

**AGENDA  
THE BOARD OF REGENTS**

**Varner Hall  
Thursday, December 1, 2005  
8:00 a.m.**

- I. CALL TO ORDER
- II. ROLL CALL
- III. STRATEGIC PLANNING WORKSHOP
- IV. UNIVERSITY ADMINISTRATIVE AGENDA

**IV. UNIVERSITY ADMINISTRATIVE AGENDA**

**A. ACADEMIC AFFAIRS**

None

**B. BUSINESS AFFAIRS**

Central Administration

1. Approve the Agency Agreement with the University of Nebraska Foundation providing for the management of certain University Endowments

Addendum IV-B-1

University of Nebraska at Kearney

1. Approve the UNK Student Housing Amended Construction Budget and

TO: The Board of Regents  
Business Affairs

MEETING DATE: December 1, 2005

SUBJECT: Delegation of Authority to the Chairman of the Board and the President to approve the Agency Agreement for Management of certain University Endowments

RECOMMENDED ACTION: Delegate authority to the Chairman of the Board and the President on a one-time basis approval of the attached Agency Agreement with the University of Nebraska Foundation providing for the management of certain University Endowments.

PREVIOUS ACTION: October 23, 1998 – The Board of Regents approved an Agency Agreement with the University of Nebraska Foundation providing for the management of the Othmer-Topp Endowments.

EXPLANATION: Gifts made by will, deed, or other instrument directly to the University, as opposed to gifts made to the University of Nebraska Foundation, belong to the University Trust Fund provided for in *Neb. Rev. Stat.* Sections 85-123 and 85-123.01. These statutes provide that the University Trust Fund shall be held and managed in such manner as the Board of Regents shall determine, and when the funds therein are to be invested, they shall be invested by the State Investment Officer, subject to controlling terms of any will, deed or other instrument applicable to a particular gift.

Accordingly, gifts and bequests made over the course of many years directly to the University were not placed with the Foundation. Alternatively, each of these gifts has been pooled for investment purposes with like funds into University-held pools: the quasi-endowment pool, the permanent endowment pool, the Stone Fund

It is recommended that the Endowments be managed by the University of Nebraska Foundation in accordance with the terms of the attached Agency Agreement; and that the Regents direct the State Investment

TO: The Board of Regents

Business Affairs

MEETING DATE: December 1, 2005

SUBJECT: University of Nebraska-Kearney (UNK) Student Housing Construction  
Project Amended Budget and Resolution

RECOMMENDED ACTION: Approve the UNK Student Housing Amended Construction Budget and  
Resolution

PREVIOUS ACTION: October 10, 2004 – The Board of Regents approved the program  
statement and budget for student housing replacement at the University  
of Nebraska at Kearney. The Board also approved a companion item

|                         |   |                  |
|-------------------------|---|------------------|
| PROJECT COST:           | \$21,780,000                                      |                  |
| ON-GOING FISCAL IMPACT: | Annual Operating Costs                            | \$30,000         |
|                         | 2% Assessment                                     | N/A              |
| SOURCE OF FUNDS:        | Prior Budget/Funding: Bond Funds                  | \$20,280,000     |
|                         | New Budget/Additional Funding: Bond Surplus Funds | <u>1,500,000</u> |
|                         | Total Available Budget                            | \$21,780,000     |

Vice Chancellor for Business & Finance

APPROVAL

Douglas A. Kristensen, Chancellor

**RESOLUTION**

BE IT RESOLVED by the Board of Regents of the University of Nebraska (the "Board") as follows:

1. The Board hereby finds and determines:

- (a) Pursuant to its Bond Resolution dated as of December 1, 1964, authorizing the issuance of Revenue Bonds by the Board (the "Resolution"), the Board has heretofore issued revenue bonds payable from the revenues and funds derived from the