1.0 INTRODUCTION AND BACKGROUND

1.1 Purpose and charge to Task Force

Texas A&M University President Elsa Murano and The Texas A&M University System Chancellor Michael McKinney convened a task force to develop recommendations for the highest and best use of the plat of real estate known as “Research Park”. See Appendix A for the Task Force membership and the charge. The Task Force deliberations included the evaluation of land and buildings, leases, covenants, and optimal use and management of the park. In addition, the Task Force reviewed existing documentation and provided an opinion on the meets and bounds of the property, the existing delegations of authority for the management of the property, and any other relevant documentation pertaining to the Research Park. The Task Force addressed the key question: does the University need a Research Park or is there another “best use” of the facilities and property? If yes to the Research Park, how should it be structured and administered?

The members of the Task Force represented the best interests of Texas A&M University, The Texas A&M University System, and the people of the State of Texas.

1.2 Historical background of Texas A&M University Research Park (TAMURP)

The Research Park (Park) was originally established in 1982 as the Texas A&M University Industrial Research Park through Minute Order 335-82 (Nov. 1983) eight months after a committee was formed to develop a feasibility plan. The intent of the Park was for it to be a master-planned business park to attract corporate and public research facilities. Through MO 335-82 the Board of Regents identified a tract of land on the West Campus of Texas A&M University (TAMU) as the official site, which is designated as Site A in Appendix B. MO 335-82 also authorized the Chancellor to proceed with all actions necessary for the development of the Park.

Over the next 3 years a Master Plan was developed, and Covenants and Restrictions and a Master Form Lease were prepared. The authority to execute the Master Form Lease, a ground lease with an additional 10 years, was granted to the Chancellor in Minute Order 143-85. The Master Form Lease recites that the Park shall serve a public purpose and is “dedicated to the support, maintenance, and benefit of Texas A&M University, its faculty, staff, and students, and of Texas A&M University System.”

According to the original Covenants and Restrictions adopted in 1984 and carried forward through subsequent revisions, the intent was “to establish a Park in which research
facilities, pilot plants, and prototype production facilities, requiring a high degree of scientific input would be permitted."

The current Covenants and Restrictions establish an Architectural Advisory Board (AAB) whose function is to exercise control over development of the Park in terms of aesthetic qualities and to maintain conceptual integrity. The AAB does this by reviewing and approving all construction plans and specifications to ensure compliance with the covenants and restrictions.

Authority to execute the Master Form Lease was transferred from the Chancellor to the President of Texas A&M University in Minute Order 305-93. Two years later, in Minute Order 286-95, the Board amended System Policy 15.01, Research Agreements, to state that “management of the Texas A&M University Research Park is a responsibility of the President of Texas A&M University.” Management of the Park was thereafter delegated by the President to the Vice President for Research in 2001.

In 2003 the Board enacted a system policy to allow TAMU to enter into ground leases at the Park without Board or Chancellor approval, in System Policy 41.05.03.

The following chronological list of Minute Orders and related actions define a timeline for the TAMURP.

- **Minute Order 335-82**
  
  Designated Site A and authorized Chancellor to take all actions necessary for development of the Texas A&M University Industrial Research Park on Site A (west campus), contemplated 75-acre growth area north of University, plus additional growth areas northeast into equestrian area, directly north into dairy area, or east into Veterinary Science area, south of Jersey (now George Bush Drive), southeast into sheep and goat area and directly south to the sides and back of Chancellor’s residence. See Appendix B.

- **Minute Order 269-83**
  
  Appointed Mark Money Vice Chancellor for Research Park and Corporate Relations, effective October 10, 1983.

- **Minute Order 288-83**
  
  Approved the TAMU Research Park Master Plan. The last page of the attachment is a larger, more detailed map of the Research Park titled Ultimate Land Use & Development. Attached to the Agenda Item is a timeline of prior actions relating to the establishment of the Research Park.
- Minute Order 288-83

Approved appropriation of AUF for Phase I infrastructure for TAMU Research Park.

- Minute Order 143-85

Chancellor authorized to execute the Research Park Master Form Lease and amendments.

- January 1, 1991 - Dr. Money retires; John Millhollon named Director of Research Park. A search reveals no Minute Order appointing Mr. Millhollon. It is likely that because the title no longer included being a vice chancellor, that there was no Board action. According to payroll records, Mr. Millhollon was an M PIN as Director of the Research Park, meaning he was a TAMU employee.

- Circa 1989-1991 - System Real Estate Office (SREO) created (administratively under the Deputy Chancellor for Legal and External Affairs/Deputy Chancellor and General Counsel) with responsibility for the Research Park transferred to the System Real Estate Office. Richard Floyd was the first Director of SREO. It is likely Dr. Floyd was wearing two hats. Prior to the creation of the SREO, System real estate administration was handled through the TAMU Real Estate Center; Dr. Floyd was the Director of the Center and initially was contemporaneously Interim Director of the SREO while it was essentially an intrasystem contract operation of the Center. After a search, no documentation has been located to suggest the Center was ever involved in the Research Park.

- Circa 1993-1994 - Dr. Floyd joins TAMU Office of Vice President for Finance and Administration as Associate VP. Sometime in this same period, the administration of the Research Park transferred to the VPFA office, perhaps in conjunction with MO 305-93.

- Minute Order 305-93

MO 143-85 rescinded, President of TAMU authorized to execute the Research Park Master Form Lease and amendments.

- Minute Order 286-95

System Policy 15.01 amended adding Paragraph 7. "The management of the Texas A&M University Research Park is a responsibility of the President of Texas A&M University. Rules and procedures concerning the management of
the Park are set forth in the Research Park Master Form Lease, with its attached Covenants and Restrictions, approved by the Board on [sic] Minute Order 305-93.”

• June 1, 2001 - Research Park is reassigned to the Vice President for Research.

• November 20, 2003 - System Regulation 41.05.03 adopted. Paragraph 2.4(a) provides: “By Minute Order, the Board of Regents authorized Texas A&M University to negotiate and enter into long-term ground leases in the Texas A&M University Research Park without submitting such leases to the Board of Regents, or the Chancellor or designee, for approval. Such ground leases may be executed by the Texas A&M University CEO or designee. After the lease is executed by all parties, a copy must be given to the SREO for data entry.”

• January 1, 2004 - Harold Strong appointed director of Research Park by Richard Ewing, Vice President for Research.

• August 2008 – Harold Strong steps down as executive director of the Research Park. Mr. A. Scott Williams, Executive Director of Real Estate Development in the TAMU Division of Finance, is serving as Interim Director of the TAMURP at 50% time until December 31, 2008.

Given the current transition of the TAMURP, Mr. Williams’ appointment will need to be extended and clear action in the near term will need to be implemented.
2. CURRENT SITUATION

2.1 Vision, mission, & goals

According to the TAMU Research Park Master Plan, as approved by the TAMU Board of Regents with Minute Order 288-83, the purpose of the park is as follows:

i) To utilize the resources of Texas A&M University (TAMU) and the Texas A&M University System (TAMUS) and its other component parts to assist in expanding and strengthening research and development capabilities of the State of Texas.

ii) To enhance the quality and productivity of research activities at TAMU and other parts of the TAMUS and to accelerate the dissemination of new knowledge and the transfer of new technologies to the public and private sectors of the state and the nation.

iii) To establish a closer working relationship between the research capabilities of TAMU and selected industrial and commercial entities which themselves are engaged in research activities compatible with the purposes of TAMU and with other components of the TAMUS.

iv) To facilitate the movement of recently trained graduates of TAMU into demanding and challenging positions in private industry and government at all levels.

In addition, the Research Park Master Plan stated that the University would serve as the Park developer and manager.

