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March 25-26, 2004

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MINUTES

REGULAR BOARD MEETING

March 25-26, 2004

1. Call to Order and Roll Call

Chairman Ogden called to order the Regular Meeting of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College at the Lindy C. Boggs International Conference Center, UNO Research and Technology Park, New Orleans, Louisiana on March 26, 2004 at 9:00 a.m.

The secretary called the roll.

PRESENT

Mr. Roger H. Ogden  
Chairman

Mr. Kent Anderson

Mr. Ronald R. Anderson

Dr. Jack A. Andonie

Mr. Bernard E. Boudreaux, Jr.

Mr. Marty J. Chabert

Mr. Charles V. Cusimano

Mr. Brian Hightower

Mr. Louis J. Lambert

Mr. C. Stewart Slack  
Vice-Chairman

Mrs. Laura A. Leach

Mr. William W. Rucks, IV

Mr. Perry Segura

Mrs. Virginia K. Shehee

Mr. Charles S. Weems, III

Mr. Roderick K. West

ABSENT

None

Also, present for the meeting were the following: President William L. Jenkins; System Officers, and administrators from the respective campuses; faculty representatives; Mrs. Nancy Dougherty, and Mr. P. Raymond Lamonica, University Attorneys; interested citizens and representatives of the news media.

2. Invocation and Pledge of Allegiance

Ms. Diana Robledo gave the invocation. The Pledge of Allegiance was given by Mr. Jeraul Mackey. Both students attend the University of New Orleans.

Chairman Ogden recognized Dr. Tim Ryan, Chancellor, University of New Orleans, who introduced:

Ms. Diana Robledo is from Puerto Rico, moved to New Orleans three years ago. She is a senior majoring in pre-med biology.

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Mr. Jeraul Mackey is the Student Government President. He is a senior English Education student and on the Dean's list last semester. Jeraul has been very successful on campus in organizing the programs Plant Pride Day and the Student Diversity Workshop along with representing the student body in numerous other organizations.

3. Introduction of Faculty and Staff Representatives and Other Guests

The faculty and staff representatives from the respective campuses were acknowledged.

4. Approval of the Minutes of the Regular Board Meeting held February 19-20, 2004

Upon motion of Chabert, seconded by Mr. Segura, the Board voted unanimously to approve the Minutes of the Regular Board Meeting of February 19-20, 2004.

5. Ratification of Interim Personnel Actions approved by the President

Mr. William Silvia, Executive Vice-President, Administration and Finance presented this report.

Upon motion of Mr. West, seconded by Dr. Andonie, the Board voted unanimously to approve the Interim Personnel Actions, as presented by the President.

Executive Session

Chairman Ogden announced that the Board will go into Executive Session pursuant to Louisiana Revised Statutes, Title 42, Sections 6, 6.1. and 7, to discuss matters authorized pursuant to Subsection A(1) of Section 6.1, all in accordance with law. The reason for holding such executive session pursuant to that Subsection relate to William L. Jenkins, who has consented thereto. No vote or official action will be taken during the executive session.

Mr. Chabert moved, Mr. Segura seconded that the Board go into Executive Session. A roll call vote resulted as follows:

AYES: K. Anderson, R. Anderson, Andonie, Boudreaux, Chabert, Cusimano, Hightower, Lambert, Leach, Ogden, Rucks, Segura, Shehee, Slack, Weems, and West

NAYES: None

ABSTENTIONS: None

The Board went into Executive Session at 9:10 a.m.

Board Reconvenes

The Board reconvened at 11:15 a.m.

Chairman Ogden called the Board meeting to order and recognized Mr. Weems.

Mr. Weems moved to add the following item to the Board agenda:

5A. Naming an Interim Chancellor for Louisiana State University

Mrs. Shehee, seconded the motion. A roll call vote resulted as follows:

AYES: K. Anderson, R. Anderson, Andonie, Boudreaux, Chabert, Cusimano, Hightower, Lambert, Leach, Ogden, Rucks, Segura, Shehee, Slack, Weems, and West

NAYES: None

ABSTENTIONS: None

The Board voted unanimously to add this item to the Board agenda.

Mr. Boudreaux moved to name Dr. William L. Jenkins as Interim Chancellor, upon termination of the term of the present Chancellor of LSU; to serve as Interim Chancellor in addition to continuing his service as President of the LSU System. Mr. Cusimano seconded the motion, and the Board voted unanimously.

6. President's Report

Dr. Jenkins recognized Dr. Tim Ryan, Chancellor, University of New Orleans. Dr. Ryan introduced and acknowledged faculty members:

Dr. Charlie O'Connor, Distinguished Professor Chemistry and Director of Advanced Materials Research Institute. To-date, AMRI has received over \$25 million in grants and sponsored research related to the development of nano-materials.

Dr. Diana Hulse-Killackey, Professor and Coordinator of the Counselor Education Program at UNO, has been named Fellow of the American Counseling Association. Dr. Hulse-Killackey serves as the UNO faculty representative on to the Board of Supervisors.

