

**UNIVERSITY OF MINNESOTA
BOARD OF REGENTS**

**Litigation Review Committee
Emergency Meeting
October 11, 2022**

An emergency meeting of the Litigation Review Committee of the Board of Regents was held on Tuesday, October 11, 2022 at 9:30 a.m. in the Hail! Minnesota Conference Room, 600 McNamara Alumni Center.

Regents present: Douglas Huebsch, presiding; James Farnsworth, Ruth Johnson, Janie Mayeron, and Ken Powell.

Other Regents Present: Mike Kenyanya, Darrin Rosha, and Steve Sviggum

Staff present: General Counsel Douglas Peterson, and Executive Director Brian Steeves.

Others present: Sarah Dirksen, Brian Slovut, Claire Top and Peter Walsh

The docket materials for this meeting are [available here](#).

**RESOLUTION TO CONDUCT NON-PUBLIC MEETING
OF THE LITIGATION REVIEW COMMITTEE**

The meeting convened in public session at 9:30 a.m. A motion was made and seconded that the following resolution be adopted:

WHEREAS, based on advice of the General Counsel, the Board of Regents Litigation Review Committee has balanced the purposes served by the Open Meeting Law and by the attorney-client privilege, and determined that there is a need for absolute confidentiality to discuss litigation strategy in particular matters involving the University of Minnesota.

NOW, THEREFORE, BE IT RESOLVED, that in accordance with Minn. Stat. § 13D.01, Subd. 3 and 13D.05 Subd. 3(b), a non-public emergency meeting of Litigation Review Committee be held on Tuesday, October 11, 2022 at 9:30 a.m. in the Hail! Minnesota Conference Room, 600 McNamara Alumni Center, for the purpose of discussing an attorney-client privileged matter; a potential claim against a corporate entity.

The committee voted unanimously to adopt the resolution and the public portion of the meeting ended at 9:32 a.m.

The meeting adjourned at 10:33 a.m.

A handwritten signature in black ink, appearing to read "Brian R. Steeves", is written over a horizontal bar with a pink-to-blue gradient.

BRIAN R. STEEVES
Executive Director and
Corporate Secretary

Year 2022-23

UNIVERSITY OF MINNESOTA
BOARD OF REGENTS

Audit & Compliance Committee
October 13, 2022

A meeting of the Audit & Compliance Committee of the Board of Regents was held on Thursday, October 13, 2022, at 8:00 a.m. in the Boardroom, 600 McNamara Alumni Center.

Regents present: Mike Kenyanya, presiding; Mary Davenport, Darrin Rosha, Bo Thao Urabe, Steve Sviggum, and Kodi Verhalen.

Staff present: Chancellor Mary Holmquist; Interim Chancellor David McMillan; Acting Chancellor Janet Schrunk Erickson

The meeting adjourned at 9:01 a.m.

V. Potential Claim by Former University Student

Year 2022-23

UNIVERSITY OF MINNESOTA
BOARD OF REGENTS

Mission Fulfillment Committee
October 13, 2022

A meeting of the Mission Fulfillment Committee of the Board of Regents was held on Thursday, October 13, 2022 at 9:15 a.m. in the Boardroom, 600 McNamara Alumni Center.

BOARD OF REGENTS POLICY:
COMMERCIALIZATION OF INTELLECTUAL PROPERTY RIGHTS

UNIVERSITY OF MINNESOTA
BOARD OF REGENTS

Finance & Operations Committee
October 13, 2022

A meeting of the Finance & Operations Committee of the Board of Regents was held Thursday, October 13, 2022, at 12:45 p.m. in the Boardroom, 600 McNamara Alumni Center.

Regents present: Janie Mayeron, presiding; Mary Davenport, James Farnsworth, Douglas Huebsch, Ruth Johnson, Tadd Johnson, Mike Kenyan, Darrin Rosha, Steven Sviggur, Bo Thao Urabe, and Kodi Verhalen.

Staff present: President Joan Gaber, Chancellor Lori Carrell; Interim Chancellor David McMillan; Acting Chancellor Janet Schrunk Erickson; Executive Vice President and Provost Rachel Croson; Senior Vice President Myron Frans; Vice Presidents Bernard Gulach, Matt Kramer, Mercedes Ramirez Fernández, and Julie Tonneson; General Counsel Douglas Peterson; Executive Director Brian Steeves, Chief Auditor Quinn Gallswyk; and Associate Vice President Michael Volna

Student Representatives present Gabriel (S) Tip and Vice President Frantz to present the revised Consent Report, as detailed in the docket.