The Research Park has been developed to create a quality setting conducive to high productivity and employee satisfaction. Site amenities such as landscaping, hike and bike trails and passive recreation areas have been included in the park. The Research Park's relationship to the developing West Campus and the Main Campus of TAMU has been captured to physically and functionally link these two areas.

2.2 Current Buildings and Occupancy in the TAMURP

Table 1 below highlights the existing buildings in the Research Park, their gross square footage, and the year built. Excluding the Bush Library Complex, there are 10 buildings. According to a recent Texas A&M University Research Park Analysis conducted by Caldwell Companies (2007), 67% of the buildings are owned by TAMU and 24% are owned by Caldwell Companies. This level of ownership by TAMU far exceeds the national average for research parks at universities, which is approximately 43%.

11/10/2008
Table 2 further highlights the tenants of these buildings with a breakdown of square footage occupied by each tenant. Over the years, occupancy has been based primarily on need arising from space shortages on campus. Thus, the portfolio of tenants appears to be somewhat random. The Caldwell Analysis reported that *85% of the space in the Research Park is occupied by TAMU*, whereas the national average of university occupany is only 18%!

New construction and renovations include the following:

1. **Texas Institute for Preclinical Studies (TIPS)** (According to some records, two additional TIPS buildings are planned.)
   - 870 Raymond Stotzer Parkway (North side of the Research Park in the expansion area)
   - A new 117,664 sq. ft. facility

2. **Texas Transportation Institute (TTI)**
   - 2935 Research Parkway
   - A new 67,300 sq. ft. facility

3. **Texas Institute for Genomic Medicine (TIGM)**
   - 670 Raymond Stotzer Parkway (North side of the Research Park in the expansion area)
   - A new 34,120 sq. ft. facility

4. **Sensitive Compartmented Information Facility (SCIF)**
   - Suites 106 & 107
   - Donald L. Houston Building
   - A new 4,500 sq. ft. tenant improvement project

The new headquarters for Texas AgriLife Research is proposed to be located on John Kimbrough at Penberthy. (It is not clear if this plot of land is part of the Park.) In addition to TIGM and TIPS, the following buildings are located in the Research Park expansion area on the North side:

1. **Stevenson Companion Animal Life-Care Center (College of Vet Med)**
   - 906 Raymond Stotzer Parkway, Bldg. #1187

2. **Reproductive Sciences Laboratory (College of Vet Med)**
   - 500 Raymond Stotzer Parkway, Bldg. #1147

If one were to attempt to describe a portfolio of existing tenants, the categories could be described as homeland security, offshore and coastal research, information technology, transportation, agriculture, public policy, life sciences, and veterinary medicine research and services.

The Research Park has had a benign chronology over the years with lack of major planning beyond the late 1980’s. Recently, new construction and renovations have brought some level of activity. However, this activity appears to have emerged without any specific planning for the Park as a whole, and it is tied to the University or a State agency (TTI), not any specific company.
Table 1. Current Buildings and Occupancy in the TAMU Research Park

<table>
<thead>
<tr>
<th>Building Number</th>
<th>Building Name or Address</th>
<th>Tenant(s)</th>
<th>Building Gross Area</th>
<th>Year built</th>
</tr>
</thead>
<tbody>
<tr>
<td>1598</td>
<td>1313 Research Parkway</td>
<td>Lynntech Building (Caldwell Bldg.)</td>
<td>50,149</td>
<td>2003</td>
</tr>
<tr>
<td>1599</td>
<td>2 Research Park 1700 Research Pkwy.</td>
<td>Academy for Advanced Telecommunications and Learning Technologies, Office of Technology Commercialization, Non University Group (Caldwell Bldg.)</td>
<td>70,000</td>
<td>2002</td>
</tr>
<tr>
<td>1601</td>
<td>Ocean Drilling Program Building 1000 Discovery Dr.</td>
<td>Integrated Ocean Drilling Program (IDOP)</td>
<td>86,576 (22,000) (1986 (1998)</td>
<td></td>
</tr>
<tr>
<td>1602</td>
<td>1111 Research Parkway</td>
<td>University Police Department, TALX - Family Dev &amp; Res Mgmt, Environmental Health &amp; Safety Department</td>
<td>39,956</td>
<td>1987</td>
</tr>
<tr>
<td>1603</td>
<td>Donald L. Houston Building 200 Discovery Dr.</td>
<td>Vice President for Research, Continuing &amp; Professional Studies Office, Distance Education, TAM Research Park, Integrative Center for Homeland Security, Delsite Biotechnologies, Future SCIF (Sensitive Compartmented information Facility)</td>
<td>22,868</td>
<td>1989</td>
</tr>
<tr>
<td>1604</td>
<td>Offshore Technology Research Center 1200 Mariner Dr.</td>
<td>TEES - Offshore Technology Research Center</td>
<td>40,014</td>
<td>1990</td>
</tr>
<tr>
<td>1605</td>
<td>Centeq Building 1500 Research Pkwy.</td>
<td>Deputy Chancellor - Agriculture, TALR Vegetable Improvement Center, Institute for Countermeasures Against Bio-Terrorism, TALR Spatial Sciences Lab, TALR - Texas Water Resources Institute, Computing Information Services, Vice President for Research - Director of Research Park, Plant Pathology &amp; Microbiology, Nutrition &amp; Food Science, Texas Department of Agriculture</td>
<td>66,968 (24,000) (1991 (2000)</td>
<td></td>
</tr>
<tr>
<td>1606</td>
<td>Bush Library - Museum &amp; Archive</td>
<td>George Bush Conference Center</td>
<td>121,678</td>
<td></td>
</tr>
<tr>
<td>1607</td>
<td>Allen Building XXX Research Pkwy</td>
<td>Private Enterprise Research Center, Dining Services, Physical Plant, School of Gov't and Public Service, Institute for Science, Technology &amp; Public Policy, Economics, Political Science</td>
<td>133,327</td>
<td></td>
</tr>
<tr>
<td>1610</td>
<td>Haynes Coastal Engineering Lab 600 Discovery Dr.</td>
<td>Computing Information Services, Civil Engineering</td>
<td>25,000</td>
<td>2002</td>
</tr>
<tr>
<td>1620</td>
<td>Electron Beam Food Research Facility 400 Discovery Dr.</td>
<td>Deputy Chancellor - Agriculture</td>
<td>25,838 (16,000) (2001 (2002)</td>
<td></td>
</tr>
<tr>
<td>1608</td>
<td>Research Park Switching Station Mariner Dr. (??)</td>
<td>Physical Plant – Utilities</td>
<td>2,235</td>
<td></td>
</tr>
</tbody>
</table>
Table 2. Current tenants in the Research Park with approximate square footage.