7. Report on Activities of the Board of Regents

Mr. William Silvia, Executive Vice President, LSU System; Dr. Carolyn Hargrave, Vice-President, Academic Affairs; and Mr. Jim Howell, Assistant Vice-President, Property and Facilities, presented these informational reports.

8. Consent Agenda Items

Chairman Ogden offered the following recommendation:

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College does hereby approve the Consent Agenda items as submitted:

Upon motion of Mr. Rucks, seconded by Mrs. Shehee, the Board voted unanimously to approve the following Consent Agenda Item:

8A. Recommendation to approve the establishment of the D. Jensen Holliday Professorship in the Manship School of Mass Communication at LSU

**WHEREAS**, family and friends of D. Jensen Holliday have made a substantial donation to the LSU Foundation, including therein a specific donation totaling \$60,000, to the Board of Regents Support Fund for the establishment of an endowed professorship in the Manship School of Mass Communication at LSU; and

**WHEREAS**, the D. Jensen Holliday Professorship will provide critically needed funds annually to secure and maintain a highly qualified faculty member in the in the Manship School of Mass Communication; and

**WHEREAS**, the Board of Regents Support Fund was created by the Legislature of Louisiana in 1989 as Act 647 providing therein for multiple \$40,000 challenge grants to be awarded on a one-to-one and one-half matching basis; and

**WHEREAS**, this donation of \$60,000 qualifies for inclusion in the Board of Regents Support Fund matching grants program; and

**WHEREAS**, the law provided that the Louisiana Board of Regents shall approve the establishment of any endowed professorship established under the matching program.

**NOW, THEREFORE, BE IT RESOLVED** that the Louisiana Board of Regents is hereby requested to approve the establishment of the D. Jensen Holliday Professorship in the Manship School of Mass Communication at LSU.

**BE IT FURTHER RESOLVED** that the Chairman of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College and/or the President of the LSU System, as may be appropriate, are hereby authorized and directed to execute any documents required to obtain the matching gift and otherwise complete the establishment of the above named professorship.

9. Committee Reports

9A. Health Education and Services Committee

Dr. Andonie, chairman, Health Education and Services Committee, presented the following report:

9A1. Financial update on LSU Hospitals

Mr. Robert Plaisance, Interim Vice-Chancellor, LSU Health Sciences Center, New Orleans, presented this report. No official Board action is required.

9A2. Introduction and preliminary discussion regarding the proposed Affiliation Agreement between the LSU Health Sciences Center in New Orleans and Tenet Health Systems Hospitals Inc.

Dr. John Rock, Chancellor, LSU Health Sciences Center in New Orleans, presented this report. No official Board action is required.

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- 9A3. Initial Discussion and Preliminary Resolution by the Board of Supervisors of the LSU System to recognize the LSU Health Sciences Center in New Orleans and Shreveport and their applicable Schools and Hospitals be recognized as Academic Health Centers

Dr. John Rock, Chancellor, LSU Health Sciences Center, presented this report. No official Board action is required.

- 9A4. Proposed Resolution by the Board of Supervisors of the LSU System to Alter the Budget Authorization for the LSU Health Sciences Center Health Care Services Division

Upon motion of Dr. Andonie, seconded by Mr. Hightower, the Board voted unanimously to approve the following recommendation:

**WHEREAS**, Consistent with the provisions of Act 906 of 2003 the LSU Board of Supervisors at its Regular Board meeting in August of 2003 approved the current year budget applicable to the LSU Health Care Services Division; and

**WHEREAS**, that approval was applicable to both the Operating Budget of the Health Care Services Division as well as the Division's utilization of its "Restricted Fund"; and

**WHEREAS**, due to the status of the current year budget of the Health Care Services Division it has become necessary that in order to continue its current level of service delivery an increase in the expenditure authority of the Health Care Services has become necessary; and

**WHEREAS**, at the January 23, 2004 meeting of the Joint Legislative Committee on the Budget (JLCB) the JLCB approved BA7 number 8 which provides the Health Care Services Division with an increase of \$31,969,845 in the amount of Uncompensated Care budget allocated to the Division of which \$9,069,845 will be refunded to the Department of Health and Hospitals leaving \$22,900,000 available to the HCSD for expenditure purposes; and

**WHEREAS**, the JLCB also approved BA7 number 1 which transferred \$167,319 of State General Funds from the HCSD to the E.A. Conway Hospital; and

**WHEREAS**, there has been an internal change in the means of financing of \$1,020,306 from State General Funds to Interagency Transfers for the funds associated with the transfer of E.A. Conway to the Shreveport Health Sciences Center; and

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College approves an increase in the expenditure authority of the Health Care Services Division by \$22,900,000 in Uncompensated Care payments and a reduction in the amount of State General Funds to the HCSD by \$167,319. This will result in an adjustment to the HCSD Budget which will result in an adjusted UCC budget of \$368,214,601 and a State General Fund budget of \$67,953,715.



