



**FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES
FULL BOARD MEETING**

Friday, June 2, 2017

2:00 pm **approximate start time*

Florida International University
Modesto A. Maidique Campus
Rafael Diaz-Balart Hall
Large Courtroom, RDB 1000

AGENDA

- | | |
|---|---------------------------|
| 1. Call to Order and Chair's Remarks | Chair Claudia Puig |
| 2. Foundation Report | Thomas M. Cornish |
| 3. Public Appearances | Claudia Puig |
| 4. President's Report | Mark B. Rosenberg |
| 5. Action Items – Consent Agenda | Claudia Puig |
| BT1. Minutes, March 3, 2017 | |
| BT2. Minutes, March 24, 2017 | |
| FF2. Proposed 2017-18 Fixed Capital Outlay Budget | |
| FF3. Request for Approval of Florida International University's 2018-19 Fixed Capital Outlay Legislative Budget Request, Consisting of the Five-Year Capital Improvement Plan | |
| FF4. Self-Supporting Program Tuition, 2018-19 Academic Year | |
| A. Doctorate of Athletic Training | |
| B. Master of Science in Applied Behavior Analysis | |
| AC1. Office of Internal Audit Policy and Charter | |
| AC3. University Compliance and Ethics Program Plan | |
| AP1. Tenure Nominations | |
| AP2. Tenure as a Condition of Employment Nominations | |
| AP3. Amendments to FIU Regulation 1103, Textbook Affordability | |

5. Action Items – Consent Agenda *(Continued...)*

- AP4. Program Termination: Bachelor of Science in Statistics
- AP5. New Program Proposal: Bachelor of Science in the Internet of Things
- AP6. New Program Proposal: Doctor of Athletic Training
- G1. Ratification of the 2017-2020 Collective Bargaining Agreement between The Florida International University Board of Trustees and Florida Public Employees Council 79, affiliate of the American Federation of State, County, and Municipal Employees, AFL-CIO (AFSCME)*

6. Action Items

- FF1. Proposed 2017-18 University and DSO Operating Budgets** Leonard Boord
- FF5. Approval of Amendment to the 2010-20 Campus Master Plan for the Modesto A. Maidique Campus to Accommodate the Construction of a Hotel, Conference Center, Alumni Center and Parking and Approval of Terms of the Ground Lease Associated with the Hotel, Conference Center, Alumni Center and Parking** Leonard Boord
- G2. 2017-18 University Work Plan** Claudia Puig
- G3. University and President’s Performance Goals, 2017-18** Claudia Puig

7. Status Reports, Board Committees

- Finance and Facilities Committee Report Leonard Boord
- External Relations Committee Report Claudia Puig
- Audit and Compliance Committee Report Gerald C. Grant, Jr.
- Academic Policy and Student Affairs Committee Report Cesar L. Alvarez
- Health Affairs Committee Report Jose J. Armas
- Governance Committee Report Claudia Puig

8. New Business *(If any)* Claudia Puig

9. Concluding Remarks and Adjournment Claudia Puig

The next Full Board Meeting is scheduled for Thursday, September 7, 2017

Consent Agenda

BT1

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 2, 2017

Subject: Approval of Minutes of Meeting held March 3, 2017

Proposed Board Action:

Approval of Minutes of the FIU Board of Trustees, Full Board meeting held on Friday, March 3, 2017 at the Modesto A. Maidique Campus, Graham Center, Room 243.

Background Information:

Board members will review and approve the Minutes of the FIU Board of Trustees, Full Board meeting held on Friday, March 3, 2017 at the Modesto A. Maidique Campus, Graham Center, Room 243.

Supporting Documentation: Minutes: Full Board Meeting, March 3, 2017



**FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES
FULL BOARD MEETING
MARCH 3, 2017
MINUTES**

1. Call to Order and Chair's Remarks

Board Chair Claudia Puig convened the meeting of the Florida International University Board of Trustees at 2:06 p.m., on Friday, March 3, 2017, at the Modesto A. Maidique Campus, Graham Center, Room 243.

The following attendance was recorded:

Present:

Claudia Puig, *Chair*
Jorge L. Arrizurieta, *Vice Chair*
Cesar L. Alvarez
Jose J. Armas
Alian Collazo
Gerald C. Grant, Jr.
Michael G. Joseph
Natasha Lowell
Justo L. Pozo
Marc D. Sarnoff
Kathleen L. Wilson

Excused:

Leonard Boord
Albert Maury

Chair Puig welcomed all Trustees, University faculty, and staff. She noted that last month she joined Board Vice Chair Jorge L. Arrizurieta and Trustees Alian Collazo and Marc D. Sarnoff for FIU in D.C. Presidential Inauguration events. She thanked Vice Chair Arrizurieta for representing the Board of Trustees at Governor Scott's Degrees to Jobs Summit. She urged Trustees to participate in FIU Day on March 21, 2017.

On behalf of the FIU Board of Trustees, Chair Puig extended her gratitude to Student Trustee and Student Government President for the Modesto A. Maidique Campus Alian Collazo for his leadership and dedication to the Board, to the University and to the students. Trustee Kathleen L. Wilson discussed Trustee Collazo's many accomplishments, noting he is expected to graduate after only 3 -1/2 years with a B.A. in International Relations, speaks three languages including Arabic, and has received multiple prestigious employment opportunities.

Trustee Collazo relayed his commitment to FIU and discussed the importance of positive leadership in the University and beyond. He introduced a video where students shared the impact of FIU in D.C. in their student and professional careers. He then announced a \$1,500 personal contribution towards the establishment of the first endowment in support of student travel to D.C.

2. Foundation Report

FIU Foundation, Inc. Board of Directors Vice Chair Richard Brilliant provided a comprehensive Next Horizon Campaign update. He presented implementation highlights and discussed volunteer engagement and progress towards the \$50M fundraising goal for fiscal year 2016-17. He also defined the Foundation's investment portfolio in terms of Public Equity and Hedge Funds performance.

3. Public Appearances

There were no public appearances.

4. President's Report

University President Mark B. Rosenberg congratulated Trustee Jose J. Armas on his recent appointment to the Florida Constitution Revision Commission. President Rosenberg shared the stories of four FIU students who participated in internships, adding that meaningful internships are a critical component of future career success. He recognized FIU College of Law Dean R. Alexander Acosta on his nomination for the position of Secretary of the U.S. Department of Labor. President Rosenberg stated that Dean Acosta will continue to serve as Dean of the College of Law until his nomination is confirmed by the U.S. Senate. President Rosenberg reported that over 400 alumni connected with 4,000 students during the 2017 Panther Alumni Week. He introduced a video that featured the nearly 1,600 elementary, middle, and high school students that attended the 16th annual FIU Engineering Expo, which he added encourages students to consider careers in engineering.