<table>
<thead>
<tr>
<th>Research Park</th>
<th>Department</th>
<th>Non E&amp;G Gross</th>
<th>E&amp;G Gross</th>
<th>E&amp;G Net</th>
<th>Non E&amp;G Net</th>
<th>Total</th>
<th>% of Blg</th>
</tr>
</thead>
<tbody>
<tr>
<td>1598-1513 RESEARCH PARKWAY (LIVINETECH BLDG) - 50,149 gsf</td>
<td>9999-HON-UNIVERSITY GROUP</td>
<td>0</td>
<td>209,617</td>
<td>0</td>
<td>0</td>
<td>209,617</td>
<td>0</td>
</tr>
<tr>
<td>1599-2 RESEARCH PARK-70,000 gsf</td>
<td>0581-TI-TRIAL PLANNING &amp; POLICY ENVIP</td>
<td>7,912</td>
<td>7,912</td>
<td>0</td>
<td>0</td>
<td>7,912</td>
<td>0</td>
</tr>
<tr>
<td>1600-SILCHRIST BUILDING (T.T.I.)-57,145 gsf</td>
<td>0585-TI-TRANSPORTATION OPERATIONS GROUP</td>
<td>7,978</td>
<td>7,978</td>
<td>0</td>
<td>0</td>
<td>7,978</td>
<td>0</td>
</tr>
<tr>
<td>1601-INTEGRATED OCEAN DRILLING BUILDING-56,776 gsf</td>
<td>1407-UNIVERSITY POLICE DEPARTMENT</td>
<td>11,570</td>
<td>11,570</td>
<td>0</td>
<td>0</td>
<td>11,570</td>
<td>0</td>
</tr>
<tr>
<td>1602-1111 RESEARCH PARKWAY BLDG-39,996 gsf</td>
<td>1407-TECHNOLOGY RESEARCH CENTER-40,014 gsf</td>
<td>32,605</td>
<td>32,605</td>
<td>0</td>
<td>0</td>
<td>32,605</td>
<td>0</td>
</tr>
<tr>
<td>1603-DONALD L. HOUSTON BUILDING-22,866 gsf</td>
<td>1605-CENTEO BUILDING 66,966 gsf</td>
<td>32,605</td>
<td>32,605</td>
<td>0</td>
<td>0</td>
<td>32,605</td>
<td>0</td>
</tr>
<tr>
<td>1604-OFFSHORE TECHNOLOGY RESEARCH CENTER-40,014 gsf</td>
<td>1605-CENTEO BUILDING 66,966 gsf</td>
<td>32,605</td>
<td>32,605</td>
<td>0</td>
<td>0</td>
<td>32,605</td>
<td>0</td>
</tr>
<tr>
<td>1605-CENTEO BUILDING 66,966 gsf</td>
<td>0700-DEPUTY CHANCELLOR-AGRICULTURE</td>
<td>15,203</td>
<td>15,203</td>
<td>124</td>
<td>22,060</td>
<td>22,060</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td>0704-TLAR-VEGETABLE IMPROVEM. CENTER</td>
<td>6,404</td>
<td>6,404</td>
<td>0</td>
<td>9,500</td>
<td>9,500</td>
<td>14</td>
</tr>
<tr>
<td></td>
<td>0732-INSTITUTE FOR COUNTERMEASURES AGAINST BIO. TERROR</td>
<td>561</td>
<td>561</td>
<td>0</td>
<td>821</td>
<td>821</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>0735-TLAR-SPATIAL SCIENCES LAB</td>
<td>5,424</td>
<td>5,424</td>
<td>0</td>
<td>7,933</td>
<td>7,933</td>
<td>12</td>
</tr>
<tr>
<td></td>
<td>0745-TLAR-WATER RESOURCES INSTITUTE</td>
<td>2,853</td>
<td>2,853</td>
<td>0</td>
<td>5,299</td>
<td>5,299</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>1610-COASTAL ENGINEERING Lab-25,000 gsf</td>
<td>2,800</td>
<td>2,800</td>
<td>0</td>
<td>0</td>
<td>2,800</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>1050-COMPUTING INFORMATION SERVICES</td>
<td>20</td>
<td>20</td>
<td>0</td>
<td>29</td>
<td>29</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>1620-ELECTRON BEAM FOOD RESEARCH FACILITY-25,436 gsf</td>
<td>17,229</td>
<td>17,229</td>
<td>0</td>
<td>25,838</td>
<td>25,838</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td>1050-COMPUTING INFORMATION SERVICES</td>
<td>20</td>
<td>20</td>
<td>0</td>
<td>297</td>
<td>297</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>1050-COMPUTING INFORMATION SERVICES</td>
<td>20</td>
<td>20</td>
<td>0</td>
<td>297</td>
<td>297</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>7005-CIVIL ENGINEERING</td>
<td>1,666</td>
<td>1,666</td>
<td>0</td>
<td>24,703</td>
<td>24,703</td>
<td>99</td>
</tr>
<tr>
<td></td>
<td>1620-ELECTRON BEAM FOOD RESEARCH FACILITY-25,436 gsf</td>
<td>17,229</td>
<td>17,229</td>
<td>0</td>
<td>25,838</td>
<td>25,838</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td>0700-DEPUTY CHANCELLOR-AGRICULTURE</td>
<td>17,229</td>
<td>17,229</td>
<td>0</td>
<td>25,838</td>
<td>25,838</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td>1610-COASTAL ENGINEERING Lab-25,000 gsf</td>
<td>17,229</td>
<td>17,229</td>
<td>0</td>
<td>25,838</td>
<td>25,838</td>
<td>100</td>
</tr>
</tbody>
</table>

Grand Total: 494,512 gsf

11/10/2008
2.3 Boundaries of the Park

The actual boundaries of the Research Park have not been clearly established. Although Site A was identified as the original site in 1983, subsequent definitions have presented conflicting boundaries. Refer to the maps in Appendix B. The main Park today is approximately 228 acres plus an expansion area of between 75 and 116 acres. However, the Park's web site states that the Research Park is 350 acres.¹

Historically, the original site selected by the Board in Minute Order 335-82 consisted of approximately 318 acres bounded by University Drive on the north, FM 2818 on the west, Jersey Street (now George Bush Drive) on the south, and what is now Discovery Drive to the east as shown on the attached map entitled Original Site “A.” An expansion area of 75 acres at the southeast corner of FM 2818 and University Drive was also identified. The Board adopted a Research Park Master Plan dated November 1983 in Minute Order 288-83, which included the previously designated Park, but included additional “expansion area” north of University Drive (FM 60) eastward to the Veterinary School. The Board referred to the site as having 485 acres, as shown in Appendix B.

The final Master Plan is dated May 1984, and it refers to the Park as containing 434 acres, although the plan appears to be the same plan as adopted in 1983. The master plan included the map entitled, 1984 Master Plan, shown in Appendix B. It seems, therefore, that the main Park today is approximately 228 acres (the original 318 acres, less about 90 acres set aside for the George Bush Presidential Library) with an expansion area between 75 and 116 acres.

A plat of Phase I of the Park, containing 125 acres immediately south of University Drive, was filed in Brazos County in 1989, and revised in early 1990. The approximate boundaries of Phase I are shown on the map entitled, Phase I, in Appendix B. Phase I has yet to be fully developed.

The original “expansion area” of 75 acres has not been developed as part of the Park, but the TIGM Building and the TIPS Building, currently under construction, are located on the north side of University Drive in the extended “expansion area” shown on the 1984 Master Plan. It is not clear whether the Board intended the “expansion area” to be developed prior to full or substantial development of the main Park south of University.

2.4 Organizational structure and management

¹ The 350 acre figure is found on TAMURP’s website page, “Frequently Asked Questions,” a copy of which is included in Tab 3, TAMURP Current Information.
2.4.1 Reporting Structure

The current reporting structure appears to be as follows:

- University President
  - Provost
  - Vice President for Research
  - Director of Research Park

In 1993, the Board authorized the Texas A&M University President to execute the Research Park Master Form Lease and amendments. In 1995, the Board amended a System Policy to make the management of the Research Park the responsibility of the President with the rules and procedures for operating the Park set out in the 1993 Master Form Lease. Ten years later the Board enacted a system policy to allow the University to enter into ground leases in the Park without Board or Chancellor approval. In TAMU Rule 45.05.02.M1, the Texas A&M President delegates "authority for space assignment and land use in the Research Park" to the Vice President for Research.

2.4.2 Oversight

There is also an "Architectural Advisory Board" provided for in the Covenants and Restrictions available online, and the Director of the Research Park serves as Chair. The Board (is supposed to) approves or disapproves proposals for construction in the Research Park, and the Covenants specifically state that the Board is to "exercise control" over the Park to "maintain its conceptual integrity." The Board (is supposed to) reviews all site improvements.