9B. Budget and Finance Committee

Mr. West, chairman of the Budget and Finance Committee, reported that the Committee received three (3) informational reports, and recommends Board approval of the following recommendations:

9B1. LSU System Consolidated Investment Report

Mr. Silvia presented this report. No official Board action is required.

9B2. Report on Definity HealthCare Insurance Program

Mr. Forest Benedict, Vice-President, Human Resource Management, presented this report. No official Board action is necessary.

9B3. Compliance Report

Mr. Sivlia presented this report. No official Board action is required.

9B4. Recommendation to amend Section 5-5 of the *Regulations* of the LSU Board of Supervisors relative to "Purchasing".

Upon motion of Mr. West, seconded by Mr. Ronald Anderson, the Board voted unanimously to approve the following recommendation:

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College does hereby amend "**Section 5-5. Purchasing**" of *Regulations* as follows:

Section 5-5. Purchasing. No purchasing or contracting for goods and contractual services may be made except through specifically designated purchasing officials of the University System.

~~Except as otherwise provided by state statutes, purchases of less than \$1000 shall be made after the receipt of quotations representative of the reasonably available suppliers. Purchasing or contracting for competitive items in an amount of \$1000 or more shall be secured by sealed bids.~~

~~All bids totaling \$100,000 or more shall be opened by the authorized purchasing officials in the presence of the President or the President's designated representative.~~

**All purchases of goods and operating services are to be made in accordance with applicable State and Federal laws, rules and regulations, as well as University System policies relative to purchasing.**

9B5. Recommendation to waive the graduate tuition for 20 Caddo Parish teachers and principals as part of the High Priority Schools Project

Upon motion of Mr. West, seconded by Mr. Ronald Anderson, the Board voted unanimously to approve the following recommendation:

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College does hereby authorize the waiver of graduate tuition for 20 Caddo Parish teachers and principals who participate in the High Priority Schools Project.

- 9B6. Recommendation to implement a professional program fee of \$2,000 per semester at LSU for full-time Flores MBA students.

Upon motion of Mr. West, seconded by Mr. Ronald Anderson, the Board voted unanimously to approve the following recommendation:

**NOW THEREFORE, BE IT RESOLVED** that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College does hereby approve the implementation of a Professional Program Fee for MBA students at LSU in the amount of \$2,000 per semester subject to approval by the state legislature.

**BE IT FURTHER RESOLVED** that the Professional Program Fee be prorated for the summer term, and that an annual report be prepared detailing how the proceeds from the fee have been allocated.

- 9C. Property and Facilities Committee

Mr. Lambert, chairman of the Property and Facilities Committee, reported that the Committee met on Thursday, March 25<sup>th</sup> and recommends Board approval of the following:

- 9C1. Recommendation to amend the 2004-2005 Capital Outlay Budget Request for the Louisiana State University System adopted by the Board of Supervisors on August 22, 2003

Upon motion of Mr. Lambert, seconded by Mrs. Shehee, the Board voted unanimously to approve the following recommendation:

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College that the following projects be included in the Board's 2004 – 2005 Capital Outlay Budget Request for Louisiana State University System:

**Louisiana State University in Shreveport**

**Business Education Building – Exposed Aggregate Cladding Replacement/Repairs  
\$456,000, Category - Emergency**

**Louisiana State University at Alexandria**

**Water Damage Repairs & Mold Remediation – Bolton Library  
\$296,644, Category - Emergency**

**Louisiana State University**

**Student Recreational Sports Complex Renovations & Addition (Reauthorization)  
\$5,275,000, Category - Self-Generated (Revenue Bonds)**

**Laboratory School Renovations and Classroom Addition  
\$3,000,000, Category - Self-Generated (Revenue Bonds)**

**Laville Honors College Renovations and Addition  
\$24,375,000, Category - Self-Generated (Revenue Bonds)**

- 9C2. Recommendation to authorize the execution of a lease of approximately 2,930 square feet of space in the Basic Science Laboratory Building at Pennington Biomedical Research Center to the USDA for the development of an Agricultural Research Service funded research program in obesity prevention

Upon motion of Mr. Lambert, seconded by Mrs. Shehee, the Board voted unanimously to approve the following recommendation:

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College that William L. Jenkins, President of the Louisiana State University System, or his designee, is hereby authorized to execute a U. S. Government Lease for Real Property (Short Form) with the General Services Administration Government of the United States of America, for use by the United States Department of Agriculture, for approximately 2,930 square feet (composed of an office suite of 2,670 square feet as reflected on Exhibit "A" attached hereto, together with common areas of approximately 260 square feet) in the Pennington Basic Science Laboratory Building located on the campus of Pennington Biomedical Research Center at 6400 Perkins Road, Baton Rouge, Louisiana.