5. Action Items – Consent Agenda

Chair Puig noted that the Audit and Compliance Committee, Finance and Facilities Committee, and Academic Policy and Student Affairs Committee each recommended approval by the Board of the respective action items contained in the Consent Agenda.

Chair Puig asked if any Trustee wanted any item to be removed from the Consent Agenda and voted on separately. Hearing no such request, a motion was made and passed to accept the Consent Agenda, and members of the Board concurred with the following actions:

- **BT1. Minutes, December 1, 2016** - Approval of Minutes of the Florida International University Board of Trustees Full Board meeting held on Thursday, December 1, 2016 at the Graham Center Ballrooms.
- **AC2. Approval of the Compliance and Ethics Charter for the Office of University Compliance and Integrity** – Approval of the Compliance and Ethics Charter for the Office of University Compliance and Integrity.

▪ **FF2. Amendment to Signature Authority**

A. Amendment to Signature Authority – Authorization to Sign Checks for the University – Amendment to the Signature Authority – Authorization to sign checks to pay the legal obligations of the University from any and all designated University depositories to reflect the following changes:

- Removed: Cecilia Hamilton, former Associate Vice President and University Controller
- Approve: Katharine A. Brophy, Associate Vice President and University Controller

B. Amendment to Signature Authority – Authorization to Sign Checks for Certain Foreign Research Program Accounts – Amendment to the Signature Authority - Authorization to sign checks for certain foreign research program accounts to reflect the following changes:

For the West Africa Water Supply, Sanitation, and Hygiene Program:

- Removed: Cecilia Hamilton, former Associate Vice President and University Controller
- Approve: Katharine A. Brophy, Associate Vice President and University Controller
- Approve: Joseph Wethe, West Africa Program Deputy Director

For the Tanzania Integrated Water Sanitation and Hygiene Program:

- Removed: Cecilia Hamilton, former Associate Vice President and University Controller
- Approve: Katharine A. Brophy, Associate Vice President and University Controller

▪ **FF3. Authorization to Close Certain Foreign Program Accounts** - Close the following bank accounts and remove all signature authorities:

- Account at the Bank of Kigali in Kigali, for the USAID project in Rwanda, the Rwanda Integrated Water Security Program.
- Account at the TBC Bank in Tbilisi, for the Integrated Natural Resource Management in Watersheds of the Republic of Georgia, INRMW, the Georgia Program.
- Bank account for the Italy Program as it was never established.

▪ **FF4. Tuition for Doctorate of Business Administration in International Business Self-Supporting Program, 2017-2018 Academic Year** – Approval of the self-supporting tuition of \$33,000 annually for 24 credits for the Doctorate of Business Administration in International Business offered through continuing education beginning academic year 2017-2018.

- **FF6. Review of Test Preparation Fee** – Approval of the continuation of the Test Preparation Fee.
- **AP1. Tenure as a Condition of Employment Nomination** – Approval of one (1) candidate for Tenure as a Condition of Employment.
- **AP2. New Program Proposal: Bachelor of Arts in Computer Science** – Approval of the Bachelor of Arts in Computer Science (CIP 11.0101) new program proposal.
- **AP3. New Program Proposal: Master of Science in Applied Behavior Analysis** - Approval of the Master of Science in Applied Behavior Analysis (CIP 13.1299) new program proposal.
- **AP4. Honorary Degree Nominations** – Endorsement of Mr. Jorge M. Perez as a recipient of a doctoral degree honoris causa and Mr. Peter W. Harlem as a recipient of a posthumous doctoral degree honoris causa from Florida International University.

6. Action Item

AC1. Performance Based Funding Metrics

A. Performance Based Funding – Data Integrity Certification

B. Audit of Performance Based Funding Metrics Data Integrity

Trustee Gerald C. Grant, Jr., Chair of the Audit and Compliance Committee, noted that the BOG requires the Board Chair and University President to jointly execute a Data Integrity Certification affirmatively certifying that the University maintains reliable systems as they relate to BOG data and reporting requirements. Additionally, he added that the University's Chief Audit Executive Allen Vann conducted an audit of the University's processes completeness, accuracy, and timeliness. He stated that the audit findings confirmed that the University has good process controls for maintaining and reporting performance metrics data.

A motion was made and passed that the FIU Board of Trustees:

1. Approve the Performance Based Funding – Data Integrity Certification to be signed by the Chair of the FIU Board of Trustees; and
2. Approve the Audit Report - Audit of the Performance Based Funding Metrics Data Integrity

FF1. Authorization for the Issuance of Debt to Finance the Construction of a Student Residence Facility at the University's Modesto A. Maidique Campus

Trustee Justo L. Pozo, Vice Chair of the Finance and Facilities Committee, requested that Senior Vice President for Administration and Chief Financial Officer Kenneth A. Jessell present the Authorization for the Issuance of Debt to Finance the Construction of a Student Residence Facility at the University's Modesto A. Maidique Campus for the Board's review. Sr. VP and CFO Jessell noted that FIU is the lowest among the State University System in terms of students that are housed on university facilities, adding that current residence halls are at capacity and cannot meet the demand for student on-campus housing. He stated that the Project will consist of a suite-style residence hall with 656 beds and will include approximately 300 parking spaces and ancillary space to

service the residents. He added that the Project is contemplated on the University's 2010-20 Campus Master Plan; however, depending upon the final site recommendation, an amendment to the Campus Master Plan may be required by the Board of Trustees. He stated that the total Project construction cost is expected to be approximately \$66,500,000 with approximately \$16,400,000 cash contribution from Housing and Parking reserves.

Sr. VP and CFO Jessell delineated the terms of the request, which he noted would consist of the Board of Trustees authorizing a request from the Board of Governors to the Division of Bond Finance to issue fixed rate revenue bonds in an amount not exceeding (i) \$60,000,000 plus (ii) an additional five (5) percent, or \$3,000,000, to adjust Project components, including Project cost and amount of debt issuance, as deemed necessary by the University to finance the construction of the Project, finance capitalized interest, fund a debt service reserve fund and pay costs of issuing the Bonds. He noted that the financing term is expected to be 30 years but not to exceed 35 years.

Trustee Sarnoff stated that he would only support the Project if it consisted of \$55M in total funding.

A motion was made and passed that the FIU Board of Trustees authorize a request to the Board of Governors to request the Division of Bond Finance of the State Board of Administration to issue revenue bonds on behalf of Florida International University to finance construction of a Student Residence Facility on the Modesto A. Maidique campus of the University.

Trustee Sarnoff voted against the motion.

FF5. Naming of FIU Stadium as the "Riccardo Silva Stadium" and FIU Arena as the "Ocean Bank Convocation Center"

Trustee Pozo presented that Naming of FIU Stadium as the "Riccardo Silva Stadium" and FIU Arena as the "Ocean Bank Convocation Center" for the Board's review, noting that the request was in recognition of the \$2.26 million gift. Vice Chair Arrizurieta stated that the gift represented the largest gift in the history of FIU's Department of Intercollegiate Athletics.

