

UNIVERSITY OF MASSACHUSETTS

VOTES

BOARD OF TRUSTEES

FEBRUARY 12, 2003

UNIVERSITY OF MASSACHUSETTS BOARD OF TRUSTEES

AGENDA ITEM #II: Resolution – Trustee Robert B. McCarthy

DATE: Board of Trustees - February 12, 2003

VOTED: The Board of Trustees recognizes that the dedicated faculty and staff of the University of Massachusetts are the System's most vital asset.

It is a matter of disappointment, for all parties concerned, that negotiated salary increases have not been funded and that the University's hard-working employees continue to await expected wage increases.

The Board reiterates its support for the negotiated salary increases for University employees and pledges to work with President Bulger, the unions and their members in an effort to fund these increases.

The members of the University of Massachusetts Board of Trustees, and President Bulger, working in conjunction with the System's employees and unions, strongly advocate for the maximum level of state appropriation funding feasible in the current fiscal environment. We are mindful of the Commonwealth's significant fiscal constraints but also recognize that a healthy and well-funded University of Massachusetts is critically important to economic recovery and growth.

UNIVERSITY OF MASSACHUSETTS BOARD OF TRUSTEES

COMMITTEE: Administration, Finance and Audit – January 23, 2003

CONS. ITEM #V,1-3: Audit Reports

DATE: Board of Trustees - February 12, 2003

DOC. & VOTE I.D. #: Docts. T03-015, T03-011, T03-012

VOTED: To accept the following Audit Reports

1. University Management Letter, FY2002 Financial Report (**Doc. T03-015**)
2. Report on Massachusetts Student Financial Assistance Programs in Accordance with Mass Office of Student Financial Assistance Attestation Guide (**Doc. T03-011**)
3. Report on Federal Financial Assistance Programs in Accordance with OMB Circular A-133 (**Doc. T03-012**)

UNIVERSITY OF MASSACHUSETTS BOARD OF TRUSTEES

COMMITTEE: Administration, Finance and Audit – January 23, 2003

CONS. ITEM #V,1-7: Audit Reports

DATE: Board of Trustees - February 12, 2003

**DOC. & VOTE I.D. #: Docts. T03-001, T03-004, T03-003, T03-002, T03-013,
T03-014, T03-010**

VOTED: To accept the following Audit Reports

1. International Programs Office Audit Report, UMASS Amherst (**Doc. T03-001**)
2. WFCR-FM and Friends of WFCR, Inc. Combined Financial Statements and Auditors Report; WFCR-FM Management Letter; Communication Letter to the Board of Trustees for WFCR-FM and the Friends of WFCR, Inc. (**Doc. T03-004**)
3. WUMB-FM Radio Financial Statements and Supplementary Information; WUMB-FM Management Letter; Communication Letter to the Board of Trustees for WUMB-FM (**Doc. T03-003**)
4. Student Activities Trust Fund, UMASS Amherst, Campus Activities Office Operations (**Doc. T03-002**)
5. Statement of Revenues and Expenditures of the Intercollegiate Athletic Department, UMASS Amherst (**Doc. T03-013**)
6. Report on the Minuteman Court Club and the UMASS Athletic Fund (**Doc. T03-014**)
7. Audit Activity Report (**Doc. T03-010**)

UNIVERSITY OF MASSACHUSETTS BOARD OF TRUSTEES

COMMITTEE: Academic and Student Affairs – January 21, 2003

ACTION ITEM #a,1: College of Liberal Arts and College of Science and Mathematics, UMASS Boston

DATE: Board of Trustees - February 12, 2003

DOC. & VOTE I.D. #: Doc. T03-006

VOTED: To approve the division of the College of Arts and Sciences into a College of Liberal Arts and a College of Science and Mathematics at the University of Massachusetts Boston.

UNIVERSITY OF MASSACHUSETTS BOARD OF TRUSTEES

COMMITTEE: Academic and Student Affairs – January 21, 2003

ACTION ITEM #a,2: Appointments to Named Professorships, UMASS Amherst

DATE: Board of Trustees - February 12, 2003

DOC. & VOTE I.D. #: Doc. T03-007

VOTED: To concur with the President in the appointment of Michael Malone as the Ronnie and Eugene Isenberg Distinguished Professor in Engineering at the University of Massachusetts Amherst.

And further, To concur with the President in the appointment of Joseph I. Goldstein as a Distinguished Professor at the University of Massachusetts Amherst.

