



Full Board
February 29, 2024
FIU, Modesto A. Maidique Campus, Graham Center Ballrooms

MINUTES

1. Call to Order and Chair's Remarks

Board Chair Roger Tovar convened the meeting of the Florida International University Board of Trustees at 1:39 PM on Thursday, February 29, 2024.

General Counsel Carlos B. Castillo conducted roll call of the Florida International University Board of Trustees and verified a quorum. Present were Roger Tovar, *Board Chair*; Carlos A. Duarte, *Board Vice Chair (joined after roll call)*; Cesar L. Alvarez; Noël C. Barengo; Dean C. Colson; Francis A. Hondal; Yaffa Popack *(joined after roll call)*; Gene Prescott; Chanel T. Rowe *(Zoom)*; and Alexander P. Sutton.

Trustees Alan Gonzalez, Natasha Lowell, and Marc D. Sarnoff were excused.

Board Chair Tovar welcomed all Trustees and members of the University administration and the University community accessing the meeting via the webcast.

Board Chair Tovar congratulated FIU's Chaplin School of Hospitality and Tourism Management on another successful Food Network South Beach Wine & Food Festival presented by Capital One (SOBEWFF®). Board Chair Tovar commented that the Festival got its start in 1997 at FIU's Biscayne Bay Campus as the Florida Extravaganza, a one day wine and food pairing event. Board Chair Tovar added that in 2002, it was moved to South Beach where it's now known as SOBEWFF®. He noted that more than 1,800 FIU students volunteer to help run the Festival and over \$37M has been raised to date that goes back to fund student scholarships, facility improvements, and educational initiatives. Board Chair Tovar also recognized FIU's College of Business for its latest *U.S. News & World Report* rankings. He added that FIU's online business master's program is ranked No. 9, up from No. 21 in 2023, and the top ranked program in Florida.

Board Chair Tovar commented on joining the February Faculty Senate meeting. He invited Trustees to the March 20, 2024 workshop of the Board of Trustees Strategic Planning Committee and the spring commencement ceremonies, taking place from April 28 through May 2, 2024. He reminded Trustees that the Florida Board of Governors Trustee Summit will be held at FIU on October 29, 2024.

Board Chair Tovar remarked on the start of the FIU Baseball season on February 16, 2024 and provided updates on recently concluded seasons and other sports now playing. He mentioned that the 2024 Panthers Football season begins on August 31, 2024. He stated that the Panthers will play a

total of six home games and will also play a stretch of four straight nationally-televised weeknight games during the month of October. He added that the spring game is scheduled for April 13, 2024 at 5:00 PM. Board Chair Tovar congratulated the FIU swimming and diving program who secured their first American Athletics Conference (AAC) championship. He noted that the Panthers garnered a total of 23 medals in the four-day meet, including nine gold, three silver, and seven bronze. He indicated that Panthers Senior Christie Chue also broke a program record in the 200 Individual Medley and was announced as the AAC Most Outstanding Swimmer of the Meet. Board Chair Tovar pointed out that Randy Horner was named Swimming Coach of the Year and Josh Larcom was named Diving Coach of the Year.

2. Public Appearances

At the request of Board Chair Tovar, General Counsel Castillo addressed the public appearance requests. General Counsel Castillo explained that Section 9 of the Board of Trustees Bylaws governs public appearances before the Board of Trustees and sets forth registration procedures, time limits for speakers, and rules of decorum. He provided an overview of the rules of decorum. General Counsel Castillo commented that, pursuant to Section 9.1 of the Bylaws, a person who desires to be heard on a matter before the Board must register by 11:00 AM on the business day before the subject meeting by completing a public comment form. General Counsel Castillo indicated that as of 11:00 AM on Wednesday, February 28, 2024, one request to address the Board was received. General Counsel Castillo proceeded to call the registered speaker by name. The following individual addressed the Board after his name was called:

- Justin Coffie stated that he is a graduate of the FIU Honors College and is a current student at the FIU College of Law. He commented on the State University System Free Expression Statement. He remarked that FIU student Joncarlo Ospina was arrested by FIU Police following a protest on February 8, 2024 and charged with a third-degree felony. Mr. Coffie asked that the Board of Trustees do what it could within its power to have the felony charge dismissed. Mr. Coffie referred to Mr. Desmond Meade and that despite his notable accomplishments, still deals with the barriers resulting from a felony conviction. Mr. Coffie added that students should be able to speak out and exercise free speech.

Board Chair Tovar thanked the speaker for his comments.