A motion was made and passed that the FIU Board of Trustees approve the naming of (i) FIU Stadium as the "Riccardo Silva Stadium" and (ii) FIU Arena as the "Ocean Bank Convocation Center", each in accordance with the gift agreement related thereto and the University's and the FIU Foundation, Inc.'s Donative Naming Policy.

Trustee Cesar L. Alvarez cited a conflict of interest and abstained from voting on the motion.

G1. Florida International University 2015-16 Annual Accountability Report

Chair Puig noted that the Governance Committee met earlier in the day to review FIU's 2015-16 Annual Accountability Report, which she stated was due to the Florida Board of Governors on February 27, 2017. She requested that Provost and Executive Vice President Kenneth G. Furton present a summary of the Report for the Board's review. Provost Furton provided an overview of key institutional achievements.

A motion was made and passed by the FIU Board of Trustees approving Florida International University's 2015-16 Annual Accountability Report as provided in the Board materials and delegated authority to the University President to perform finish editing as needed and to amend consistent with any comments received from the Board of Governors.

G2. President's Management Review, 2015-16

Board Chair Puig noted that the Governance Committee also met to undertake the assessment of President Rosenberg's accomplishments for the 2015-16 academic year relative to the Board-approved goals and his overall performance. On behalf of the Committee, Chair Puig presented a written assessment and recommended performance rating for Board consideration.

Vice Chair Arrizurieta noted that the Governance Committee engaged in a substantive discussion on the performance goals and results.

A motion was made and passed by the FIU Board of Trustees granting a "Superior" performance rating to President Mark B. Rosenberg for his leadership of Florida International University during the 2015-16 academic year.

7. Status Reports, Board Committees

Audit and Compliance Committee Report

Trustee Grant presented highlights from the Committee's meeting earlier in the day. He reported that, as a follow up to the audit of the Chaplin School of Hospitality and Tourism Management, Provost Furton presented an overview of the corrective actions that have been implemented. He added that Mr. Vann provided updates on recently completed audits that involved Financial Aid and FIU Football Attendance. Trustee Grant stated that pursuant to a request from Chair Puig, the Office of Internal Audit engaged a consultant to validate that current internal controls are sound, and provide reasonable assurance that proper supplier validation and authentication is being performed. He further stated that Karyn Boston, Assistant VP and Chief Compliance Officer discussed the Compliance program checklist. He mentioned that, as is mandated by the Committee's Charter, the Committee met with Senior Management without the presence of Internal Audit.

Finance and Facilities Committee Report

Trustee Pozo presented highlights from the Committee's meeting earlier in the day. He reported that, in response to Trustee requests, Sr. VP and CFO Jessell presented reports on (1) the age and status of University facilities, usage statistics, and analysis of usage compared to other State University institutions; (2) the University's plans of action for addressing any possible budgetary challenges resulting from proposed changes to the BOG's Performance Metrics; and (3) a financial performance report for each College and School that details profitability and income generation. He stated that CFO and Sr. VP Jessell presented the budget variance for the second quarter of the current fiscal year, noting that University operating revenues were above estimates by \$6.7 million and that operating expenses were below estimates by \$18.3 million.

Athletics Committee Report

Trustee Arrizurieta, Chair of the Athletics Committee, presented highlights from the Committee's meeting earlier in the day. He noted that the Committee was introduced to the newly-hired head coach of FIU Football Butch Davis. He reported that for the third straight year, FIU's swimming and diving team concluded the season as conference champions in the Conference USA Championships. He provided an overview of the many successes that FIU sports teams were experiencing during the current season. He noted that the Committee was pleased to learn about student-athlete academic success in the reports by Asst. Vice President for Undergraduate Education Wesley D. Maas on the Student Athlete Academic Center and that of Consultant Mr. John B. Shukie on the Academic Progress Rate.

Academic Policy and Student Affairs Committee Report

Trustee Cesar L. Alvarez, Chair of the Academic Policy and Student Affairs Committee, presented highlights from the Committee's meeting earlier in the day. He reported that Equal Opportunity Programs and Diversity Title IX Coordinator Shirlyon McWhorter provided an overview of the University's Title IX program, noting that Ms. McWhorter's presentation addressed the University's efforts in the areas of training, education, and awareness.

Governance Committee Report

Board Chair Puig noted that as per the third amendment to Dr. Rosenberg's contract, the Board may, in its discretion, annually award Dr. Rosenberg incentive compensation of up to \$100,000 for the 2015-16 academic year. She added that the Board has delegated the Governance Committee with the responsibility of carrying out the review and award of incentive compensation. She reported that the Governance Committee awarded President Rosenberg \$100,000 in incentive compensation for the 2015-16 academic year.

8. New Business

Trustee Grant mentioned that Panther Alumni Week continues to provide the platform for cultivating relationships that foster personal and professional growth among students. He noted that the University's growing alumni base is critical in furthering fundraising efforts and stated that Trustees also have a shared responsibility in philanthropy.

President Rosenberg introduced a video featuring FIU's Department of Architecture's 27th annual Walk on Water event, noting that the exercise teaches architecture students how to design something that is functional.

9. Concluding Remarks and Adjournment

With no other business, Board Chair Claudia Puig adjourned the meeting of the Florida International University Board of Trustees on Friday, March 3, 2017 at 3:25 p.m.

There were no Trustee requests.

Claudia Puig
Chair
FIU Board of Trustees

Mark B. Rosenberg
Corporate Secretary
FIU Board of Trustees

MB 3.14.17

Consent Agenda

BT2

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 2, 2017

Subject: Approval of Minutes of Meetings held March 24, 2017: FIU Board of Trustees Workshop and FIU Board of Trustees Full Board Meeting

Proposed Board Action:

Approval of Minutes of the FIU Board of Trustees Workshop and approval of Minutes of the FIU Board of Trustees Full Board Meeting held on Friday, March 24, 2017, at the Florida International University Modesto A. Maidique Campus, Ronald W. Reagan Presidential House.

Background Information:

Board members will review and approve the Minutes of the FIU Board of Trustees Workshop and the Minutes of the FIU Board of Trustees Full Board Meeting held on Friday, March 24, 2017, at the Florida International University Modesto A. Maidique Campus, Ronald W. Reagan Presidential House.

Supporting Documentation:

Minutes: Workshop, March 24, 2017

Minutes: Full Board Meeting, March 24, 2017



**FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

**Workshop Minutes
Friday, March 24, 2017
Florida International University
Modesto A. Maidique Campus
Ronald W. Reagan Presidential House
Miami, Florida**

Board Chair Claudia Puig convened the Florida International University Board of Trustees Workshop at 9:22 a.m. on Friday, March 24, 2017, at the Florida International University Modesto A. Maidique Campus, Ronald W. Reagan Presidential House.