UNIVERSITY OF MASSACHUSETTS BOARD OF TRUSTEES

OTHER BUSINESS #a: **Appointment to Named Professorship, UMASS
Worcester**

DATE: **Board of Trustees - February 12, 2003**

DOC. & VOTE I.D. #: **Doc. T03-017**

VOTED: To concur with the President in the appointment of Craig
Mello, Ph.D. as a Distinguished Professor in Molecular
Medicine at the University of Massachusetts Worcester.

UNIVERSITY OF MASSACHUSETTS BOARD OF TRUSTEES

OTHER BUSINESS #b: **AMENDMENT OF VOTE NUMBER DOC. T02-047 APPROVING THE FY 2003 FIVE-YEAR CAPITAL PLAN FOR THE UNIVERSITY AS CONTAINED IN TRUSTEE DOCUMENT NUMBER DOC. T02-047**

DATE: **Board of Trustees - February 12, 2003**

DOC. & VOTE I.D. #: **Doc. T02-047, as amended**

VOTED: Vote Number Doc. T02-047 adopted by the Board of Trustees of the University of Massachusetts (the "University") on August 7, 2002 approving the FY 2003 Five-Year Capital Plan for the University, as contained in Trustee Document Number Doc. T02-047, is amended by adding after subparagraph (b) of paragraph number 1 thereof and before paragraph number 2 thereof the following:

“Notwithstanding and without affecting the foregoing provisions of this paragraph, the Executive Vice President of the University is hereby directed in the name, on behalf and by authority of the Trustees to make a written request to the Building Authority that the Building Authority initiate the following projects, which projects may be undertaken separately or together for financing purposes:

construction of dormitories, a dining hall and a parking garage at the Boston campus of the University.”

UNIVERSITY OF MASSACHUSETTS BOARD OF TRUSTEES

OTHER BUSINESS #b: **RESOLUTION OF THE BOARD OF TRUSTEES OF THE UNIVERSITY OF MASSACHUSETTS APPROVING A CONTRACT FOR MANAGEMENT AND SERVICES 2003-1 PROJECTS AND AUTHORIZING OTHER ACTION**

DATE: **Board of Trustees - February 12, 2003**

DOC. & VOTE I.D. #: **Doc. T03-018**

RESOLVED: That the making of a Contract for Management and Services 2003-1 Projects among The Commonwealth of Massachusetts (the "Commonwealth"), acting by and through the Board of Trustees (the "Trustees") of the University of Massachusetts (the "University"), the Trustees and University of Massachusetts Building Authority (the "Authority") pursuant to Chapter 773 of the Acts of 1960, as amended (the "Enabling Act"), and pertaining to the undertaking by the Authority of projects for which requests have been authorized by the Trustees, be and the same hereby is authorized; that the Chair of the Trustees, the Vice Chair of the Trustees, the President of the University, the Executive Vice President of the University and the Vice President for Management and Fiscal Affairs and Treasurer of the University, each acting alone, be and hereby are authorized, in the name and on behalf of the Commonwealth and the Trustees, to sign, seal with common seal of the University and of the Trustees, acknowledge if deemed advisable and deliver a Contract for Management and Services 2003-1 Projects substantially in the form presented to this meeting, subject to such changes, insertions and omissions as may be approved by the signer of such Contract on behalf of the Commonwealth and the Trustees; that the form of such Contract for Management and Services 2003-1 Projects presented to this meeting and each term, condition and provision therein contained be and the same hereby are approved, subject to such changes, insertions and omissions as may be approved

by the signer of such Contract on behalf of the Commonwealth and the Trustees; and that the execution of such Contract for Management and Services 2003-1 Projects by the signer of such Contract on behalf of the Commonwealth and the Trustees shall be conclusive evidence (a) of the approval by such signer of any such changes, insertions or omissions and the authorization of the same and (b) that the form of Contract for Management and Services 2003-1 Projects so executed (with approved changes, insertions and omissions, if any) is as hereby authorized and approved.