**BE IT FURTHER RESOLVED** that William L. Jenkins, President of the LSU System, or his designee, be and he is hereby authorized and empowered for and on behalf of and in the name of the Board of Supervisors, to include in said agreements any and all provisions and stipulations that he deems wise and in the best interest of the Board of Supervisors, and to take whatever action, with advice of counsel, that may be necessary to consummate this transaction.

**BE IT FURTHER RESOLVED** that any and all lawful acts done and performed by William L. Jenkins, President of the LSU System, or his designee, on behalf of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College in consideration of the authority hereby granted be, and the same are, hereby ratified and confirmed.

- 9C3. Recommendation authorizing the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to reimburse itself from the proceeds of revenue bonds to be issued in the future for certain capital expenditures in connection with the Residential College One, the Student Recreational Sports Complex, and the Student Union projects for the benefit of Louisiana State University and Agricultural and Mechanical College and providing for other matters in connection therewith

Upon motion of Mr. Lambert, seconded by Mrs. Shehee, the Board voted unanimously to approve the following recommendation:

**NOW, THEREFORE, BE IT RESOLVED** by the Board that:

Section 1. The Board hereby declares its official intent to reimburse itself from the proceeds of revenue bonds for certain capital expenditures incurred or to be incurred in connection with the planning and construction of Residential College One, the planning, construction, renovation and addition of the Student Recreational Sports Complex, and the planning, renovation and expansion of the Student Union (collectively, the "Projects") subsequent to the date which is 60 days prior to the date hereof but before the issuance of the revenue bonds and within 18 months of the date of such capital expenditures or the placing in service of the Projects, whichever is later (but in no event no more than three years after the date of the original expenditure of such moneys). This resolution is intended as a declaration of official intent under Treasury Regulation § 1.150.2. The Board reasonably expects that it will reimburse itself in an amount not to exceed \$7,000,000 for expenditures for the Projects made prior to the date of issuance of the revenue bonds.

Section 2. The Chairman, Vice Chairman and Secretary of the Board, the President and Executive Vice President of the Louisiana State University System and the Vice Chancellor for Finance and Administrative Services and Comptroller of Louisiana State University and Agricultural and Mechanical College and their designees are hereby authorized to execute all documents and do all things necessary on the advice of bond counsel and counsel to the Board to effectuate and implement this resolution.

- 9C4. Recommendation authorizing the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to proceed with a plan to issue its Revenue Bonds (University of New Orleans Project), Series 2004, in a principal amount not to exceed \$10,000,000, payable from certain revenues of the University of New Orleans for the purpose of (i) financing the planning, improvement, construction, renovation and equipping of various facilities located on the University's campus including, but not limited to, electrical systems; fire alarm systems; heating, cooling and ventilation systems; plumbing systems; building renovations; and campus surveillance and beautification projects, (ii) fund a debt service reserve fund, and (iii) pay the costs of issuance of the Series 2004 Bonds; authorizing the preparation of a Bond Resolution and certain other documents in connection with the Series 2004 Bonds; authorizing the publication of a notice of intention in connection therewith; and providing for other matters in connection therewith

Upon motion of Mr. Lambert, seconded by Mrs. Shehee, the Board voted unanimously to approve the following recommendation:

**NOW, THEREFORE, BE IT RESOLVED** by the Board that:

Section 1. The Board hereby grants preliminary approval to the issuance of its Revenue Bonds (University of New Orleans Project) Series 2004 (the "Series 2004 Bonds") in an aggregate principal amount not to exceed \$10,000,000, at a rate or rates of interest not to exceed seven percent (7%) per annum and for a term not to exceed 20 years for the purpose of providing funds to (i) finance the planning and construction of major repairs, including, without limitation, electrical, heating, ventilation and air conditioning, plumbing, renovation, beautification and other improvements to the buildings and facilities at the

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University, including, without limitation, the Human Performance Center, the Central Utility Plant, the UNO Keifer Lakefront Arena, and the Business Administration, Fine Arts, Liberal Arts, Science and Library Buildings (the "2004 Project"), (ii) fund a debt service reserve fund and (iii) pay the costs of issuance of the Series 2004 Bonds, subject to the terms and conditions contained herein and in a Bond Resolution, subject to the advice of bond counsel and counsel to the Board, and subject to the required approvals of the Joint Legislative Committee on the Budget (the "Budget Committee") and the State Bond Commission (the "Commission").

Section 2. Payment of the Series 2004 Bonds shall be secured solely from revenues derived by the University from the Facilities Use and Maintenance Fee charged by the University each semester to all enrolled students (the "Dedicated Revenues"), and the Dedicated Revenues shall be pledged for such purpose.