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2 Minute Order 305-93.
3 Minute Order 286-95.
4 System Policy 41.05.03.
5 According to the Covenants and Restrictions, the Board members are

1. Director, Texas A&M University Research Park, TAMU (Serves as Chair) [Harold Strong]
2. Executive Vice President & Provost, Academic Affairs, TAMU [Dr. Jerry Strawser]
3. Vice President for Research, Office of the Vice President for Research, TAMU [Dr. James Calvin]
4. Vice President, Division of Administration, TAMU [None]
5. Manager, Facilities Planning Division, TAMUS [Dan Kennedy]
6. Assistant Vice Chancellor, Facilities Planning & Construction, TAMUS [Vergel Gay]
7. Director, Environmental Health and Safety, TAMU [John Salsman]
8. System Mechanical Engineer, Facilities Planning Division, TAMUS [Ervin Linnstaedter]
9. Associate Director, Physical Plant, TAMU [Les Swick]
10. Assistant Vice President, Physical Plant, TAMU [Richard Williams]
11. System Electrical Engineer, Facilities Planning Division, TAMUS [Stover/Ellerbrock]
layout and architectural presentations and approves or disapproves proposals for new construction or renovations.

The members of the Board identified in the online Covenants and Restrictions are comprised of University and System personnel. However, the members are not current. One member is the “Manager, Facilities Planning Division, TAMUS,” but there is no longer the position of Managing Director of the Facilities Planning Division. In addition, another member is identified as the “System Electrical Engineer, Facilities Planning Division, TAMUS.” There are currently two people with the title of System Electrical Engineer—Stan Stover and Joseph Ellerbrock. In addition, the position of “Associate Director, Physical Plant” appears to be outdated, as Physical Plant has more than one Director and more than one Assistant Director, but no “Associate Director.” Finally, there is no TAMU Vice President, Division of Administration. Thus of the eleven named Board members, four appear to be incorrectly identified or refer to positions that no longer exist.

The Covenants and Restrictions do not document the regularity of the AAB meetings. However, it is assumed that the Board meets on an as-needed basis.

2.4.3 Current Situation

The Executive Director of the Park, Harold Strong, left TAMU for another position in August of 2008. Since then, most activities in terms of tenant management have been on hold. Currently, an interim director of the Research Park, Scott Williams, is managing the park at 50% time, and his term is set to expire in Dec. 2008. Mr. Williams is Executive Director of Real Estate Development in the TAMU Division of Finance. He has one assistant, Katie Crowley, who is supported at 25% by the OVPR. The day-to-day business aspects of the RP (e.g., paying bills, reconciling accounts, assisting Mr. Williams with lease agreements, processing payroll, etc.) are handled by Ms. Annette Shenkir, Asst. VP for Business Administration, in the OVPR. A permanent director and new staff will assume the roles of daily management and business development after a new VP of Research is hired by TAMU and a search is completed that replaces the interim director of the park.

2.5 Tenant Application and Approval Process

There are documented Permitted Uses of the Research Park. The decision-making process is not as clear. Thus, the Task Force pieced together what is believed to be the current practice in approving tenants to occupy space in the Research Park. The process for new construction applications is assumed to go through the Architectural Advisory Board, but all processes are clearly in need of updating.
2.5.1 Permitted Uses

The Research Park is not limited to a particular research industry or area. Current permitted uses are limited to public or private labs, offices, research facilities, pilot plants, and related professional service and recreational uses. Manufacturing and production are limited to prototype development and product assembly directly related to on-site research and development.

The permitted uses of the Park are found in the Covenants and Restrictions. Specifically, Sec. 6.20 states the following allowed uses of space within the Research Park:

1. Laboratories, offices, and other facilities for research, basic and applied, and consulting, conducted by or for any individual, organization, or concern, whether public or private.

2. Product manufacture or assembly shall be limited to prototype development or to the assembly of high technology products which are clearly related to the on-site research and development activities of the tenant. Tenants exclusively engaged in manufacturing or assembly will not be permitted to occupy space on the Park.

3. Pilot plants in which processes planned for use in production elsewhere can be tested.

4. Professional service and select uses incidental to and in support of any uses permitted in paragraphs 1 through 3, such as conference centers, food services, banking facilities, personal services, post office, communications centers, day care centers, training institutions, supply and storage facilities, etc.

5. Operations required to maintain or support any use permitted in paragraphs 1 through 3 on the same tract as the permitted use, such as maintenance shops, parking garages, keeping of animals, machine shops, and communications or computer facilities.

6. Recreational facilities predominantly for Park tenant use.
2.5.2 Approvals

The approval process for new tenants of the Research Park is not clearly documented. Much of the understanding is based on memory, and thus, some decisions and application processing appeared to move forward in an ad hoc manner. Realizing the lack of understanding on space occupancy, the Task Force created a decision-making flowchart, based on discussions with the OVPR staff, in an attempt to clarify this process. In addition, the Delegations of Authority for the University and the System regarding approvals were reviewed and summarized.

2.5.2.1 Current application process

It appears that the primary decisions regarding occupancy in the Park were being made by the Vice President for Research and the director of the Park. Although not originally on the Research Park web site when the Task Force first met in August 2008, there is now a page for potential tenants to fill out an application on-line: http://researchpark.tamu.edu/park/request-for-space. Here, occupancy criteria are posted:

1) Basic or applied research
2) Private or public entities
3) Technology incubators & start-up companies
4) Pilot plant testing
5) Prototype development

The web site does not describe what are the next steps or the timeline.

2.5.2.2 Current decision-making process

Decisions made by the Office of the Vice President for Research relative to Research Park can be categorized into 1) strategic programming decisions and 2) due diligence decisions.

Strategic programming decisions are made by the Director of the Research Park in conjunction with the Vice President for Research. Clearly, this initial step in the decision-making process conveys a tight, limiting filter for potential tenants, i.e., the decisions rest in the hands of two people.

A proposal is reviewed first to see if it meets the criteria for the use of Research Park as a resource as outlined in the “Covenants and Restrictions” (C&Rs or CC&Rs). If a proposal meets the criteria for the use of the Park based on the C&Rs, then the proposal is reviewed in light of “is it in the best interests of the University” criteria. During this stage of the decision-making process a cursory assessment is performed that includes, but is not limited to, the following:

- Risks – reputation, research, business and lost opportunity
• Competing values
• Exit strategy
• Return on Investment
• Generation of grants and/or other revenue that benefit the University
• Strengthen university partnerships
• Promote innovation

There is no appeals process for the strategic programming decision-making process. A proposal is returned to the originator by the Research Park director with comments.

After a proposal has been identified and “accepted” as a viable and worthy venture to be included in the Park, a due diligence review is conducted that identifies and considers risks, deal terms, longevity, exit strategies, etc.

Additionally, during the due diligence phase the University reviews space availability or time and cost to build custom space, as well as, cost considerations (to include, but is not limited to, total construction, financing, taxes and insurance, furniture and equipment costs) and revenue consideration (to include, but is not limited to, product sales, licensing, intellectual property), outcomes of the proposal, etc.

If, after due diligence is performed, the university still deems the proposal is viable and worthwhile to pursue, final negotiations are entered into and a contract is prepared.

The contract is forwarded to the TAMU System Real Estate Office (SREO) for review and approval before being sent to the TAMU Office of General Counsel (OGC) for review and approval.

The OGC approved contract is forwarded to TAMU Contract Administration in the Division of Finance for signature routing according to the President’s Delegation of Authority matrix.

The flowchart highlighting this process is shown in Fig. 1.
2.5.2.3 Delegations of Authority

The current Delegations of Authority for the University and the System were reviewed to highlight how lease agreements and other real estate matters are handled. The following outlines what was found.

TAMU

Delegation of authority for Real Property Lease agreements (TAMU as lessor)

Typical routing for departmental review of documents

- VPA (should this be VPR?)
- System Real Estate Office
- University Contracts Officer

Contracts < $100,000 - Authorization to execute contracts $100,000 or less – University Contracts officer
Contracts > $100,000 but < $200,000 - Authorization to execute contracts $100,000 to $200,000 - SVPCFO (in the absence of any VP, the VP for Finance has been delegated authority to execute contracts on their behalf.