The following attendance was recorded:

Board of Trustees

Claudia Puig, *Board Chair*
Jorge L. Arrizurieta, *Board Vice Chair*
Cesar L. Alvarez
Alian Collazo
Michael G. Joseph
Gerald C. Grant, Jr.
Natasha Lowell
Justo L. Pozo
Marc D. Sarnoff
Kathleen L. Wilson

Excused

Jose J. Armas
Leonard Boord
Albert Maury

Welcome and Introduction

Chair Puig described the goals of the Workshop and explained that the agenda would focus on topics critical to the University's advancement. She introduced and welcomed State University System of Florida Board of Governors (BOG) Chancellor Marshall Criser III and BOG Chair Thomas G. Kuntz.

Discussion with State University System of Florida Board of Governors

Chancellor Criser stated that the BOG is committed to guiding the State University System (SUS) and that in terms of performance funding, the BOG has engaged the SUS institutions in a continued dialogue and collaboration to ensure that the universities are accountable for meeting specific State needs, as well as for meeting targets of quality and efficiency.

Chancellor Criser presented a comprehensive review of performance funding guiding principles, key components of performance metrics and scoring, and System and university performance funding investments. He noted that a number of System institutions did not meet targets on metrics related to: improving retention and graduation rates; increasing STEM degree production; and lowering average cost per undergraduate degree. He presented data that illustrates how these issues compare among the System institutions. He then led a discussion on performance based funding and maintaining quality in years of declining State resources.

Trustees discussed University challenges such as serving a large percentage of economically disadvantaged students where many must hold full- or part-time employment.

Trustee Marc D. Sarnoff noted that the continued funding decreases to Bright Futures Scholarships directly impact student financial burdens. He inquired as to whether the BOG makes recommendations to the Legislature relating to Bright Futures Scholarships. Chancellor Criser noted that while qualification standards are set by the Legislature, the BOG does advocate for need-based support.

Trustee Alian Collazo discussed the high economic and social costs associated with student loan debt and inquired as to the BOG's position on growing student debt trends in terms of time to degree completion. Chancellor Criser and Chair Kuntz discussed the need to implement early and intrusive intervention programs and strategies that shift the focus from student recruitment to degree completion.

Trustee Kathleen L. Wilson noted that the FIU Faculty Senate is committed to and actively participates in the shared vision of student success, stating that the Student Learning and Success Committee of the Faculty Senate was formed in March 2016 in order to begin planning and implementing activities to foster a culture of engagement and ownership among faculty for academic student success.

Trustee Gerald C. Grant, Jr. mentioned that Trustees share in the responsibility for student success, adding that the University is not only committed to the metrics but is also committed to remaining accountable to the community it serves. He indicated that Panther Alumni Week continues to provide the platform for cultivating relationships that foster personal and professional growth among students.

On behalf of the Board, Chair Puig thanked Chair Kuntz and Chancellor Criser for their contributions to the Workshop and for their respective support of the University.

University President Mark B. Rosenberg presented rankings and other indicators that articulate the University's distinctiveness. He noted that FIU is the largest majority minority research university, is ranked by Forbes as one of best large employers in the United States and in Florida, and is ranked #7 on the Social Mobility Index created by CollegeNET. He added that FIU graduates command a starting salary of \$36,900, which is the highest among the SUS employment. He indicated that 75.7% of FIU Bachelor's graduates have full time-employment or are continuing their education one year after graduation, adding that this is among the highest in the SUS.

President Rosenberg stated that the University remains committed to providing quality learning, state-of-the-art research, and problem-solving engagement.

Institutional Priorities

Chair Puig noted that each Trustee has been provided with an overview from the Association of Governing Boards of Universities and Colleges (AGB) on Board and Trustee Responsibilities. She requested that Trustees review in order to frame future discussions of the Board on characteristics of strategic governance.

Wrap-Up

Chair Puig thanked the Trustees for their contributions to the Workshop.

With no other business, Board Chair Claudia Puig adjourned the Florida International University Board of Trustees Workshop on Friday, March 24, 2017 at 1:00 p.m.

MB 4.4.17



**FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES
FULL BOARD MEETING
MARCH 24, 2017
MINUTES**

1. Call to Order and Chair's Remarks

Board Chair Claudia Puig convened the meeting of the Florida International University Board of Trustees at 1:00 p.m., on Friday, March 24, 2017, at the Modesto A. Maidique Campus, Ronald W. Reagan Presidential House.

The following attendance was recorded:

Present:

Claudia Puig, *Chair*
Jorge L. Arrizurieta, *Vice Chair*
Cesar L. Alvarez
Leonard Boord (*participated telephonically*)
Gerald C. Grant, Jr.
Natasha Lowell
Justo L. Pozo
Marc D. Sarnoff
Kathleen L. Wilson

Excused:

Jose J. Armas
Alian Collazo
Michael G. Joseph
Albert Maury

Chair Puig thanked all Trustees for making themselves available to participate in the meeting. She explained that normally, agenda items that come before the Full Board meetings have been considered and recommended by a Committee of the Board. She added that the Board's Bylaws permit the Board Chair, in consultation with the Corporate Secretary, to allow an item to be presented to the Full Board without prior consideration by a Board committee when circumstances warrant. Chair Puig indicated that she and University President Mark B. Rosenberg agreed that the ratification of amendments to the 2015-2018 Collective Bargaining Agreement between The Florida International University Board of Trustees and The United Faculty of Florida (UFF) – FIU Chapter is a time sensitive matter that requires the prompt attention of the Full Board.

2. Action Item

BT1. Ratification of the revised 2015-2018 Collective Bargaining Agreement between The Florida International University Board of Trustees and The United Faculty of Florida (UFF) – FIU Chapter

Provost and Executive Vice President Kenneth G. Furton presented for Board review the revised 2015-2018 Collective Bargaining Agreement between the FIU Board of Trustees and the UFF – FIU Chapter. He noted that the bargaining teams had reached an agreement on revisions to the terms of the currently in-force 2015-2018 FIU Board of Trustees-UFF Collective Bargaining Agreement running through July 1, 2018. He presented key aspects of the revised articles and policies and noted that amendments were made to the following sections:

- Article 3: UFF Chapter Privileges
- Article 11: Salaries
- Appendix A: Position Classification in the Bargaining Unit
- Appendix G: Promotions

A motion was made and passed by the Board of Trustees to ratify the revised 2015-2018 Collective Bargaining Agreement between the Florida International University Board of Trustees and the United Faculty of Florida – FIU Chapter.

3. New Business

No new business was raised.

4. Concluding Remarks and Adjournment

With no other business, Board Chair Claudia Puig adjourned the meeting of the Florida International University Board of Trustees on Friday, March 24, 2017 at 1:06 p.m.

There were no Trustee requests.