Section 3. The Board hereby authorizes its representatives, including the President and the Assistant Vice President and University Architect of the LSU System and the Vice Chancellor for Technology and Economic Development and the Vice Chancellor for Financial Services, Comptroller and Chief Financial Officer of the University and their designees, bond counsel, and counsel to the Board to proceed with the preparation of the Bond Resolution with respect to the Series 2004 Bonds and all documents necessary for the issuance of the Series 2004 Bonds, including, but not limited to the preparation and distribution of preliminary and final official statements, if any, related thereto and to obtain all consents and approvals necessary for the issuance of the Series 2004 Bonds.

Section 4. The Board hereby authorizes and approves all matters necessary in connection herewith, subject to advice of counsel to the Board, including, but not limited to the publication of a notice of intention to issue the Series 2004 Bonds as provided in the Constitution, the form of which is attached hereto as **Exhibit A**.

Section 5. The Board hereby formally approves the making of its application to the State Bond Commission, Baton Rouge, Louisiana (the "Commission"), requesting that the Commission grant its approval to the issuance of the Series 2004 Bonds, all in accordance with the Act and the Rules of the Commission. The representatives of the University are hereby directed to furnish to and file with the Commission all documents, materials and information as may be necessary and appropriate in connection with the approval by the Commission of the issuance of the Series 2004 Bonds. A certified copy of this resolution shall be submitted to the Commission by the representatives of the Board or its bond counsel, with a letter requesting the prompt consideration and approval of this application and such letter may set forth and request approval of the Commission of the price at which such bonds may be sold and issued.

Section 6. The form of the Notice of Intention to Issue Bonds attached hereto as **Exhibit A** is hereby approved in substantially such form, with such additions, omissions and changes as may be approved by bond counsel to the Board.

Section 7. It is hereby recognized, found and determined that a real necessity exists for the employment of bond counsel in connection with the issuance of the Series 2004 Bonds and, accordingly, Long Law Firm, L.L.P. ("Bond Counsel"), is hereby employed as bond counsel for the Board, pursuant to that certain contract for bond counsel services dated April 4, 2001 between Bond Counsel and the Board (the "Bond Counsel Contract"), to do and perform any and all legal work incidental and necessary with respect to the

incurring of debt and issuance and sale of the Bonds. Bond Counsel shall prepare and submit to the Board for adoption all of the proceedings incidental to the authorization, issuance, sale and delivery of the Series 2004 Bonds, and shall furnish their opinion covering the legality of the issuance thereof.

The fees to be paid to Bond Counsel with respect to Series 2004 Bonds actually issued, sold, delivered and paid for shall be based upon the then current fee schedule promulgated by the Attorney General of the State of Louisiana (at the time any such bonds are sold) with regard to fees for bond counsel for legal and coordinate professional work performed in connection with the issuance of revenue bonds by state entities. Such fees shall be payable out of the funds derived from the sale of the Series 2004 Bonds or other funds legally appropriated therefore pursuant to the Bond Counsel Contract.

Section 8. The Series 2004 Bonds shall not be issued until this Board has approved the execution of all legal documents necessary in connection therewith, including, but not limited to the Bond Resolution.

Section 9. The Board hereby declares its official intent to reimburse itself from the proceeds of the Series 2004 Bonds for certain capital expenditures incurred or to be incurred in connection with the 2004 Project subsequent to the date which is 60 days prior to the date hereof, but before the issuance of the Series 2004 Bonds and within 18 months of the date of such capital expenditures or the placing in service of the 2004 Project, whichever is later (but in no event, more than 3 years after the date of the original expenditure of such moneys). This resolution is intended as a declaration of official intent under Treasury Regulation § 1.150.2. The Series 2004 Bonds are not expected to exceed an aggregate principal amount of \$10,000,000 and the Board reasonably expects that it will reimburse itself in an amount not to exceed \$1,500,000 for 2004 Project expenditures made prior to the date of issuance of the Series 2004 Bonds.

Section 10. The Chairman, Vice Chairman and Secretary of the Board, the President, the Executive Vice President and the Assistant Vice President and University Architect of the LSU System, and the Vice Chancellor for Technology and Economic Development and the Vice Chancellor for Financial Services, Comptroller and Chief Financial Officer of the University and their designees are hereby authorized to execute all documents, including, without limitation, a consulting services contract with Morgan Keegan & Company, Inc. for providing services as senior managing underwriter in connection with the Series 2004 Bonds, and do all things necessary, on the advice of Bond Counsel and counsel to the Board to effectuate and implement this Resolution.