That each of the Chair of the Trustees, the Vice Chair of the Trustees, the President of the University, the Executive Vice President of the University, and the Vice President for Management and Fiscal Affairs and Treasurer of the University, acting alone, and each other officer of the University, acting alone, are hereby authorized to do such other things and to take such other actions as the officer or officers so acting shall, as conclusively evidenced by their doing any of the things or taking any of the actions hereby authorized, deem necessary or desirable to be done or taken to carry out any project (or the financing thereof) a request to initiate which has been made to the Authority by the authority of the Trustees, including without limitation the execution, sealing and delivery of contracts (which are hereby authorized) on behalf of the Commonwealth or the Trustees (including without limitation contracts entered into by the Commonwealth, acting by and through the Trustees, with the Authority for state financial assistance in the form of a guaranty by the Commonwealth of bonds (in one or more series) or notes (in one or more series) of the Authority, all as provided in and subject to the Enabling Act), the execution of any such contract by the signer thereof on behalf of the Commonwealth and the Trustees conclusively to evidence that such contract is authorized by this Resolution.

That in addition to the authorizations granted by this resolution to the Chair of the Trustees, the Vice Chair of the Trustees, the President of the University, the Executive Vice President of the University, the Vice President for Management and Fiscal Affairs and Treasurer of the University and each other officer of the University, and without limiting any such authorizations, the Trustees, pursuant to Chapter 75, Section 3A of the Massachusetts

General Laws and every other authority thereunto the Trustees enabling, hereby delegate to the President of the University, the Executive Vice President of the University, the Vice President for Management and Fiscal Affairs and Treasurer of the University, each acting alone, and each other officer of the University, acting alone, the power to do all acts and things and exercise all powers each officer of the University is authorized by this resolution to do or exercise, such delegation being intended to be commensurate with the authorizations granted to each such officer by this resolution, and such delegation being in the judgement of the Trustees necessary or desirable.

UNIVERSITY OF MASSACHUSETTS BOARD OF TRUSTEES

OTHER BUSINESS #b: **RESOLUTION OF THE BOARD OF TRUSTEES OF THE UNIVERSITY OF MASSACHUSETTS APPROVING REFUNDING**

DATE: **Board of Trustees - February 12, 2003**

DOC. & VOTE I.D. #: **Doc. T03-019**

RESOLVED: That the issuance by the University of Massachusetts Building Authority (the “Authority”) of bonds (in one or more series) or notes (in one or more series) for the purpose of refunding any or all of the outstanding indebtedness of the Authority, including indebtedness of the University of Lowell Building Authority and indebtedness of the Southeastern Massachusetts University Building Authority, is hereby approved, and the President of the University Massachusetts (the “University”), the Executive Vice President of the University and the Vice President for Management and Fiscal Affairs and Treasurer of the University, each acting alone, and each other officer of the University, acting alone, be and hereby are authorized in the name and on behalf of the Trustees of the University (the “Trustees”) to approve in writing the issuance by the Authority of bonds (in one or more series) for such purpose or notes (in one or more series) for such purpose.

That each of the Chair of the Trustees, the Vice Chair of the Trustees, the President of the University, the Executive Vice President of the University and the Vice President for Management and Fiscal Affairs and Treasurer of the University, acting alone, and each other officer of the University, acting alone, be and hereby are authorized to do all other things and to take all such other action as the officer or officers so acting shall, as conclusively evidenced by the taking of the action hereby authorized, deem necessary or desirable to be done or taken to carry into effect the matters hereby authorized, including without limitation the execution, sealing and delivery of contracts

(which are hereby authorized) on behalf of the Commonwealth or the Trustees (including without limitation contracts entered into by the Commonwealth, acting by and through the Trustees, with the Authority for state financial assistance in the form of a guaranty by the Commonwealth of bonds (in one or more series) or notes (in one or more series) of the Authority, all as provided in and subject to the Enabling Act), the execution of any such contract by the signer thereof on behalf of the Commonwealth and the Trustees conclusively to evidence that such contract is authorized by this Resolution.

That in addition to the authorizations granted by this resolution to the Chair of the Trustees, the Vice Chair of the Trustees, the President of the University, the Executive Vice President of the University, the Vice President for Management and Fiscal Affairs and Treasurer of the University and each other officer of the University, and without limiting any such authorizations, the Trustees, pursuant to Chapter 75, Section 3A of the Massachusetts General Laws and every other authority thereunto the Trustees enabling, hereby delegate to the President of the University, the Executive Vice President of the University and the Vice President for Management and Fiscal Affairs and Treasurer of the University, acting alone, and each other officer of the University, acting alone, the power to do all acts and things and exercise all powers each officer of the University is authorized by this resolution to do or exercise, such delegation being intended to be commensurate with the authorizations granted to each such officer by this resolution, and such delegation being in the judgement of the Trustees necessary or desirable.