3. Foundation Report

FIU Foundation Inc. Board of Directors Treasurer Marcel L. Navarro commented on the Foundation Board meetings, which were held on February 8 - 9, 2024. He indicated that between January and May there are over 40 opportunities for alumni to engage and connect with FIU. He added that said events have included, thus far, the first ever 70's Reunion in January and Panther Alumni Week in February. Director Navarro recognized Trustee Francis A. Hondal and spouse, Eduardo "Eddie" Hondal, for their generous support and unwavering commitment to student success and FIU's growth and FIU Athletics. Director Navarro commented that in January transformational donors, the Green Family Foundation, visited the Modesto A. Maidique Campus and that in February, former Foundation Board Chair Thomas M. Cornish was the keynote speaker for the University's Fostering Panther Pride event.

Director Navarro indicated that, as of February 26, 2024, \$32.5M was raised towards the goal of \$83M. He presented a fundraising overview, which detailed the goals, actuals, and progress towards goals for each University school and unit. Senior Vice President for University Advancement and CEO of the FIU Foundation, Inc. Kenneth C. Hall indicated that overall fundraising at the end of the year is estimated conservatively in the mid-fifties with the potential of reaching the mid-seventies if some of the larger gift conversations come to fruition. He commented on the current state of transition within University Advancement with notable vacancies in fundraising staff. Director Navarro pointed out that for the six months ended December 31, 2023, philanthropy totaled \$26.1M and of that, \$20.1M was received in cash. He added that, as of February 22, 2024, total cash received by the Foundation was \$23.3M. Director Navarro pointed out that as of December 31, 2023, the Foundation's total investment portfolio stands at approximately \$430.1M and on a fiscal-year-to-date basis, the Total Managed Assets returned 4.6% net of fees.

4. President's Report

University President Kenneth A. Jessell commented on the unveiling of the "Vidal-Duart Wine Studies Program" activation at the SOBEWFF® Grand Tasting Village. He added that, made possible by the Vidal-Duart's \$3M investment, the program will bring FIU's Chaplin School of Hospitality and Tourism Management to even greater heights. President Jessell indicated that on February 2, 2024, the foundational concrete was poured for the Trish and Dan Bell Chapel, a multi-faith gathering place of worship, contemplation, spiritual strengthening, and mutual understanding. He stated that the 18,300 sq ft facility will host FIU's over 25 faith-based groups and student clubs. President Jessell also commented on the \$10M gift from Leon Medical Centers Chairman and Founder Benjamín León Jr., to help build the proposed new building that will house FIU CasaCuba. President Jessell pointed out that the \$40M, 43,000-square-foot building will have exhibition space that will showcase FIU's Cuba-related collections and expertise and include classrooms and other academic space for studying, learning, and research.

President Jessell remarked on the University's 70s Alumni Reunion, where over 150 alumni attended. He added that it was the first time some of the alumni in attendance had been back on campus since they graduated in the 70s. President Jessell indicated that Ms. Melissa Abril-Dotel was named Miami Dade County Public Schools Teacher of the Year and is the 22nd FIU alumnus to receive said honor. He stated that on January 18, 2024, FIU launched the first-of-its-kind Center for Fraternity and Sorority Enrichment. President Jessell commented on the David Grutman Experience class in FIU's Chaplin School of Hospitality and Tourism Management. President Jessell added that in said class, students learn from hospitality entrepreneur, David Grutman who explains concepts like buying versus leasing a property, restaurant design, and intellectual property, using examples from his restaurant, nightclub, and hotel empire. President Jessell also remarked on the class's surprise guest speakers, which this semester included Rick Ross, Jason Mamoia, and Bad Bunny. President Jessell mentioned the visit by Laurie Jennings, six-time Emmy Award-winning television news reporter and anchor to the University's Lee Caplin School of Journalism and Media. President Jessell stated that Ms. Jennings watched as students carried out their live morning news show, "Newsbreak", and provided them with valuable feedback on the newscast as well as advice for entering the news business.

President Jessell noted that the University's Fostering Panther Pride program celebrated 10 years earlier in February. He added that Fostering Panther Pride offers tailored academic and support services to former foster youth as well as students experiencing homelessness. President Jessell indicated that with the help of Congresswoman Debbie Wasserman-Schultz, FIU was able to secure \$9.7M from the National Oceanic and Atmospheric Administration (NOAA) to install saltwater monitoring systems across the Southeast Florida coast. He pointed out that said monitoring will help provide a better understand of the effect of sea level rise on subsurface infrastructure along Florida's coastline. President Jessell mentioned that the 60-day legislative session began January 9, 2024 and runs through March 8, 2024. He noted that FIU's requests included, \$85M in operational support, \$37.5M in preeminence funding, \$100M for the first of two funding requests totaling \$200M for a clinical facility in collaboration with Baptist Health, and \$36M for the remaining funding for the Honors College.