## EXHIBIT A

### NOTICE OF INTENTION TO ISSUE BONDS

Notice is hereby given that, pursuant to a resolution adopted at its meeting of March 26, 2004 (the "Authorizing Resolution"), the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College (the "Board") intends to issue its Revenue Bonds (University of New Orleans Project) Series 2004 (the "Series 2004 Bonds"), in an aggregate principal amount not to exceed \$10,000,000. The proceeds of the Series 2004 Bonds will be made available to the Board for the benefit of the University of New Orleans, New Orleans, Louisiana (the "University") to (i) finance the planning, improvement, construction, renovation and equipping of various facilities located on the University's campus including, but not limited to, electrical systems; fire

alarm systems; heating, cooling and ventilation systems; plumbing systems; building renovations; and campus surveillance and beautification projects (collectively the "2004 Project"), (ii) fund a reserve fund, and (iii) pay the costs of issuance of the Series 2004 Bonds. The Series 2004 Bonds will be in fully registered form, will be issued in an aggregate principal amount not to exceed \$10,000,000, will mature not later than 20 years from their dated date and will bear interest payable at a rate or rates not to exceed seven percent (7%) per annum. The Series 2004 Bonds will not be a general obligation or pledge of the full faith and credit of the State of Louisiana, but will be solely a revenue obligation of the Board payable from amounts received by the University from the Facilities Use and Maintenance Fee collected by the University each semester from students enrolled at the University (the "Dedicated Revenues"), together with any other revenues, if any, pledged therefor. Within thirty (30) days after publication of this Notice of Intention, any person in interest may contest the legality of the Authorizing Resolution or the bond resolution to be adopted by the Board providing for the issuance of the Series 2004 Bonds (the "Bond Resolution"), any provision of the Series 2004 Bonds to be issued pursuant to the Bond Resolution, the provisions securing the Series 2004 Bonds and the validity of all other provisions and proceedings relating to the authorization and issuance of the Series 2004 Bonds. If no action or proceeding is instituted within the thirty (30) days, no person may contest the validity of the Series 2004 Bonds, the provisions of the Authorizing Resolution or the Bond Resolution, the security of the Series 2004 Bonds or the validity of any other provisions or proceedings relating to their authorization and issuance, and the Series 2004 Bonds shall be presumed conclusively to be legal. Thereafter, no court shall have authority to inquire into such matters. Draft copies of the Bond Resolution are available for inspection at the offices of Ms. Norma Grace, Vice Chancellor for Technology and Economic Development, University of New Orleans, 2045 Lakeshore Drive, New Orleans, Louisiana 70122.

- 9C5. Recommendation authorizing the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to proceed with a plan to issue its Revenue Refunding Bonds (University of New Orleans Projects) Series 2004 in a principal amount not to exceed \$8,500,000 payable from revenues of certain auxiliary enterprises of the University of New Orleans for the purpose of refunding a portion of the Board's outstanding Revenue Bonds (University of New Orleans Projects) Series 1996A and Revenue Bonds, (University of New Orleans Projects) Series 1997A; authorizing the preparation of a Fourth Supplemental Resolution and certain other documents in connection with the Series 2004 Bonds; authorizing the publication of a notice of intention in connection therewith; making application to the State Bond Commission; and providing for other matters in connection therewith

Upon motion of Mr. Lambert, seconded by Mrs. Shehee, the Board voted unanimously to approve the following recommendation:

**NOW, THEREFORE, BE IT RESOLVED** by the Board that:

Section 1. The Board hereby grants preliminary approval to the issuance of its Revenue Refunding Bonds (University of New Orleans Projects) Series 2004 (the "Series 2004 Bonds") in an aggregate principal amount not to exceed \$8,500,000, at a fixed rate or rates of interest not to exceed seven percent (7%) per annum and for a term not to exceed 25 years for the purpose of providing funds to (i) refund the Board's outstanding Revenue Bonds (University of New Orleans Projects) Series 1996A (the "Series 1996A Bonds") maturing after May 1, 2005 and the Board's outstanding Revenue Bonds

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(University of New Orleans Projects) Series 1997A (the "Series 1997A Bonds") maturing after May 1, 2007, (ii) fund a debt service reserve fund or purchase a reserve fund surety bond, if necessary, and (iii) pay the costs of issuance of the Series 2004 Bonds, subject to the terms and conditions contained herein and in the General Bond Resolution previously adopted by the Board on August 16, 1996 and a Fourth Supplemental Resolution to be adopted by the Board prior to the date of issuance of the Series 2004 Bonds (the "Fourth Supplemental Resolution" and, together with the General Bond Resolution as previously supplemented and amended, the "Bond Resolution") and subject to the advice of bond counsel and counsel to the Board.

Section 2. The Series 2004 Bonds shall be secured by and payable solely from the Dedicated Revenues (as defined in the Bond Resolution) of the University on a parity with the Series 1996 Bonds and Series 1997 Bonds remaining outstanding after the issuance of the Series 2004 Bonds.

Section 3. The Board hereby authorizes its representatives, including the President and the Executive Vice President and the Assistant Vice President and University Architect of the LSU System and the Vice Chancellor for Technology and Economic Development and the Vice Chancellor for Financial Services, Comptroller and Chief Financial Officer of the University, and their designees, bond counsel and counsel to the Board to proceed with the preparation of the Fourth Supplemental Resolution with respect to the Series 2004 Bonds and all documents necessary for the issuance of the Series 2004 Bonds, including, but not limited to, the preparation and distribution of preliminary and final official statements, if any, related thereto and to obtain all consents and approvals necessary for the issuance of the Series 2004 Bonds.