Claudia Puig
Chair
FIU Board of Trustees

Mark B. Rosenberg
Corporate Secretary
FIU Board of Trustees

MB 4.3.17

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 2, 2017

Subject: Proposed 2017-18 Fixed Capital Outlay Budget/Capital Improvement

Proposed Board Action:

Approve Florida International University's 2017-18 Fixed Capital Outlay Budget and authorize the University President to amend the budget as necessary, consistent with Legislative, Florida Board of Governors', and the Florida International University Board of Trustees (the BOT) BOT directives and guidelines.

Background Information:

Section 1013.61, Florida Statutes, requires that the BOT adopt a capital outlay budget for the ensuing year in order that the capital outlay needs of the BOT for the entire year may be well understood by the public.

Florida Board of Governors Regulation 1.001(6)(a) provides, in relevant part, that each board of trustees shall submit an institutional budget request, including a request for fixed capital outlay, to the Board of Governors for approval in accordance with the guidelines established by the Board of Governors.

The capital outlay budget is part of the annual budget and shall be based upon and in harmony with the BOT's capital outlay plan. The budget shall designate the proposed capital outlay expenditures by project for 2017-18 from all fund sources, as amended.

The Capital Outlay Budget governs the University's capital expenditures during the year.

Supporting Documentation: *Information behind the Finance and Facilities Committee tab*

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 2, 2017

Subject: Request for Approval of Florida International University's 2018-19 Fixed Capital Outlay Legislative Budget Request, Consisting of the Five-Year Capital Improvement Plan

Proposed Board Action:

Approve FIU's 2018-19 Fixed Capital Outlay Legislative Budget Request, consisting of the five-year Capital Improvement Plan (CIP) and authorize the University President to amend the Legislative Budget Request as necessary, consistent with Florida Board of Governors' and the Florida International University Board of Trustees (the BOT) directives and guidelines.

Background Information:

Section 1013.64(4)(a), Florida Statutes, requires the BOT to update annually its fixed capital outlay budget request. In addition to Public Education Capital Outlay (PECO) projects, the capital request will include Capital Improvement Trust Fund (CITF) projects, projects from other state sources, and projects from non-state sources including debt. It is anticipated that Florida International University will have the opportunity to submit a revised Fixed Capital Outlay Budget Request to the Florida Board of Governors in December 2017.

The Fixed Capital Outlay Budget Request governs the University's proposed capital expenditures during the next five years. The Fixed Capital Outlay Budget Request must be approved annually by the BOT.

Supporting Documentation: *Information behind the Finance and Facilities Committee tab*

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 2, 2017

**Subject: Tuition for Doctorate of Athletic Training Self-Supporting Program, 2018-19
Academic Year**

Proposed Board Action:

Approve the self-supporting tuition of \$16,800 annually for 24 credits for the Doctor of Athletic Training (DAT) beginning academic year 2018-19 pending program approval by the Florida International University Board of Trustees (the BOT).

Background Information:

The BOT Academic Policy and Student Affairs Committee will review the DAT new program proposal at its June 2, 2017 meeting. In accordance with Board of Governors (BOG) Regulation 8.011, Authorization of New Academic Degree Programs and Other Curricular Offerings, FIU will submit the DAT proposal to the BOG for authorization subsequent to BOT approval.

The DAT is a self-supporting graduate degree program offered through the University's Continuing Education and all costs are covered by student tuition. Educational and General funds are not used to support the program. Tuition for the program is \$16,800 annually for 24 credits; the program requires 48 credits for a total cost of \$33,600.

Pursuant to BOG Regulation 8.002, Continuing Education, university boards of trustees may establish non-fundable, self-supporting tuition rates for graduate level courses offered through the university's continuing education unit for consideration by the BOG.

Upon BOT approval of the tuition for the DAT, it is anticipated that the BOG will approve the academic program and established tuition at its November 2017 meeting.

Supporting Documentation: *Information behind the Finance and Facilities Committee tab*

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 2, 2017

Subject: Tuition for the Master of Science in Applied Behavior Analysis, 2018-19 Academic Year

Proposed Board Action:

Approve the self-supporting tuition of \$25,393 for 45 credits completed in four semesters for the Master of Science in Applied Behavior Analysis (MSABA) beginning academic year 2018-19. The Florida International University Board of Trustees (the BOT) approved the program at its March 2017 meeting.

Background Information:

The BOT approved the MSABA at its March 3, 2017 meeting. In accordance with Board of Governors (BOG) Regulation 8.011, Authorization of New Academic Degree Programs and Other Curricular Offerings, FIU will submit the MSABA proposal to the BOG for authorization subsequent to BOT approval.

The MSABA is a self-supporting graduate degree program offered through the University's Continuing Education and all costs are covered by student tuition. Educational and General funds are not used to support the program. Tuition for the program is \$25,393 for 45 credits.

Pursuant to BOG Regulation 8.002, Continuing Education, university boards of trustees may establish non-fundable, self-supporting tuition rates for graduate level courses offered through the university's continuing education unit for consideration by the BOG.

Upon BOT approval of the tuition for the MSABA, it is anticipated that the BOG will approve the established tuition at its September 2017 meeting.

Supporting Documentation:

Information behind the Finance and Facilities Committee tab

Consent Agenda

AC1

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 2, 2017

Subject: Approval of the Office of Internal Audit Policy and Charter

Proposed Board Action:

Approve the Office of Internal Audit Policy and Charter.

Background Information:

The internal audit charter is required by the International Standards for the Professional Practice of Internal Auditing. The charter is a formal document that defines the internal audit activity's purpose and authority; reporting and independence within the organization; and defines the scope of internal audit duties and responsibilities. The charter was revised to include the requirements of the new Board of Governors Regulation 4.002 State University System Chief Audit Executives.

Florida Board of Governors Regulation 4.002 State University System Chief Audit Executives (3) states, in relevant part, that each board of trustees shall adopt a charter which defines the duties and responsibilities of the office of chief audit executive. The charter shall be reviewed at least every three (3) years for consistency with applicable Board of Governors and university regulations, professional standards, and best practices. A copy of the approved charter and any subsequent changes shall be provided to the Board of Governors.

Supporting Documentation: *Information behind the Audit and Compliance Committee tab*

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 2, 2017

Subject: University Compliance and Ethics Program Plan

Proposed Board Action:

Approve the University Compliance and Ethics Program Plan.

Background Information:

Florida International University's Compliance and Ethics Charter, Scope of Duties and Responsibilities (a), states, in relevant part, that the Chief Compliance Officer and staff will develop a Program plan based on the requirements for an effective program.

Florida Board of Governors Regulation 4.003 State University System Compliance and Ethics Programs (1) states, in relevant part, that each board of trustees shall implement a university-wide compliance and ethics program (Program) as a point for coordination of and responsibility for activities that promote ethical conduct and maximize compliance with applicable laws, regulations, rules, policies, and procedures.

Florida Board of Governors Regulation 4.003 (7)(a) states, in relevant part, that the board of trustees shall approve a Program plan and any subsequent changes. A copy of the approved plan shall be provided to the Board of Governors.