The docket materials for this item begin on page 69. The closed captioned video of this item is [available here](#)

Purchase of Goods and Services \$1,000,000 and Over

- x To FEI Company (part of ThermoFischer Scientific) for an estimated \$5,000,000 for a Glacios CryoTEM with Selectis Energy Filter and an Aquilos 2 Cryo FSEM for the Office of Academic Clinical Affairs (Twin Cities campus). The Office of Academic Clinical Affairs is providing 100 percent of the funding to support this investment but will work with the Characterization Facility leadership to understand and manage cost recovery opportunities through grants, external sales, and other potential opportunities. See enclosed documentation for the basis of supplier selection.
- x To Kaltura, Inc. for an estimated \$3,400,000 to purchase systemwide support of its Media Management tool for the Office of Information Technology (OIT), Minnesota State University, and the Learning Network of Minnesota for the period of November 15, 2022 through November 14, 2027. This is a budgeted purchase, and OIT will fund it utilizing O&M funds. OIT is acting as a fiscal agent for Minnesota State and the Learning Network of Minnesota. The University will be reimbursed for approximately \$2.4 million over the

course of the contract. The cost to the University will be approximately \$1.0 million. Kaltura, Inc. was selected as the result of a competitive Request for Proposal (RFP) conducted by Purchasing Services. Four suppliers responded to the RFP and none was a targeted business.

- x To Siemens Medical Solutions USA, Inc for an additional \$1,621,730 to renew the service/maintenance agreement of the 10.5T Magnet for the Center for Magnetic Resonance Research, Department of Radiology (Twin Cities campus) for the period of January 1, 2023 through December 31, 2027. The revenue that is generated from the usage of the 10.5T instrument by other University departments covers the cost of this service contract. See

The docket materials for this item begin on page 42. The closed captioned video of this item is [available here](#)

A motion was made and seconded, and the committee voted unanimously to recommend approval of the resolution related to the 2022 Six Year Capital Plan

RESOLUTION RELATED TO THE AMENDED AND RESTATED OPERATING AGREEMENT OF 2407 UNIVERSITY INVESTMENT LLC

Regent Mayeron invited Senior Vice President Frans, Associate Vice President Volna, Assistant Vice President Leslie Krueger and Senior Associate General Counsel Gregory Brown, to present for review and action the resolution related to the amended and restated operating agreement of 2407 University Investment LLC, as detailed in the docket.

The docket materials for this item begin on page 43. The closed captioned video of this item is [available here](#)

Regent Davenport left the meeting.

A motion was made and seconded, and the committee voted unanimously to recommend approval of the resolution related to the amended and restated operating agreement of 2407 University Investment LLC

Mayeron recessed the meeting at 6:17 p.m.

KEY COST DRIVERS OF SYSTEMWIDE INFORMATION TECHNOLOGIES

Regent Mayeron called the meeting to order at 2:12 p.m. and invited Senior Vice President Frans and Vice President Gulachek to provide an overview of the key cost drivers of systemwide Information Technologies, as detailed in the docket

The docket materials for this item begin on page 43. The closed captioned video of this item is [available here](#)

Regent Davenport returned to the meeting.

INFORMATION ITEMS

Regent Mayeron invited Senior Vice President Frans and Andrew Parks, Deputy Chief Investment Officer, Office of Investments and Banking to discuss the information items in the docket:

- x Central Reserves General Contingency Allocations
- x ATC2_0 1 Tf -22.929 -1C /LBody <</MCID 45 >>01 T2_0 1 Tf -22.9236,(er)-8.8 (e)ody GC9 0 T5nC9 0

- x Strategic Facilities & Real Estate Report
- x Systemwide Annual Security and Fire Safety Report

The docket materials for this item begin on page 13. The closed captioned video of this item is [available here](#)

The meeting adjourned at 2:57 p.m.

BRIAN R. STEEVES
Executive Director and
Corporate Secretary

Year 2022-23

UNIVERSITY OF MINNESOTA
BOARD OF REGENTS

Governance & Policy Committee
October 14, 2022

A meeting of the Governance & Policy Committee of the Board of Regents was held Friday, October 14, 2022, at 9:00 a.m. in the Boardroom, 600 McNamara Alumni Center

Regents present: Kodi Verhalen, presiding; Mary Davenport, James Farnsworth, Douglas Huebsch, Ruth Johnson, Tadd Johnson, Mike Kenyanya, Janie Mayeron, Kendall Powell, Darrin Rosha, Steven Sviggum, and Bo Tharabe.

Staff present: President Joan Gaber, Chancellor

The meeting adjourned at 10:08 a.m.