Contracts > $200,000 - No information available.

TAMUS

Delegation of authority for Easements with TAMUS as the Grantor (requires BOR approval)

Routing for Departmental Review

↓ Member CEO
↓ Real Estate Office
↓ Office of General Counsel

Contracts < $100,000 - Authorization to execute contracts $100,000 or less – General Counsel (in case of unavailability of the delegated person, the AVCBA is delegated the authority to execute the contract).

Contracts > $100,000 but < $200,000 - Authorization to execute contracts $100,000 to $200,000 – General Counsel (in case of unavailability of the delegated person, the AVCBA is delegated the authority to execute the contract).

Contracts > $200,000 - The Chancellor is delegated the authority to sign and approve contracts above $200,000 not specifically reserved by the BOR. In case of unavailability, the Chancellor delegates authority to the Associate Vice Chancellor for Budgets and Accounting (AVCBA) and the Associate Vice Chancellor and Treasurer (AVCT) to sign and approve those contracts.

Note – All contracts must be reviewed by the OGC, unless in previously approved format or less than $50,000 with contract review short form attached to contract.
3. **TEXAS A&M RESEARCH PARK: THE FUTURE**

There is tremendous potential for the TAMU Research Park. There are excellent research programs that span from the basic science to the applied to demonstration. There is land. There are entrepreneurial faculty and students. What is lacking is clear vision and a lucid process for moving forward.

3.1 Vision

Although there is construction activity ongoing, it is not based on any specific global plan. More time is needed to regroup the Task Force to develop a plan for the future. Some early ideas for a vision include the following:

Idea 1. Create medical, engineering and life science research and technology transfer through collaboration and partnership. Accelerate the product development and recovery.

Idea 2. Serve as a strong magnet for research and development and as a vehicle to transform the state and nation's economy.

Idea 3. Ignite and accelerate entrepreneurship, stimulate economic development, and extend the university's research enterprise in order to transfer knowledge to the public markets.

Comment on Idea 3. The entrepreneurship needs to be based on university-developed technology. The extension of the university's research enterprise could be more specifically tied to a collaboration (hate that word) among the academic, research and private sectors.

Idea 4. The vision of the TAMU Research Park is to build productive partnerships with industry and government to bring the benefits of research and new discoveries to the citizens of Texas, the United States of America, and the world through creation of new and improved products, services, and processes.

- To build stainable clusters of related enterprises in areas that complement research strengths of the University.

- To provide links between the market and the academy so that applied research remains relevant and useful to society.

- To provide facilities and services for startup companies with great potential to translate research into products beneficial to society in targeted cluster areas.
• To provide an engine of economic growth for the region and State of Texas.

• Perhaps something about resource sharing and leveraging of resources used in research?

There is much work to do here, and this step is critical. Along this line, the Task Force has identified the following strategic priorities

Strengthen and leverage connections with the University and the System.

Attract companies to the Research Park.

Foster the success of companies located in the Research Park.

Create system to enable technology transfer of key University IP.

3.2 Proposed Research Park Approval Process

The Task Force is exploring an updated approval process for potential tenants of the Park. A draft of this process is the following along with a flow diagram.

Guiding Principles:

➢ The TAMU Vice President for Research is responsible for the Research Park vision and startup concepts.

➢ Contract Administration and the System Office of General Counsel is responsible for due diligence of Research Park contracts.

➢ Research Park non-construction contracts are managed by the TAMU Vice President for Research within the appropriate delegations of authority.

➢ Research Park construction contracts are managed by TAMUS Facilities Planning & Construction (FP&C) in conjunction with the TAMU Vice President for Research (VPR).

➢ The TAMU Vice President for Finance and Chief Financial Officer (CFO) is responsible for financial management of Research Park.

Decision Making Process

1. Director of Research Park - contacted regarding proposal for possible tenancy (called “Tenant”) which could be to lease existing space or build to suit. (Step 1 on flowchart)

2. Research Park Advisory Committee (RPAC) - consisting of 6 research faculty members, TAMU Vice President for Finance representative, TAMU Vice President for Research representative, and Director for Research Park, reviews proposal to ensure it is in the best interest of Texas A&M University (organization’s vision and principles). (Step 2 on flowchart)

   a. Approved: Makes a recommendation to the Director of Research Park.

   b. Not approved: Makes a recommendation to the Director of Research Park who communicates to Tenant and returns proposal.

3. Director for Research Park - reviews proposal to ensure it meets the criteria for the use of Research Park as a resource as outlined in the “Covenants and Restrictions” (C&Rs or CC&Rs).

   a. Approved: Sends proposal to TAMU Real Estate for review.
b. Not approved: Communicates to Tenant and returns proposal.

4. Director for Research Park – sends proposal to TAMU Real Estate for appraisal and fair market value due diligence. TAMU Real Estate works with TAMUS Real Estate Office to assess. (Steps 3, 4, and 4.5 on flowchart)
   a. Approved: Makes a recommendation to the Director for Research Park who prepares a contract. (Step 5 on the flowchart)
   b. Not approved: Makes a recommendation to the Director of Research Park who communicates to Tenant and returns proposal.

5. Director for Research Park – begins due diligence review of contract. (Steps 6 and 6.5 on flowchart)
   Financial Review – (CFO)
   Research Review – (VPR)
   Economic Development Review (Director of Research Park with BVEDC)
   All due diligence reviews -
   a. Approved: Each due diligence reviewer makes a recommendation to the Director of Research Park. All three reviews must be approved to move forward.
   b. Not approved: Due diligence reviewer makes a recommendation to the Director of Research Park who communicates to Tenant. Director of Research Park can work with the Tenant to meet due diligence review concerns and gain approval of contract.

LEASES
6. Director of Research Park – forwards lease contract and approvals (e-mails or on Contract/Agreement Approval Transmittal Form) to Contract Administration (CA). (Step 8 on flowchart)
7. Contract Administration – reviews lease contract in consultation with Office of General Counsel (OGS), attaches Contract/Agreement Approval Transmittal Form to the lease contract and forwards to TAMUS Office of General Counsel.
8. TAMUS Office of General Counsel - reviews lease contract for legal form and sufficiency. (Steps 9 and 9.5 on flowchart)
   a. Approved: Executes lease contract and forwards to CA for handling. (Step 10 on flowchart)
   b. Not Approved: Makes recommendation to CA. CA can make appropriate changes to the lease contract and forward to OGS for approval and execution; or return to Director for Research Park for handling with Tenant.

BUILD TO SUIT
9. Director for Research Park - prepares a Program of Requirements form and forwards to TAMUS Facilities Planning & Construction (FP&C). (Steps 7, 7.1, and 7.5 on flowchart)
   a. Approved: Makes recommendation and assigns representative to project. FP&C has oversight of the project during all phases of construction.
   b. Not approved: Makes recommendation to the Director for Research Park. Appropriate changes can be made and resubmitted to FP&C for approval; or proposal is returned to Tenant.
10. Director of Research Park - prepares the Contract/Agreement Approval Transmittal Form, attaches to contract and routes to department head, college dean or director, and Strategic Sourcing for signatures. Routed to CA for further handling. (Step 8 on flowchart)
    After reviewing contract in consultation with Office of General Counsel, Director of Contract Administration signs and routes for appropriate signatures per President’s Delegation of Authority for Contract Administration. Routed to OGC for further handling.
12. TAMUS Office of General Counsel - reviews contract for legal form and sufficiency. (Steps 9 and 9.5 on flowchart)
a. Approved: Executes lease contract and sends to CA for handling. *(Step 10 on flowchart)*
b. Not Approved: Makes recommendation to CA. CA can change the build to suit contract accordingly and forward to OGS for approval and execution; or return to Director for Research Park for handling with Tenant.

