricity between UNT and Denton Municipal Electric, a wholly owned municipal electric utility of the City of Denton.

VOTE: 5 ayes 0 nays ____ abstentions

BOARD ACTION:

Attested By:

Julia A. Boyce, Secretary
Board of Regents

Approved By:

Don Potts, Vice Chairman
Board of Regents

UNT SYSTEM

Board Order

Title: Appointment of President of the University of North Texas

Board of Regents Order 2013-105

At an official meeting of the Board of Regents of the University of North Texas System properly posted and held on December 12, 2013, pursuant to a motion made by Regent Gwyn Shea and seconded by Regent Steve Mitchell, the Board approved the motion presented below:

Whereas, Chancellor Lee Jackson appointed a Search Advisory Committee on March 21, 2013 to identify highly qualified candidates to assume the presidency of the University of North Texas, and

Whereas, after careful consideration of the Search Advisory Committee's recommendations Chancellor Jackson recommended Neal J. Smatresk for appointment as President of the University of North Texas, and

Whereas, on November 14, 2013 the Board designated Neal J. Smatresk as the sole finalist for the position of President of the University of North Texas,

Now, Therefore, The Board of Regents authorizes and approves the following:

1. Appointment of Neal J. Smatresk as President of the University of North Texas effective February 3, 2014.

2. The Board delegates authority to the Chancellor to execute an employment agreement with Dr. Smatresk consistent with the Board's discussion in executive session and to take any and all further action necessary or advisable to carry out the purpose and intent of this action.

VOTE: 5 ayes 0 nays ____ abstentions

BOARD ACTION:

Attested By:

Julia A. Boyce, Secretary
Board of Regents

Approved By:

Don Potts, Vice Chairman
Board of Regents