Supporting Documentation: *Information behind the Audit and Compliance Committee tab*

Consent Agenda

AP1

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 2, 2017

Subject: Tenure Nominations

Proposed Board Action:

Approve the Tenure Nominations as specified in the Board materials.

Background Information:

Pursuant to the Florida Board of Governors Regulation 1.001(5)(a), each board of trustees shall provide for the establishment of the personnel program for all the employees of the university, including but not limited to, tenure.

The University President is recommending the granting of Tenure for thirty-two (32) nominees as specified in the Board materials.

Supporting Documentation:

*Information behind the Academic Policy and Student Affairs Committee
tab*

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 2, 2017

Subject: Tenure as a Condition of Employment Nominations

Proposed Board Action:

Approve two (2) candidates for Tenure as a Condition of Employment (TACOE).

Background Information:

Pursuant to the Florida Board of Governors Regulation 1.001(5)(a), each board of trustees shall provide for the establishment of the personnel program for all the employees of the university, including but not limited to, tenure.

The TACOE nominees hold tenure at their previous institutions and have been selected to receive TACOE based on the caliber of their work.

Supporting Documentation:

*Information behind the Academic Policy and Student Affairs
Committee tab*

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 2, 2017

Subject: Amendments to FIU Regulation 1103, Textbook Affordability

Proposed Board Action:

Approve the amendments to FIU Regulation 1103, Textbook Affordability.

Background Information:

This Regulation addresses the University's efforts to make textbooks and instructional materials more affordable for students. The Regulation is being updated to: (1) describe the assessment practices of pricing variances for textbook and instructional course materials for general education and high enrollment courses, and (2) set forth the University's intent to conduct an annual consultation with public school officials and FIU faculty who teach dual enrollment courses to identify and implement best practices in selecting cost-effective textbook and instructional materials.

Pursuant to Florida Board of Governors Regulation 8.003, Textbook and Instructional Materials Affordability, each board of trustees shall adopt a regulation that establishes textbook and instructional materials affordability policies to minimize the cost of required or recommended textbooks and instructional materials for students while maintaining the quality of education and academic freedom.

Supporting Documentation:

*Information behind the Academic Policy and Student Affairs
Committee tab*

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 2, 2017

Subject: Program Termination: Bachelor of Science in Statistics

Proposed Board Action:

Terminate the Limited Access Bachelor of Science in Statistics (CIP 27.0501).

Background Information:

FIU closely monitored this low performing degree from 2011 to 2015. In 2015-16, the Department of Mathematics and Statistics redesigned the BS in Mathematics to become a BS in Mathematical Sciences. This allowed for the creation of a new statistics major within the restructured degree. The proposal to terminate the Bachelor of Science in Statistics will remove a low performing degree from our inventory.

Section (1c) of Florida Board of Governors Regulation 8.012 – *Academic Program Termination and Temporary Suspension of New Enrollments* states it is the University Board of Trustees responsibility and authority to approve termination of degree programs.

Supporting Documentation: *Information behind the Academic Policy and Student Affairs Committee tab*

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 2, 2017

Subject: New Program Proposal: Bachelor of Science in the Internet of Things

Proposed Board Action:

Approve the Bachelor of Science in Internet of Things (CIP 15.999) new program proposal.

Background Information:

The Department of Electrical and Computer Engineering in the College of Engineering and Computing at Florida International University is proposing a new Bachelor of Science degree in Internet of Things (IoT).

The IoT is a 120-credit undergraduate online degree and will be the first of its kind within the SUS and the nation, removing the Calculus I/II and Circuits requirements from the traditional engineering curriculum. According to a new Gartner forecast, 8.4 billion IoT devices will be in use worldwide this year — an increase of 31 percent from 2016. The IT research firm expects that number to reach 20.4 billion by 2020. This will require a sheer number of skilled undergraduates in hardware, embedded programming, cybersecurity and communications, who can join the future cyber workforce. In addition to tremendous employment opportunities, the proposed IoT program also would serve as a pipeline for graduate education into our online MS in Network Security and MS in Cybersecurity degree program jointly with School of Computer Science.

Each university board of trustees shall approve for implementation new degree programs at the bachelor's, master's, advanced master's, and specialist levels in accordance with sections (3) and (5) of Florida Board of Governors Regulation 8.011 – *Authorization of New Academic Degree Programs and Other Curricular Offerings*.

Supporting Documentation: *Information behind the Academic Policy and Student Affairs Committee tab*

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 2, 2017

Subject: New Program Proposal: Doctor of Athletic Training

Proposed Board Action:

Approve the Doctor of Athletic Training (CIP 51.0913) new program proposal.

Background Information:

The Department of Athletic Training in the Nicole Wertheim College of Nursing and Health Sciences at Florida International University is proposing a new Doctor of Athletic Training (DAT). The proposed DAT is a two-year program that will provide post-professional education and advanced evidence-based clinical practice experience to athletic trainers with a focus on injury/illness prevention and entrepreneurial leadership. The DAT is a 48-credit, stand-alone degree plan of doctoral study for athletic trainers previously certified through the National Athletic Trainers' Association (NATA) Board of Certification who seek advanced athletic training education and clinical skills on the doctoral level.

The DAT program will offer the majority of the curriculum in an online format and is a professional doctorate-level education program that meets the post-professional education needs of athletic trainers to enhance patient-centered care, outcomes, and quality of life for patients and physically active individuals across the lifespan.

The Bureau of Labor Statistics reports that employment of athletic trainers is projected to grow by 21% from 2014 to 2024. The proposed DAT program is uniquely positioned to assist in meeting statewide, as well as national, professional, and workforce needs. FIU was the first to develop and implement the MS-AT degree program in the state of Florida. FIU can continue to be on the forefront of athletic training education by developing and implementing the first DAT degree program in the southeast region and be one of only five programs nationwide.

Each university board of trustees shall approve new research and professional doctoral degree programs for submission to the Board of Governors for authorization, in accordance with the criteria outlined in section (3) of Board of Governors Regulation 8.011 – *Authorization of New Academic Degree Programs and Other Curricular Offerings*

Supporting Documentation: *Information behind the Academic Policy and Student Affairs Committee tab*

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 2, 2017

Subject: Ratification of the 2017-2020 Collective Bargaining Agreement between The Florida International University Board of Trustees and Florida Public Employees Council 79, affiliate of the American Federation of State, County, and Municipal Employees, AFL-CIO

Proposed Board Action:

Ratify the 2017-2020 Collective Bargaining Agreement between The Florida International University Board of Trustees (the BOT) and the Florida Public Employees Council 79, affiliate of the American Federation of State, County, and Municipal Employees, AFL-CIO (AFSCME). The major changes from the 2013-2016 BOT-AFSCME CBA are to the following sections:

- Article 1: Recognition
 - Article 3: AFSCME Activities
 - Article 4: Grievance and Arbitration
 - Article 8: Employee Parking
 - Article 9: Wages
 - Appendix B: AFSCME-FIU Dues Checkoff Form
 - Bonus Policy
 - Neutral, Internal Resolution of Disputes Policy
 - Shift Differential Policy
 - Added these policies to the AFSCME policies:
 - Background Checks
 - Employee Wellness
 - External Volunteers
 - Mandatory Reporting of Child Abuse
-

Background information:

Representatives of the BOT and the AFSCME have engaged in collective bargaining negotiations to discuss the terms and conditions of employment that will govern the AFSCME employees. The bargaining teams have reached an agreement on a collective bargaining agreement (CBA) to replace the one that expired on August 19, 2013.