UNIVERSITY OF MASSACHUSETTS BOARD OF TRUSTEES

OTHER BUSINESS #b: **RESOLUTION OF THE BOARD OF TRUSTEES OF THE UNIVERSITY OF MASSACHUSETTS AUTHORIZING THE GUARANTY BY THE COMMONWEALTH OF BONDS OR NOTES ISSUED BY THE UNIVERSITY OF MASSACHUSETTS BUILDING AUTHORITY TO FINANCE PROJECTS OR FOR REFUNDING AND THE EXECUTION OF SUCH GUARANTY ON SUCH BONDS OR NOTES SO GUARANTEED**

DATE: **Board of Trustees - February 12, 2003**

DOC. & VOTE I.D. #: **Doc. T03-020**

RESOLVED: That The Commonwealth of Massachusetts (the “Commonwealth”), acting by and through the Board of Trustees (the “Trustees”) of the University of Massachusetts (the “University”), and the Trustees may enter into one or more contracts (each a “Contract”) with the University of Massachusetts Building Authority (the “Authority”) for state financial assistance in the form of a guaranty by the Commonwealth, as provided in Chapter 773 of the Acts of 1960, as amended (the “Enabling Act”), of bonds (in one or more series) or notes (in one or more series) of the Authority issued to finance projects initiated by the Authority upon written request made by authority of the Trustees or for refunding outstanding indebtedness of the Authority, including bonds initially issued by the University of Lowell Building Authority and bonds initially issued by the Southeastern Massachusetts University Building Authority; provided, however, that the principal amount of all notes and bonds of the Authority so guaranteed by the Commonwealth and outstanding at any one time shall not exceed the principal amount permitted by the Enabling Act to be so guaranteed and outstanding. Any Contract may be combined with and made part of a contract for management and services authorized by the

Trustees among the Commonwealth, acting by and through the Trustees, the Trustees and the Authority.

That the Chair of the Trustees, the Vice Chair of the Trustees, the President of the University, the Executive Vice President of the University and the Vice President for Management and Fiscal Affairs and Treasurer of the University, each acting alone, and each other officer of the University, acting alone, be and hereby are authorized, in the name and on behalf of the Commonwealth and the Trustees, to sign, seal with common seal of the University and of the Trustees, acknowledge if deemed advisable and deliver each Contract and that the execution of such Contract by the signer of such Contract on behalf of the Commonwealth and the Trustees (or the execution by the signer on behalf of the Commonwealth and the Trustees of the contract for management and services with which such Contract is combined and of which such Contract is made a part (which combined contract for financial assistance and management services may be named a contract for financial assistance, management and services with appropriate additions to such names to identify the projects, bonds or notes to which such contract pertains and other pertinent information) shall be conclusive evidence that such Contract is authorized by this Resolution.

That the Chair and Vice Chair of the Trustees of the University be and each such officer acting alone hereby is authorized, in the name and on behalf of the Commonwealth, to sign by manual facsimile signature the form of guaranty provided in the applicable Contract on each bond or note issued by the Authority and guaranteed pursuant to such Contract; in the case any officer of the Trustees whose signature or facsimile signature shall appear on any such bond or note shall cease to be such officer before the delivery thereof, such signature or facsimile signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until such delivery.

That each of the Chair of the Trustees, the Vice Chair of the Trustees, the President of the University, the Executive Vice President of the University and the Vice President for Management and Fiscal Affairs and Treasurer of the University, acting alone, and each other officer of the University, acting alone, is hereby authorized to do such

other things and to take such other actions as the officer so acting shall, as conclusively evidenced by such officer's doing any of the things or taking any of the actions hereby authorized, deem necessary or desirable to be done or taken to carry into effect any of the authorizations granted to such officer by the foregoing paragraphs hereof.

That in addition to the authorizations granted by this resolution to the Chair of the Trustees, the Vice Chair of the Trustees, the President of the University, the Executive Vice President of the University, the Vice President for Management and Fiscal Affairs and Treasurer of the University and each other officer of the University, and without limiting any such authorizations, the Trustees, pursuant to Chapter 75, Section 3A of the Massachusetts General Laws and every other authority thereunto the Trustees enabling, hereby delegate to the President of the University, the Executive Vice President of the University and the Vice President for Management and Fiscal Affairs and Treasurer of the University, each acting alone, and each other officer of the University, acting alone, power to do all acts and things and exercise all powers each officer of the University is authorized by this resolution to do or exercise, such delegation being intended to be commensurate with the authorizations granted to each such officer by this resolution, and such delegation being in the judgement of the Trustees necessary or desirable.