*(Insert cross functional file.)*

### 3.2 Best Practice Benchmarks

A comparison of research parks of other Tier I research institutions revealed many commonalities. A consistent pattern of “best practices” emerged among the most successful research parks. Most notably, these institutions share a strong vision for the future in both a local and global sense. Management is actively involved in activities such as benchmarking and strategic planning to ensure that they maintain their current level of success well into the future. In addition, all of the parks offer a wide variety of internal services which benefits both the park tenants and the local community. The most significant characteristic of the “gold standard” parks is their ability to positively impact not only the university research community but the communities they inhabit as a whole.

Here are just a few research parks explored by the Task Force.

**Purdue Research Park** – Seven years ago, the Purdue Research Park embarked on the development of a business incubation program that has resulted in the addition of almost 200,000 square feet of technology incubation space – among the largest in the country. Within that time, the park has launched more than 40 high-tech companies and has grown to encompass the largest cluster of technology-based firms in the state – about 90 altogether. Within the park, there are 139 businesses, in 38 buildings, employing about 2,500 people.

- **Vision** – To be recognized as the national leader in university-stimulated entrepreneurship and economic development through the commercialization of science and technology.
- **Local and global vision** – Key priorities are educational enterprise, business and industry, and community and government.
- **Management structure** – Purdue’s Research Park is managed by the Purdue Research Foundation. They have created a management structure that effectively engages appropriate University offices in an advisory capacity.
- **Service oriented** – In order to maximize their tenant’s time, effort and resources, they offer technical-based startups such support services as marketing, public relations, human resources, business development services and technical assistance. *This also creates a reliance on and demand for services internally which in turn, creates more jobs for local residents.*
- **Strategic planning** – The Foundation collaborates with the University to determine strategic priorities and annual action plans. In order to systematically assess progress based on their strategic plan, a set of “peer foundations” (universities with related research parks) has been chosen from across the nation for comparison purposes.
Research Triangle Park (RTP) – The Research Triangle Park (RTP) was established in 1959 and is located in the heart of North Carolina between Durham, Chapel Hill, and Raleigh, home to three top-tier research universities. RTP enjoys an extraordinary history as the leading and largest high-technology research park in North America, covering 7,000 total acres with over 20 million square feet of developed space. RTP is home to over 157 companies spanning a diverse set of industries. These companies employ 39,000 full-time knowledge workers and thousands of contract workers who have not only played a large role in transforming the economic profile of the state, but also contributed to some of the greatest scientific discoveries of the past 50 years.

- Vision – To create a better life for all North Carolinians through sustainable knowledge and technology-based development that effectively balances human needs and humanities with economic opportunities.
- Local and global vision – During 2006, the Foundation convened and continues to facilitate and Innovation Partnership to better coordinate the efforts of organizations statewide involved in increasing the innovation capacity of North Carolina. In addition, the Foundation is working to extend its global brand and expand its international networking strategy through active engagement with the International Association of Science Parks and targeted partnerships with select individual parks.
- Management structure – The Park is managed by the Research Triangle Foundation of North Carolina.
- Service oriented – The incubator management provides comprehensive support by way of various amenities including available meeting space, administrative services and facilities.
- Strategic planning – Leadership recognized that the life span of its current business model needed to be revisited. The Foundation partnered with a consulting firm to develop a better understanding of the current competition to attract globally recognized research and development talent and to understand what needs to be done to continue to be one of the leading locations to do so.

Penn State - Innovation Park is a 118-acre parcel being developed by Penn State to create an environment where University and business partners can collaborate to take the research and technology resources developed within the University to market. To date, forty-six acres and 750,000 square feet of buildings have been developed, with another 150,000 square feet currently under development. The Park has sixty tenants with approximately 1,200 employees in residence. Innovation Capital Partners, a private developer, has been retained to develop the remainder of the Park.

- Vision/Mission – Their mission is to provide access to Penn State researchers and facilities and business support services that help companies transfer knowledge within the university to the market place and to foster economic development.
- Local and global vision – Innovation Park is working to provide an attractive atmosphere and community for all employees within the Park - Penn State and industry. Innovation Park and companies within the Park sponsor various social and networking events, and events to support the greater community. The Office of the Senior Vice President for
Research (OSVPR) works closely with the Office of the Vice Provost for International Programs to further develop the global reach of Penn State's research enterprise.

- Management structure – In partnership with the Office of Finance and Business, the OSVPR is charged with oversight of the Park.
- Service oriented - Offer wide variety of services to tenants such as access to public and private funding sources, facilitation of research collaborations between university and industry partners, commercialization of technology, and marketing consultation.
- Strategic planning – In conjunction with Innovation Park owners and developers, strategic goals for the next five years include designing, constructing, and leasing 240,000 square feet of additional space; implementing marketing activities that are consistent with the research strengths of the University; utilizing federal programs and other sources to leverage funding for tenant attraction and retention; maintaining a 90-percent occupancy rate in Park multi-tenant buildings; providing services to tenants that will facilitate strong University relationships and provide business-support assistance; and utilizing the services of the Penn State Research and Technology Transfer Office.

M.I.T. – Developed in partnership with MIT, University Park at MIT is a 27-acre development located directly adjacent to the MIT campus. The Park has 1.5 million square feet of scientific research facilities with more than 670 residential units, a hotel and conference center, retail amenities and more.

- Vision/Mission – They offer flexible and efficient, state-of-the-art lab space to take research from the benchtop to the bedside.
- Local and global vision – They have united the park with the neighborhood – work with the community to be a part of the community versus a stand-alone entity.
- Management structure – The Park appears to be managed by an outside firm (Meredith & Grew).
- Service oriented – The information provided refers to tenant services but does not provide any detail beyond that.

Georgia Tech – Technology Enterprise Park is a collaborative biotechnology research and development park affiliated with the Georgia Institute of Technology and is designed to support the sophisticated requirements of early stage to mature biotechnology organizations. The 11-acre park will include four buildings offering a total of 600,000 square feet of laboratory and office space.

- Management structure – It appears that they are managed by an outside firm (Gateway Development Services).
- Service oriented – Provide tenants access to sophisticated lab services in a versatile and cost-effective manner.

Stanford - Stanford created the nation's first high-tech research park in 1951 in response to the demand for industrial land near university resources and an emerging electronics industry tied closely to the School of Engineering. The first lessee of the Stanford Research Park was Varian Associates. Instrumental to the creation and growth of Silicon Valley, the
park is now home to more than 140 companies in electronics, software, biotechnology and other high-tech fields.

- Vision –
- Local and global vision –
- Management structure –
- Service oriented
- Strategic planning –

Duke – Completed in 1968, the Research Park Buildings collectively contain the Departments of Anesthesiology, Medicine, Pediatrics, Radiology, Pharmacology, and Surgery research laboratories, offices, and hospital clinic laboratories. These departments are also contained in the Surgical Oncology Research Facility and the Environmental Safety Building.

- Vision – not available
- Local and global vision – not available
- Management structure – not available
- Service oriented – not available
- Strategic planning – not available

University of North Carolina – The Charlotte Research Institute (CRI) campus is a geographically defined part of UNC Charlotte known as a Millennial Campus. 2000 State of North Carolina legislation allows partnership activities with private sector partners (including contracts for space use, equipment use, and commercial development). The campus encompasses over 100 acres of land with eight existing buildings and four buildings in planning, design and construction.