BRIAN R. STEEVES
Executive Director and
Corporate Secretary

REPORT OF THE PRESIDENT

President Gabel delivered the report of the President.

The docket materials for this item begin on page 25. The closed-captioned video of this item is [available here](#)

REPORT OF THE CHAIR

Regent Powell delivered the report of the Chair.

The docket materials for this item begin on page 26. The closed-captioned video of this item is [available here](#)

RECEIVE AND FILE REPORTS

Regent Powell noted the receipt and filing of reports, as described in the docket materials, including:

- x Annual Report on Legal Matters

The docket materials for this item begin on page 27. The closed-captioned video of this item is [available here](#)

CONSENT REPORT

Regent Powell presented for review and action the Consent Report as described in the docket materials, including:

- A. Gifts
- B. Nominations to the University of Minnesota Foundation Board of Trustees

The docket materials for this item begin on page 29. The closed-captioned video of this item is [available here](#)

Regent Rosha requested that item B nominations to the University of Minnesota Foundation Board of Trustees be considered separately.

A motion was made and seconded, and the Board voted unanimously to approve the remaining items in the Consent Report.

A motion was made and seconded, and the Board voted unanimously to approve the nominations to the University of Minnesota Foundation Board of Trustees. Rosha abstained.

SCOPE AND IMPACT OF DEI-RELATED EFFORTS ACROSS THE UNIVERSITY

Equity and Inclusion, College of Liberal Arts, Twin Cities campus; and Wendy Reed, Dean, Swenson College of Science and Engineering, Duluth campus provide an overview of the scope and impact of diversity, equity and inclusion (DEI) related efforts across the University, as detailed in the docket.

The docket materials for this item begin on page 49. The closed captioned video of this item is [available here](#)

REPORT OF THE FINANCE & OPERATIONS COMMITTEE

Regent Mayeronchair of the committee, provided the report of the Finance & Operations Committee.

The committee docket materials can be found [here](#). The closedcaptioned video of this item is [available here](#)

Mayeron reported that the committee voted 10 to 1 to recommend approval of the resolution related to State Biennial Budget Request for FY 202~~0~~25. The resolution is as follows:

WHEREAS, the University of Minnesota (University), the State of Minnesota's (State) only public, land grant university, is charged with the responsibility to pursue knowledge through research and discovery, apply this knowledge through teaching and learning, and outreach and public engagement; and

WHEREAS, the University is committed to a continuous process of reevaluating priorities and increasing the efficiency and effectiveness of both direct mission and support activities, reinvesting budget savings into missioncritical strategies; and

WHEREAS, the University, in partnership with the State, can better support financial access and affordability to postsecondary education for Minnesota students and families; and

WHEREAS, the University's annual budget process is designed to identify and act on the most pressing priorities each year, including competitive compensation, compliance with federal and state regulations, research and technology infrastructure, facility maintenance, and public safety; and

WHEREAS, the state biennial budget request for FY 202~~0~~25 seeks to advance the direction and priorities defined by the MPact 2025 Systemwide Strategic Plan; and

WHEREAS, the University recognizes the many competing priorities for State general fund support.

NOW, THEREFORE, BE IT RESOLVED that the biennial budget request for the 2024 2025 biennium be adopted by the Board of Regents (Board) for presentation to the State. The request is for a general fund appropriau7 (r)-2.3 (,)-3.6

x Core Mission-

Mayeron reported that the committee voted unanimously to recommend the remaining items in the committee report as follows:

- 1) Approval of the resolution related to the 2022 SixYearCapital Plan The resolution is as follows:

WHEREAS, preserving the University of Minnesota (University) campuses through stewardship of public investments that have been made over 165 years is a commitment the Board of Regents (Board) has made to the Sta 2e9 (S)-0.6 (c)-2()-6.1 o.8 (h)-0.9mmitetMi0-0.9 ()TJ -1

to lease real property, as tenant or as landlord, for more than \$1 million, or to take other actions specified in the Operating Agreement as “Member Reserved Acts.”

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

1. The terms of the Operating Agreement are hereby approved; and
2. All actions taken since the closing of the University’s purchase of United Properties Investments’ membership interest in the Company by University employees acting in the scope of their University employment and on behalf of the Company are hereby ratified and approved in all respects; and
3. The President and their designee are hereby authorized, empowered, and directed to execute, deliver, and enter into, on behalf of the University, the Operating Agreement and all other agreements, instruments, >>0.7 (CkD-0.9 (1.8 ()-0.6 (s)-2.3 ()(-0.6