Florida Board of Governors Regulation 1.001(5)(b) provides that each board of trustees shall act as the sole public employer of all public employees of its university for the purposes of collective bargaining, and shall serve as the legislative body for the resolution of impasses with regard to collective bargaining matters.

Supporting Documentation: *Information behind the Governance Committee tab*

Pending ratification by AFSCME-Local 79

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 2, 2017

Subject: Proposed 2017-18 University and Direct Support Organizations Operating Budgets

Proposed Board Action:

Approve the FIU 2017-18 University and Direct Support Organizations (DSO) Operating Budgets and authorize the University President to amend the budgets consistent with Legislative, Board of Governors', and the Florida International University Board of Trustees (the BOT) directives and guidelines.

Background Information:

The BOT is required to adopt an annual budget for the general operation of the University prior to submission to the Florida Board of Governors. The FY 2017-18 Proposed Operating Budget for the University is due to the Florida Board of Governors on June 23, 2017.

The DSOs (FIU Athletics Finance Corp., FIU Foundation, Inc., and FIU Research Foundation, Inc.) and The Florida International University Academic Health Center Health Care Network Faculty Group Practice, Inc. budgets are incorporated into the University's Operating Budget.

The following funding groups are included:

- A. Educational and General (E&G)
- B. Auxiliary Enterprises Proposed Budget Allocation
- C. Intercollegiate Athletics Proposed Budget Allocation
- D. Activity and Service Proposed Budget Allocation
- E. Technology Fee Proposed Budget Allocation
- F. Board Approved Fees Budget Allocation
- G. Contracts and Grants Proposed Budget Allocation
- H. Student Financial Aid Proposed Budget Allocation
- I. Concessions Proposed Budget Allocation
- J. FIU Athletics Finance Corp.
- K. FIU Foundation, Inc.
- L. FIU Health Care Network
- M. FIU Self-Insurance Program
- N. FIU Research Foundation, Inc.
- O. University Treasury Operations

Authority for the University President to amend the budgets is necessary to accommodate changes in revenues, expenditures, and statutory budget amendments. The University President shall keep the BOT informed of the status of the operating budgets through quarterly updates and will notify the BOT of any changes in excess of two percent (2%) made to the total approved 2017-18 Operating Budget during the operating year.

Florida Statute 1011.40(2) provides that “each university board of trustees shall adopt an operating budget for the operation of the university as prescribed by law and rules of the Board of Governors.” The University has prepared the proposed 2017-18 Operating Budget in accordance with the requirements set forth in Florida Board of Governors Regulations 9.007 and 9.011.

Supporting Documentation: *Information behind Finance and Facilities Committee tab*

Facilitator/Presenter: Leonard Boord, *Finance and Facilities Committee Chair*

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 2, 2017

Subject: Approval of Amendment to the 2010-20 Campus Master Plan for the Modesto A. Maidique Campus to Accommodate the Construction of a Hotel, Conference Center, Alumni Center and Parking; and Approval of Terms of the Ground Lease Associated with the Hotel, Conference Center, Alumni Center and Parking; Authorize the President or his designee to undertake all steps necessary or desirable to complete the Ground Lease and all documents related to the Project.

Proposed Board Action:

Approve an amendment to the Campus Master Plan for the Modesto A. Maidique Campus (“MMC”) to accommodate the construction of a Hotel, Conference Center, Alumni Center and Parking; and approve the terms of the Ground Lease and other key terms associated with the Hotel, Conference Center, Alumni Center and Parking (the “Project”).

Background Information:

Approval of Amendment to the 2010 Campus Master Plan for the MMC Campus: The 2010-20 Campus Master Plan currently shows the approved location of a Hotel on the north part of the MMC campus, just east of the entrance at SW 112th Avenue, south of SW 8th Street, north of SW 10th Street, and west of Parking Garage 6. The 2010-20 Campus Master Plan shows the approved location of an Alumni Center and Conference Center on the southeast corner of campus, just east of Blue Garage and south of SW 16th Street on current Parking Lot 4.

As part of the Invitation to Negotiate competitive solicitation process for the design, development, construction, and operation of a Hotel, Conference Center, Alumni Center and Parking (the “Project”), a single site on the north side of campus allows for design and construction savings and for greater visibility of the Project. The proposed site, containing approximately 5.21 acres, is located on the north part of the MMC campus, just east of the campus recreation field, south of SW 8th Street, north of SW 10th Street, and west of Henington Island.

The amendment to the 2010-20 Campus Master Plan addresses the Land Use Map (4.1A), Recreation and Space Map (8.1), and Conservation Map (13.1).

Approval of Terms of the Ground Lease and other related agreements of the Project: FIU has explored the construction of a hotel, conference center, and alumni center for approximately 10 years. FIU’s 2005-15 and 2010-20 Campus Master Plans for the MMC campus and 5-year Capital Improvement Plans have reflected these projects. A hotel and conference center will serve the accommodation and conference needs of visitors, faculty, researchers and the community by providing an appropriate venue for academic, research and professional conferences; meeting and seminar rooms for symposia and career fairs; and special events, weddings, award ceremonies, and speakers series. An alumni center will be a place for alumni to call home, create affinity, and encourage alumni to mentor students and assist them with jobs, professional and leadership development and internships. By incorporating the alumni center into the hotel

and conference center, design and construction efficiencies are achieved, particularly eliminating the need to have separate conference facilities in the alumni center that were originally envisioned.

Initial and updated feasibility studies were completed in 2008, 2013 and 2015 and a task force was appointed by the University President to evaluate and assess the need and opportunities for the Project in 2014. Jones Lang LaSalle, external consultants, were hired in 2015 to review and assess prior studies, including project cost and amenity needs. On June 4, 2016, the FIU Foundation Board of Directors approved funding of \$6.8 million from cash and direct investment for the support of the alumni center. Also in 2016, an evaluation committee and a subject matter expert committee were established and an Invitation to Negotiate was issued, with four developer proposals submitted November 2, 2016 as part of the step-one qualifications based segment of the ITN. Three developers were shortlisted as part of the step-two technical segment of the ITN. The joint meeting of the evaluation and subject matter expert committees heard the formal presentations of each of the three developers on April 10, 2017 and the evaluation committee heard updated presentations on April 11, 2017. One of the three developers withdrew subsequent to the April 11, 2017 presentation meeting as the developer did not believe they could meet all of the program requirements. The evaluation committee received updated presentations by the two developers on May 12 and May 15, 2017. Best and Final Offers were received on May 24.