5. Action Items – Consent Agenda

Board Chair Tovar indicated that, in addition to Full Board minutes, the Consent Agenda includes action items FF1, FF2, FF4 – FF6, FF8, FF9, recommended for Board approval by the Finance and Facilities Committee and AP1 – AP6 recommended for Board approval by the Academic Policy and Student Affairs Committee. Board Chair Tovar indicated that the Consent Agenda was amended to update the Board action related to FF1, which now provides for FIU Board of Trustees approval of the design and construction of a stand-alone food service facility in the housing area of the Modesto A. Maidique Campus with the three contingencies as described and approved for recommendation to the Full Board during the Finance and Facilities Committee Meeting.

A motion was made and unanimously passed to accept the amended Consent Agenda, and members of the Board approved the following actions:

- **BT1. Minutes, November 28, 2023** - Approval of Minutes of the FIU Board of Trustees, Full Board meeting held on November 28, 2023.
- **BT2. Minutes, December 7, 2023** - Approval of Minutes of the FIU Board of Trustees, Full Board meeting held on December 7, 2023.
- **BT3. Minutes, January 18, 2024** - Approval of Minutes of the FIU Board of Trustees, Full Board meeting held on January 18, 2024.
- **FF1. Approval of the Construction of a Stand-Alone Food Service Facility in the Housing Area of the Modesto A. Maidique Campus** - Approval of the design and construction of a stand-alone food service facility in the housing area of the Modesto A. Maidique Campus, and authorization for the University President or his designee to execute, on behalf of the University, all documents, and take all actions, that may be necessary to effectuate the transactions described herein.
- **FF2. Authorization of Proposed Housing Rate Increases in FY 2024-25 through FY 2028-29** - Approval of the proposed housing rate increases for fiscal years 2024-25 through fiscal year 2028-29, as specified in the Board materials, to ensure the University housing

system is sufficiently capitalized for future expansion, capital investments are made in existing facilities, and increasing operating cost are not subsidized.

- **FF4. Approval of the Construction of Foundational Infrastructure on the Engineering Center to Support the Installation of Wind-Only Physical Design Testbed Equipment, and to enter into Amendments to an Existing Agreement with Aerolab Research Wind Tunnel, Inc.** - (i) approval of the construction of foundational infrastructure on the Engineering Center to support the installation of wind-only physical design testbed equipment, which is part of the Mid-scale RI-1: National Full-Scale Testing Infrastructure for Community Hardening in Extreme Wind, Surge and Wave Events (NICHE) project funded by a \$12.8 million award from the National Science Foundation; (ii) approval of the amendments to an existing agreement with Aerolab Research Wind Tunnel, Inc., executed on March 20, 2023; and (iii) authorization for the University President or his designee to execute, on behalf of the University, all documents, and take all actions, that may be necessary to effectuate the transactions described herein.
- **FF5. Amendment to FY23-24 Fixed Capital Outlay Plan, Non-Appropriated Projects** - Approval of an amendment to the FY23-24 Fixed Capital Outlay Plan in the category of Non-Appropriated Projects, as specified in the Board materials and authorization for the University President or his designee to execute, on behalf of the University, all documents, and take all actions, that may be necessary to effectuate said amendment.
- **FF6. Approval of the Updated Procurement Parameters for Architects and Engineers for Major Construction Projects** - Approval of the updated procurement parameters for architects and engineers for major construction projects, as specified in the Board materials and authorization for the University President or his designee to execute, on behalf of the University, all documents, and take all actions, that may be necessary to effectuate the competitive selections and negotiations pursuant to said updated parameters.
- **FF8. Approval of Gift of Real Property to The Florida International University Healthcare Network, Inc.** - Approval of (i) the acceptance of a gift of real property, a commercial condominium unit, located at 7330 SW 62 Place, Suite 410, Miami, Florida, by the Florida International University Healthcare Network, Inc. (the FIU-HCN); and (ii) the delegation of authority to the University President, or the President's respective designee, and to the Senior Vice President for Health Affairs to execute on behalf of the University and/or the FIU-HCN, as applicable, all other documents that may be necessary to effectuate the transactions contemplated herein.
- **FF9. Approval of Contract greater than \$3,000,000: Citrus Health Network Inc.** - Pursuant to the Delegations of Authority from the Florida International University Board of Trustees to the University President, as reflected in the Resolution on the President's Powers and Duties approved by the Board of Trustees on March 4, 2019, (i) approval of the University entering into the contracts and purchase orders and/or change orders to the purchase orders, as listed and described in the Board materials, and (ii) authorization for the

University President or his designee to execute, on behalf of the University, the aforementioned contracts and/or purchase orders.