- Vision/Mission – To facilitate the development of applied technology by pursuing strategically planned and focused interdisciplinary research programs in collaboration with industry, academic and government sectors that will generate world recognized accomplishment and advancing the development of human and intellectual capital by attracting and leveraging expertise and resources to enhance the research, academic and technology foundations of the region.
- Local and global vision – Locally, CRI works in the community to accelerate the growth of small businesses and university start-ups. Globally, CRI develops intellectual capital through collaborations with industry, government and academia.
- Management structure – The CRI campus is managed by the CRI.
- Service oriented – The Institute offers services that derive from its research expertise to both on and off campus entities.
- Strategic planning – CRI is poised to be a significant R&D leader in energy production and delivery. UNC is collaborating with some of Charlotte’s major energy industries to develop an Energy Production and Infrastructure Center (EPIC).

NCSU – Centennial Campus is North Carolina State University’s vision of the future. This "technopolis" consists of multi-disciplinary R&D neighborhoods, with university, corporate, and government facilities intertwined. A middle school, residential housing, executive
conference center and hotel, golf course, town center and recreational amenities will weave the campus into a true interactive community.

- Vision/Mission – Centennial Campus is providing a new dimension of excellence for the 21st century in the performance of North Carolina State University's land-grant mission of teaching, research and service to the people of North Carolina.
- Local and global vision – not available
- Management structure – The park is managed by Centennial Campus Partnership Office.
- Service oriented – not available
- Strategic planning – not available

More work needs to be done here, which I will do from Qatar.
4. **CONCLUSIONS (THIS SECTION NEEDS MORE WORK.)**

The Committee unanimously agreed that Texas A&M University should have a research park. Many major research universities have them and find them useful to the research mission.

Currently, the TAMU Research Park is not being utilized to its potential. Private business enterprises remain a small portion of total tenant occupancy (13%). Nationally, for-profit companies represent 72% of occupancy of university-based research parks, while university facilities and government agencies represent 14% and 5% of occupancy respectively (Association of University Research Parks Report, *Characteristics and Trends in North America Research: 21st Century Direction*, October 2007, Table ES-1, “Profile of a Typical North American Research Park”). The goals of the Texas A&M Research Park as set forth in “Purpose and Intent” (see page 1 titled “Purpose and Intent” of the committee’s untitled working document) cannot be met without increasing participation of for-profit companies.

Nationally it appears that successful research parks (RTP) focus efforts to attract and sustain clusters of related enterprises in areas that complement research strengths of the university (Association of University Research Parks Report, *Characteristics and Trends in North America Research: 21st Century Direction*, October 2007, p. viii). A growing presence in a focused area helps attract new companies and serves as an incubator for home-grown entrants. Based on current non-University occupancy, the focus of the Texas A&M Research Park seems unclear. Future success may hinge on a focused approach. To attract new entrants requires a critical number of potential employees with expertise in an area. Given the size of our local economy and the geographic distance to larger population areas, building a sufficient pool of talented employees may require a focused or at least “clustered” approach.

It is unclear to what degree meaningful exchanges are taking place between TAMU and industry researchers. While university research parks should be viewed as mechanisms to translate research into products that benefit society and engines of economic growth, it is equally important that they provide a link between the market and the academy so that applied research remains relevant and useful to society. Future directions might include mixed-campus use designed to enhance free exchange of ideas between industry and the university.

Further investigation is needed to better understand how other universities are using their parks and to explore how those uses may translate into the TAMU environment. In-depth consideration of options should be undertaken to avoid costly mistakes with respect to decisions made about land use in the park. There may be potential for the TAMU Research Park to become a revenue center. There may be potential for extensive commercialization of intellectual property conceived at the University but brought to market through public-private partnerships with locations in the Research Park. The Park might be used in part as an incubator for faculty-led firms wishing to commercialize patented inventions or set up
consulting firms to support intellectual property use in the marketplace or to provide highly specialized expertise.

Thus, the Committee strongly recommends that a group be constituted to perform the study of research parks nationwide, develop alternative futures for the TAMU Research Park, and make a recommendation for action that is in the best interests of Texas A&M University, the System, and the taxpayers of the state of Texas.
Appendix A

MEMORANDUM

TO: Theresa Maldonado
    Greg Anderson
    Tim Coffey
    H. Russell Cross
    Vergel Gay
    Jay Kimbrough
    Alan Love
    Terry Pankratz
    Charles Sippial

FROM: Elsa A. Murano

RE: Research Park Task Force

August 15, 2008

I am asking each of you to serve on a very important task force to develop recommendations to the Chancellor and me regarding Research Park. The attached "charge" document will give you some background as to the purpose of this task force.

Dr. Theresa Maldonado, Deputy Director of TEES, has agreed to chair this committee, and I have asked her to convene the task force as soon as possible. The first meeting will be held at 8 a.m. on August 20 at the System Headquarters building. My office will provide assistance to the task force to provide historical information on this subject as needed.

I truly appreciate you taking the time to serve on this essential task force and providing your recommendations.

Attachment
Appendix B

Possible boundaries. The green space to the right of the 75 acre Expansion Area (in the Original Site “A”) is also recognized as part of the Expansion Area by some records.
Phase I
As Recorded in Brazos County
Ultimate Land Use & Development

Exhibit 3

- Lease Parcels
- Dedicated Open Space
- Pedestrianways

Bovey Engineers, Inc.
Engineers and Planners

Texas A&M University Research Park
College Station, Texas
Current map with the Texas Institute for Genomic Medicine Bldg. (Bldg. #1900, 670 Raymond Stotzer Pkwy). The construction for the Texas Transportation Institute Hqrs bldg.(2935 Research Pkwy.) and the Texas A&M Institute for Preclinical Studies (TIPS, Bldg. #1904, 800 Raymond Stotzer Pkwy.) is not shown.
Extra material that will be organized later.

**e. Building design and construction**

Building design and construction are monitored carefully by the management team. The intent is to produce an orderly and aesthetically pleasing environment that is compatible with the natural aspects of the Park, as well as the existing University facilities on the West Campus. The aesthetic appearance of the exterior of the buildings and other structures is of paramount concern to the AAG Board; therefore, building design will weigh heavily in the Board’s decision to either accept or reject a proposed design. Innovative architectural designs that harmonize with the environment and express individuality are encouraged.

**Materials** – Durable materials such as masonry are preferred for all structures. Innovative quality materials are encouraged, however, such use is subject to AAG Board approval.

**Building Height** – All structures are limited to a height of six stories or 78-feet (whichever is less).

**Expansion** – All controls delineated in these covenants refer to ultimate development of any site. All site plans must identify initial and ultimate improvements including buildings, paving, grading, landscaping and signage.

**Barrier Free Design** – All site improvements must be fully accessible to the handicapped in accordance with:

(a) Texas Accessibility Standards (TAS)
(b) Texas Department of Licensing and Regulation
(c) Architectural Barriers Act, Chapter 469, Government Code
(d) The Americans with Disabilities Act (ADA/Act) (PL) 101-336, July 26, 1990

**Construction Criteria** – Once commenced, construction must be diligently pursued through completion. Such construction may not be left in a partially finished condition any longer than is reasonably necessary. Excavation cannot be done except in conjunction with construction of an improvement. When such an improvement is completed, all exposed excavations will be back-filled, graded and the site returned to its natural state or in compliance with the approved landscape plan.

**Latent or Concealed Conditions** – If in the performance of a contract, subsurface, latent, or concealed conditions at the site are found to be materially different from those indicated by the Construction Contract Drawings and Specifications, or different from any documents provided by the Research Park, or if unknown conditions of an unusual nature are disclosed differing materially from the conditions usually inherent in work of the character shown and specified, the Architect/Engineer and the Owner shall notify the Park Director in writing of such conditions before the work is disturbed. Upon such notice, or upon his own observation of such condition, the Architect/Engineer, with the written approval of the Owner and Park Director, will make such changes promptly in the Drawings and Specifications as
he or she deems necessary to conform to the different conditions. In no case will the Texas A&M University System, Texas A&M University Research Park, Texas A&M University or any of their employees or agents be liable for the additional cost.

f. Occupancy

A Certificate of Occupancy (CO) must be obtained prior to move in. The CO will be issued by TAMU Facilities, Planning and Construction Department only after a letter from all registered design professionals has been signed and delivered to the Park Director stating that all construction meets or exceeds the requirement of the construction documents and all approved change orders.

g. Covenants and restrictions

The Review and Approval process is as follows:

(5) Required Plans - All plans, specifications and requests for authority to remodel or alter the exterior of the building or otherwise change the leasehold, must be submitted in writing to the AAG Board for review and approval. No building, sign, landscaping, lighting or other exterior improvements will be altered, placed or erected on any building site without such prior written approval from the Board.