The evaluation committee has recommended that the proposal from Concord Benchmark, LLC (the “Developer”) be accepted as providing the greatest benefits to FIU and best fulfilling the requirements of the ITN. The Senior Vice President for Finance and Administration/CFO and the Senior Vice President for University Advancement and Chief Executive Officer of the FIU Foundation have reviewed all of the supporting materials and concur with the recommendation of the Committee. The President of the University has also review the supporting materials and concurs with the recommendation of the Committee.

The summary of key terms articulating all of the essential and required terms and conditions of the Project are presented for approval. The Florida International University Board of Trustees (BOT) Finance and Facilities Committee reviewed the Project and recommended BOT approval at its June 1, 2017 meeting. In addition to the key terms presented, the Finance and Facilities Committee incorporated the following three additional terms as part of its approval:

- FIU receives the first right of refusal to purchase the Project in the event the Project is sold
- FIU receives the right to receive and audit the financial statements associated with the operation of the Project
- FIU limits the grace period during which no ground rent is paid to FIU to no more than 24 months after execution of the Ground Lease

FIU has been working with staff at the Board of Governors (“BOG”) and the Florida Division of Bond Finance (“DBF”) early in the process. Upon approval by the FIU BOT, the summary of terms will be submitted to the BOG and DBF for their review. It is anticipated that the BOG will consider the request at their August 2017 meeting. Approval will also be sought by the Trustees of the Internal Improvement Trust Fund (“TIITF”) since the Project will require approval of the sub-lease of the land from TIITF. The Project is in compliance with FIU and BOG Debt Management Guidelines and BOG Public Private Partnership Guidelines.

Legal Authority:

Florida Statute 1013.30 authorizes the university boards of trustees to adopt campus master plans and amendments related thereto. The master plan identifies general land uses and addresses the need for and plans for provision of roads, parking, public transportation, solid waste, drainage, sewer, potable water, and recreation and open space during the coming 10 to 20 years. The university BOT is authorized by Florida.

Supporting Documentation: *Information behind the Finance and Facilities Committee tab*

Facilitator/Presenter: Leonard Boord, *Finance and Facilities Committee Chair*

A RESOLUTION APPROVING AMENDMENT OF THE 2010-20 CAMPUS MASTER PLAN FOR THE MODESTO A. MAIDIQUE CAMPUS (“MMC”), A HOTEL, CONFERENCE CENTER, PARKING, AND ALUMNI CENTER (THE “PROJECT”) AND AUTHORIZING ENTERING INTO A GROUND LEASE AGREEMENT AND OTHER RELATED AGREEMENTS WITH CONCORD BENCHMARK, LLC TO DESIGN, BUILD, FINANCE, OPERATE, MANAGE AND MAINTAIN THE PROJECT; REQUESTING THE FLORIDA BOARD OF GOVERNORS TO APPROVE THE PROJECT; PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES:

Section 1. The Board of Trustees hereby finds that the Project is necessary and desirable to be erected on its Modesto A. Maidique Campus. The Board hereby approves the construction of the Project, as more particularly described herein, and entering into a Ground Lease Agreement and other related agreements with the Developer, or an affiliated entity, to design, build, finance, manage and maintain the Project, consistent with the Summary of Key Terms attached hereto as Exhibit A (the “Summary of Terms”), and shall request that the Florida Board of Governors (the “Board of Governors”) and the Trustees of the Internal Improvement Trust Fund (“TIITF”) approve the Project.

Section 2. The Project is consistent with the objectives contained in the FIU’s 2005-15 and 2010-20 Campus Master Plans for the MMC campus (collectively, the “Master Plan”) and 5-year Capital Improvement Plans, and the Board hereby approves amendment of the 2010-20 Campus Master Plan to reflect the proposed location of the Project.

Section 3. The Board of Trustees hereby finds that development of the Project is consistent with the goals contained in the Board’s 2012-2018 Strategic Plan. Construction of the Project is expected to begin no earlier than March 2018 and to be completed in June 2019. Construction of Alumni Center is expected to begin no later than March 2018 and to be completed in June 2019.

Section 4. The University President, the authorized representatives of the University and the members of the Board are hereby authorized to take all actions and steps, to execute all instruments, documents, and contracts, and to take all other actions as they may deem necessary or desirable, in connection with the Project and this resolution, including the execution and delivery of a Ground Lease Agreement and any other definitive agreements contemplated as part of the Project, consistent in all material respects with the terms outlined in the Summary of Terms (the “Definitive Agreements”). The University’s President or the President’s designee is authorized to execute and deliver the Definitive Agreements in a final form acceptable to the President, or the President’s designee, General Counsel and Bryant Miller Olive P.A., the University’s Special Counsel.

Section 5. In making the determination to approve the Project, the Board has reviewed the information attached as Appendix A and finds that it is in compliance with the University’s master plan and applicable law.

Section 6. This Resolution shall take effect immediately upon its adoption.

Appendix A

The following documents have been reviewed by the Board prior to the execution of this Resolution:

- (a) the Project operating pro-forma and cost information provided by Concord Benchmark, LLC as validated by Jones Lang LaSalle and FIU Division of Finance;
- (b) the Summary of Key Terms outlining the significant terms to be contained in the Ground Lease Agreement and other related definitive agreements, agreed to in all material respects by the Developer in its Best and Final Offer submission pursuant to E-ITN 67-001; and
- (c) the depiction of the Project location on the Campus Master Plan Map, along with Project renderings, the Project program, and proposed floor plans.

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

June 2, 2017

Subject: University and President's Performance Goals, 2017-18 Academic Year

Proposed Board Action:

Adopt the University and President's Performance Goals for the 2017-18 academic year as included in the Board materials.

Background information:

The University and President's Performance Goals are directed towards achieving the University's strategic plan and will be one component of the President's Management Review by the BOT for the 2017-18 academic year.

The Third Amendment to Dr. Mark B. Rosenberg's Employment Agreement was made and entered into on October 31, 2013 by and between the BOT and Dr. Mark B. Rosenberg. Section 3.2 of the employment agreement states, in relevant part, that:

To align the timing of Dr. Rosenberg's evaluation with the timing of the Florida Board of Governor's review of the University's Work Plan and Accountability Report, effective for the academic year 2013-14 and thereafter, Section 3.2 of the agreement is hereby amended to provide that Dr. Rosenberg will provide a proposed list of goals and objectives for inclusion in the University's Work Plan for the next academic year to the Personnel Committee of the Board no later than May 31st of each year in lieu of September 30.

Supporting Documentation: *Information behind the Governance Committee tab*