

Additional Delegation of Authority for Real Property – Western Carolina University

ISSUE OVERVIEW

Consistent with G.S. 116-31.12 and other state law, through Section 600.1.3 of the UNC Policy Manual, the UNC Board of Governors has delegated to the boards of trustees of the constituent institutions the ability to authorize the acquisition and disposition of real property other than by lease if the property is valued at less than \$500,000 and to the acquisition and disposition of real property by lease if the annual value of the lease is less than \$500,000 and the lease term is not more than 10 years. UNC Policy 600.1.3 allows constituent institutions to request additional delegated real property authority which will increase the value of acquisition and disposition of real property other than by lease to less than \$1,000,000 and the acquisition and disposition of property by lease to an annual value of less than \$750,000 if the term is not more than 10 years. If such additional authority is granted, authorization by the Board of Governors is not required.

In accordance with UNC Policy Manual 600.1.3 and 600.1.3[R], to request additional delegated authority to authorize real property transactions, a university must complete a comprehensive, written self-assessment and must:

- Have an individual on staff, designated by the chancellor as the campus property officer, with substantial experience in managing commercial real estate transactions
- Have a properly constituted and active campus property review committee comprised of individuals with sufficient technical expertise, strategic perspective, and executive authority to perform the required duties
- Have appropriate and sufficient technical and professional staff with demonstrated capability in the development, evaluation, and execution of commercial leasing transactions
- Have sufficient administrative, technical and support resources to properly carry out the delegated authority
- Have a documented comprehensive policy and associated procedures in accordance with UNC Policy 600.1.3 and 600.1.3[R],
- Be certified by the chancellor as meeting the policy, and
- Have the policy adopted by its board of trustees.

The chancellor of the university must certify compliance with the requirements and submit the request to the UNC System Office. The senior vice president for finance and administration assembles a team to evaluate the request. Currently, the Board has approved additional delegated authority for real property leases to East Carolina University, NC State University, UNC-Chapel Hill, UNC Charlotte, UNC Wilmington, and the president.

The UNC System Office received WCU's request on July 5, 2019, and assembled an assessment team, which performed a site visit on October 7, 2019, to meet with university staff and to perform an on-site capabilities appraisal. The assessment team determined that WCU has staff with appropriate expertise and documented organizational structure, policies, and procedures to support delegated authority and meets the criteria of UNC Policy 600.1.3 and regulation 600.1.3 [R].

RECOMMENDATION

It is recommended that the Board of Governors approve the Board of Trustees of Western Carolina University's request for additional delegated authority to authorize the acquisition and disposition of real property through lease and non-lease transactions consistent with G.S. 116-31.12, UNC Policy 600.1.3 and 600.1.3 [R].