- **AP1. Tenure as a Condition of Employment** - Approval of one (1) candidate for Tenure as a Condition of Employment as specified in the Board materials.
- **AP2. Program Termination: Bachelor of Science in Physical Education** - Termination of the Bachelor of Science in Physical Education (CIP 13.1314).
- **AP3. Program Termination: Master of Science in International and Intercultural Education** - Termination of the Master of Science in International and Intercultural Education (CIP 13.0701).
- **AP4. Program Termination: Master of Science in Urban Education** - Termination of the Master of Science in Urban Education (CIP 13.0410).
- **AP5. New Program Proposal: Bachelor of Science in Data Science and Artificial Intelligence** - Approval of the Bachelor of Science in Data Science and Artificial Intelligence (CIP 30.7001) new program proposal.
- **AP6. Updated Senior Management Official, Continued Exclusions of Trustees other than the Board Chair and Continued Delegation to the Key Management Personnel** - Adoption of a Resolution: (a) updating the designation of the Senior Management Official for Florida International University's facility clearance; and (b) continuing to: (i) exclude all Trustees, except for the Chair of the Board of Trustees, from the requirements for a personnel security clearance and (ii) delegate to the Key Management Personnel certain responsibilities and authorities pursuant to 32 CFR Part 117, National Industrial Security Program Operating Manual.

6. Action Items

AC1. Acceptance of Performance Based Funding and Emerging Preeminent Metrics Data Integrity Audit Report and Approval of Data Integrity Certification

Trustee Chanel T. Rowe, Chair of the Audit and Compliance Committee, noted that, as required by Florida statutes and Florida Board of Governors (BOG) Regulation, the University's Chief Audit Executive, Mr. Trevor L. Williams conducted an audit relating to the University's performance based funding and emerging preeminence metrics data integrity. Trustee Rowe pointed out that the audit confirmed that FIU continues to have good process controls for maintaining and reporting performance and emerging preeminent metrics data. She added that Mr. Williams issued an opinion stating that the system, in all material respects, continues to function in a reliable manner. She stated that using the results from the audit report, the University President has completed the Data Integrity Certification furnished by the BOG and the certification document shall be signed by Board Chair Tovar after being approved by the Board of Trustees.

A motion was made and unanimously passed that the FIU Board of Trustees accept the Audit Report - Audit of Performance Based Funding and Emerging Preeminent Metrics Data Integrity and

approve the Performance Based Funding and Emerging Preeminence Status – Data Integrity Certification, as executed by the University President.

FF3. Authorization for the Issuance of Debt to Finance the Construction of a Student Residence Facility at the University’s Modesto A. Maidique Campus

Board Vice Chair Carlos A. Duart noted that the Finance and Facilities Committee engaged in a thorough review of the request for the authorization for the issuance of debt to finance the construction of a student residence facility at FIU’s Modesto A. Maidique Campus. There were no further questions from the Trustees.

A motion was made and unanimously passed that the FIU Board of Trustees authorize a request to the Florida 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.

FF7. Proposed Naming of Field Located at FIU Soccer Stadium as the “Leyva Family Field”

Board Vice Chair Duart indicated that the Leyva family has pledged a new gift, totaling \$500,000, payable over a 10-year period. Board Vice Chair Duart added that said funds will help support the Athletic Director's priority fund. Board Vice Chair Duart pointed out that the naming does not extend to the FIU soccer stadium itself, only to the playing field. He noted that the FIU soccer stadium is currently unnamed. He stated that in light of this gift, the University proposes to name the FIU Soccer stadium playing field as the “Leyva Family Field”.

A motion was made and unanimously passed that the FIU Board of Trustees approve the naming of the playing field located at FIU Soccer Stadium on the Modesto A. Maidique Campus of Florida International University, as the “Leyva Family Field,” in accordance with a separate gift and naming rights agreement related thereto and the University’s and the FIU Foundation, Inc.’s Donative Naming Policy.

7. Status Reports, Board Committees

Board Chair Tovar pointed out that Trustees are thoroughly briefed in anticipation of every Board meeting. He thanked the members of the administration that are involved in said process.

Board Chair Tovar mentioned that the following Committees met earlier in the day: Audit and Compliance; Finance and Facilities; and Academic Policy and Student Affairs.

8. New Business

No new business was raised.

9. Concluding Remarks and Adjournment

With no other business, Board Chair Roger Tovar adjourned the meeting of the Florida International University Board of Trustees Full Board on Thursday, February 29, 2024, at 2:23 PM.