Section 4. The Board hereby authorizes and approves all matters necessary in connection herewith, subject to the advice of counsel to the Board, including, but not limited to the publication of a notice of intention to issue the Series 2004 Bonds as provided in the Constitution, the form of which is attached hereto as **Exhibit A**.

Section 5. The Board hereby formally ratifies and approves the making of its application to the State Bond Commission, Baton Rouge, Louisiana (the "Commission"), requesting that the Commission grant its approval to the issuance of the Series 2004 Bonds, all in accordance with the Act and the Rules of the Commission. The furnishing and filing with the Commission by representatives of the Board of (i) a letter requesting the prompt consideration and approval of the application and setting forth and requesting approval of the Commission of the price at which such bonds may be sold and issued and (ii) all documents, materials and information as may be necessary and appropriate in connection with the approval by the Commission of the issuance of the Series 2004 Bonds is hereby ratified and approved. A certified copy of this resolution shall be submitted to the Commission by the representatives of the University or its bond counsel.

Section 6. The form of the Notice of Intention to Issue Bonds attached hereto as **Exhibit A** is hereby approved in substantially such form, with such additions, omissions and changes as may be approved by counsel to the Board.



Section 7. It is hereby recognized, found and determined that a real necessity exists for the employment of bond counsel in connection with the issuance of the Series 2004 Bonds and, accordingly, Long Law Firm, L.L.P., Baton Rouge, Louisiana, is hereby employed as bond counsel for the Board, to do and perform any and all legal work incidental and necessary with respect to the incurring of debt and issuance and sale of the Series 2004 Bonds. Bond counsel shall prepare and submit to the Board for adoption all proceedings incidental to the authorization, issuance, sale and delivery of the Series 2004 Bonds, and shall furnish their opinion covering the legality thereof.

The fees to be paid to bond counsel with respect to the Series 2004 Bonds actually issued, sold, delivered and paid for shall be based upon the then current fee schedule promulgated by the Attorney General of the State of Louisiana (at the time any such bonds are sold) with regard to fees for bond counsel for legal and coordinate professional work performed in connection with the issuance of revenue bonds by state entities. Such fees shall be payable out of the funds derived from the sale of the Series 2004 Bonds or other funds legally appropriated therefor pursuant to that certain contract for bond counsel services executed by the Board and bond counsel.

Section 8. The Series 2004 Bonds shall not be issued until this Board has approved the execution of all legal documents necessary in connection therewith, including, but not limited to, the Fourth Supplemental Resolution.

Section 9. The Chairman, Vice Chairman and Secretary of the Board, the President and the Executive Vice President and the Assistant Vice President and University Architect of the LSU System and the Vice Chancellor for Technology and Economic Development and the Vice Chancellor for Financial Services, Comptroller and Chief Financial Officer of the University and their designees are hereby authorized to execute all documents and do all things necessary on the advice of bond counsel and counsel to the Board to effectuate and implement this resolution.

Section 10. This resolution shall be effective immediately.

#### EXHIBIT A

#### NOTICE OF INTENTION TO ISSUE BONDS

Notice is hereby given that, pursuant to a General Bond Resolution (as amended from time to time, the "General Bond Resolution") adopted by the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College (the "Board") on August 16, 1996, and a Fourth Supplemental Resolution to be adopted by the Board at a future date to be determined (the "Fourth Supplemental Resolution" and, together with the General Bond Resolution, the "Bond Resolution") the Board intends to issue its Revenue Refunding Bonds (University of New Orleans Projects) Series 2004 (the "Series 2004 Bonds"), in an aggregate principal amount not to exceed \$8,500,000. The proceeds of the Series 2004 Bonds will be made available to the Board for the benefit of the University of New Orleans (the "University"), for the purpose of (i) refunding (a) the Board's outstanding Revenue Bonds (University of New Orleans Projects Series 1996A (the "Series 1996A Bonds") maturing after May 1, 2005, which Series 1996A Bonds were issued in the original aggregate principal amount of \$4,485,000 and (b) the Board's outstanding Revenue Bonds (University of New Orleans Projects Series 1997A (the "Series 1997A Bonds") maturing after May 1, 2007, which Series 1997A Bonds were issued in the original aggregate principal amount of \$5,965,000 , (ii) funding a debt