(6) Access - The Park Director or designee has full access to all buildings and sites during all phases of construction.

(7) Approval Process - Approval will be based upon conformity and harmony of external design with neighboring structures, effect of location and use of improvements on neighboring sites; orientation of main elevations with respect to nearby streets; and conformity of plans and specifications to the intent of these covenants. Improvements or alterations of any site will not commence prior to compliance with review process.

(8) Concept Design Review - The objective of this section is to ensure careful site planning with regard to location and size of building, parking, open space and access. The concept design must be approved by the Board in writing prior to beginning the final design. Concept design must include the following:

(a) Site plan information such as utility locations and connections, drainage, service areas, outdoor storage, trash receptacle, mechanical and electrical equipment. Other activity or equipment must be designated which would alter the natural site, including aesthetic screening of storage, trash, and equipment areas.

(b) Building elevations, floor plans, and sections.

(c) Building materials, parking, and open space.
(d) Landscaping, signage, and lighting.

(e) Construction staging.

(f) Identification of any wastewater pre-treatment requirements.

(g) Any out of the ordinary use (i.e. oversized water pumps).

(9) Final Design Review - Submission will include, but is not limited to, the following:

(a) A topographical and boundary map showing contour grades (with 1-foot intervals), the species, location and size of (measured 12-inches above ground) all existing trees greater than 6-inch caliper and the location of all improvements, such as signs, structures, walks, patios, driveways, fences and walls. Existing and finished grades must be shown at parcel corners and for proposed improvements.

Lot drainage provisions will be included (special emphasis must be paid to drainage from adjoining non-improved lots), as well as cut and fill details, if any appreciable change in contours is contemplated.

(b) Exterior elevations, including screening.

(c) Exterior materials, colors, textures and shapes.

(d) Landscaping plan, including proposed clearing, walkways, fences, walls, elevation changes, irrigation systems, vegetation, and ground cover.

(e) Parking area, driveway plan, and expected traffic impact.

(f) Screening, including size, location and method.

(g) Utility routing, points-of-connection and power requirements. All utility routing will be underground unless prior approval is given. Proposed utility routing will be shown on drawing(s).

Examples of routings are:

(i) Electrical
(ii) Water
(iii) Special Needs
(iv) Lighting
(v) Natural Gas
(vi) Telecom
(vii) Grounding
(viii) Security
(ix) Cable TV
(x) Satellite
(xi) Exterior points-of-connection will be shown on drawing(s). The main cutoffs for electrical power and water will be shown on drawing(s). Power requirements will include the following information: Single phase requirements, three phase power requirements, critical Loads, UPS requirements, emergency needs, and lighting requirements.
(xii) Exterior illumination, including location, manufacturer's fixture number, and supporting photometric test data.
(xiii) Fire protection system as required by National Fire Protection Association (NFPA) Codes.
(xiv) Signs, including copy, size, shape, color, typeface, location, illumination and materials. Also, elevation and plan view drawings indicating relationship to all other visual elements within 50-feet of the sign.
(xv) Trash container storage locations and related screening.
(xvi) Proposed use and estimated building occupant load.
(xvii) Clearing plan and tree protection plan, plus measures for environmental protection during construction.
(xviii) Drainage runoff quantities for ten-year frequency.
(xix) Property line with bearings based on the Texas Plane Coordinate System.
(xx) Coordinates for at least two opposite property corners based on the Texas Plane Coordinate System.

10) Required File Documents - Two copies of all construction documents must be filed with the Park Director prior to commencing construction.

11) Submittal Requirements - Seven sets of all documents will be included in each submission for review. All buildings must be designed by a registered architect and all landscape plans by a registered landscape architect. The architect(s), assisted by registered engineers, are solely responsible for the safety, structural, mechanical, electrical and other systems in the improvements. The Board does not approve these elements.

The Texas registration seal of appropriate architect, engineer and/or landscape architect must appear on all documents. The architect must also submit a statement over his/her signature stating all contract documents have been prepared in accordance with all applicable codes, ordinances, and regulations related to the project.

12) Compliance with current codes:

(a) National Fire Codes, National Fire Protection Association (including but not limited to NFPA101, NFPA70).
(c) IBC Plumbing Code (latest edition).
(d) IBC Energy Code (latest edition) or Energy Conservation Design Standard for New State Buildings. (If Required)
(e) American Disabilities Act (ADA) and Texas Accessibility Standards (TAS).

(g) Local city codes are not applicable to construction on State of Texas property, which includes all property owned by The Texas A&M University System.

(13) **Letter of Approval** - Upon final design approval, the Park Director will issue a letter advising all concerned agencies of the acceptance of the construction plans and specifications. No construction activities are to commence without this letter.

(14) **Timeliness of Board Action** - The Board shall approve or disapprove the plans and specifications within 30-days of submittal.

(15) **Clearing Approval** - A clearing plan or site demolition plan clearly indicating all existing site features to be removed must be submitted as part of the final design review documents for approval.

(16) **Record Drawings** - Tenant must ensure the drawings are revised upon completion of the work to show changes in the construction indicated by the Contractor on the "Record Prints" kept at the project's site. The tenant will deliver to the Park Director the original or reproducible film positive copies, corrected to be "Record Drawings" made from the Contractor's "Record Prints" and one additional set of reproducible film positive copies of these drawings and one (1) set of specifications. Paper sepia is not acceptable. Provide one copy of all drawings in Microstation "DGN" or AutoCAD "DWG" digital format.

(17) **Permitted uses** - It is the intent of the provisions of this section to guide in the establishment of a park in which research facilities, pilot plants and prototype production facilities, requiring a high degree of scientific input are permitted.

(18) **Appropriate Park Facilities** - The following are permitted to locate within the Research Park:

(a) Laboratories, offices, and other facilities for research, basic and applied, and consulting, conducted by or for any individual, organization or concern, whether public or private.

(b) Product manufacture or assembly is limited to prototype development or to the assembly of high technology products that are clearly related to the on-site research and development activities of the tenant.

Tenants exclusively engaged in manufacturing or assembly will not be permitted to occupy space in the Park.

(c) Pilot plants in which processes planned for use in production elsewhere can be tested.

(d) Professional services and select uses incidental to and in support of any uses permitted in paragraphs (a) through (c), such as conference centers, food services, banking facilities, personal services, post office, communication centers, day care centers, training institutes, and supply and storage facilities, etc.
(e) Operations required to maintain or support any use permitted in paragraphs a through c on the same tract as the permitted use, such as maintenance shops, parking garages, keeping of animals, machine shops, and communications or computer facilities.

(f) Recreation facilities predominantly for Park tenant use.

ii) Services

(1) Information Technology (IT) – IT services are available in the Research Park in all buildings. TAMU does not provide maintenance and technical support for existing computer systems unless it is contracted for in advance. Fiber optic cable is not available to all vacant building sites and in some cases would have to be extended to the site via underground trenching and construction.

2) Landscaping – the care, custody and maintenance of the grounds are managed by Texas A&M University Physical Plant and the costs for same are borne by the University.

i) Research Park Fee Structure – an overhead and management fee is charged to all tenants in the buildings to offset costs related to running the Park and the grounds. The fee is proposed to be $1.00 psf of rentable space per year.

5. REFERENCES