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service reserve fund or purchasing a reserve fund surety bond, if necessary, and (iii) paying the costs of issuance of the Series 2004 Bonds. The Series 2004 Bonds will be in fully registered form, will be issued in an aggregate principal amount not to exceed \$8,500,000, will mature not later than 25 years from their dated date and will bear interest payable at a fixed rate not to exceed seven percent (7%) per annum. The Series 2004 Bonds will not be a general obligation or pledge of the full faith and credit of the State of Louisiana, but will be solely a revenue obligation of the Board payable solely from revenues derived by the University from certain auxiliary enterprises, including, without limitation, student housing, food and vending services, the student union and other miscellaneous auxiliaries as described in the Bond Resolution and by a certain designated student charge, as authorized by the Act (as defined in the Bond Resolution) and the Bond Resolution. The Series 2004 Bonds will be secured on a parity with the Series 1996 Bonds and Series 1997 Bonds remaining outstanding after the issuance of the Series 2004 Bonds. Within thirty (30) days after publication of this Notice of Intention, any person in interest may contest the legality of the Bond Resolution, any provision of the Series 2004 Bonds to be issued pursuant to the Bond Resolution, the provisions securing the Series 2004 Bonds and the validity of all other provisions and proceedings relating to the authorization and issuance of the Series 2004 Bonds. If no action or proceeding is instituted within the thirty (30) days, no person may contest the validity of the Series 2004 Bonds, the provisions of the Bond Resolution, the security of the Series 2004 Bonds or the validity of any other provisions or proceedings relating to their authorization and issuance, and the Series 2004 Bonds shall be presumed conclusively to be legal. Thereafter, no court shall have authority to inquire into such matters. Draft copies of the Bond Resolution are available for inspection at the offices of Ms. Norma Grace, Vice Chancellor for Technology and Economic Development, University of New Orleans, 2045 Lakeshore Drive, New Orleans, Louisiana 70122.

9D. Academic Affairs Committee

Mr. Kent Anderson, vice-chair, Academic Affairs Committee, reported that it is the Committee's recommendation that the following recommendations receive Board approval:

9D1. Request from Louisiana State University in Shreveport for formal approval of its mission statement

Upon motion of Mr. Kent Anderson, seconded by Mrs. Leach, the Board voted unanimously to approve the following recommendation:

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College does hereby approve the mission statement of Louisiana State University in Shreveport.

9D2. Recommendation to endorse "Pathways to Success," Louisiana State University at Eunice's Quality Enhancement Plan submitted to the Commission on Colleges of the Southern Association of Colleges and Schools as part of its reaffirmation of accreditation

Upon motion of Mr. Kent Anderson, seconded by Mrs. Leach, the Board voted unanimously to approve the following recommendation:

**WHEREAS**, Louisiana State University at Eunice has submitted to the Commission on Colleges of the Southern Association of Colleges and Schools its Certification of Compliance and Quality Enhancement Plan for reaffirmation of accreditation; and

**WHEREAS**, the Board of Regents' Master Plan for Public Postsecondary Education: 2001 has established an Admissions Criteria Framework; and

**WHEREAS**, Louisiana State University at Eunice is an open admissions, comprehensive two-year college in the LSU System; and

**WHEREAS**, "Pathways to Success" is a program intended to enhance success and persistence of under prepared students.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College hereby endorses "Pathways to Success," Louisiana State University at Eunice's Quality Enhancement Plan.

9D3. Recommendation for full approval of the Center for Computation and Technology (CCT) at LSU

Upon motion of Mr. Kent Anderson, seconded by Mrs. Leach, the Board voted unanimously to approve the following recommendation:

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College recommends full approval of the Center for Computation and Technology (CCT) at LSU, subject to approval by the Board of Regents.

9E. Athletic Committee

Mr. Ronald Anderson, chairman of the Athletic Committee, reported that the committee met on Thursday March 25<sup>th</sup> and adopted the recommendation to amend the policy regarding the issuance of complimentary parking permits. It is the Committee's recommendation that the following recommendation receive Board approval:

9E1. Recommendation to amend the Board policy regarding the issuance of complimentary parking permits to home football games and the sale of parking permits to home football games

Upon motion of Mr. Ronald Anderson, seconded by Mr. Weems, the Board voted unanimously to approve the following recommendation:

It is recommended that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College approve the attached policies for the Issuance of Complimentary Parking Permits to Home Football Games and the Sale of Parking Permits to Home Football Games. (Note that deletions are in ~~strikethrough~~ and additions are in **bold**.) **(Copy of Board Policy on file in the office of the LSU Board of Supervisors Office)**

10. Chairman's Report

Mr. Segura asked to be recognized. He stated that pursuant to Article IX of the *Bylaws* of the LSU Board of Supervisors he is giving formal notice that he intends to offer amendments to the *Bylaws* amending **Article III, Section 1 Chairman and Vice-Chairman**. A written Notice was provided the Board. The amendments will be presented for consideration at the regularly scheduled Board meeting to be held on April 29-30, 2004.

Chairman Ogden expressed appreciation to Chancellors Rock and Ryan for hosting the dinner on Thursday evening.

Dr. Tim Ryan announced that lunch will be provided for members of the Board, Chancellors and System Staff immediately upon adjournment.

Chairman Ogden announced that the Audit Committee will meet in Room 231 immediately following adjournment.

11. Adjournment

There being no further business to come before the Board, the meeting was adjourned at 11:45 a.m.

Carleen N. Smith  
Administrative Secretary