



**Full Board
December 8, 2021
FIU, Modesto A. Maidique Campus, Graham Center Ballrooms and via Zoom**

MINUTES

1. Call to Order and Chair's Remarks

Board Chair Dean C. Colson convened the meeting of the Florida International University Board of Trustees at 1:07 p.m. on Wednesday, December 8, 2021.

General Counsel Carlos B. Castillo conducted roll call of the Florida International University Board of Trustees and verified a quorum. Present were Dean C. Colson, *Board Chair*; Roger Tovar, *Board Vice Chair*; Cesar L. Alvarez; Jose J. Armas; Carlos A. Duarte; Donna J. Hrinak; Natasha Lowell; Gene Prescott; Joerg Reinhold; Chanel T. Rowe (*via Zoom*); Alexander Rubido; Marc D. Sarnoff; and Carlos Trujillo.

Board Chair Colson welcomed all Trustees and members of the University administration. He welcomed Trustees participating via Zoom and the University community accessing the meeting via the webcast.

Board Chair Colson commented on the recent Florida Board of Governors Trustee Summit. He remarked on upcoming events, including the President's holiday celebration for faculty and staff scheduled for later in the day, fall commencement ceremonies, FIU Day scheduled for February 16, 2022, and the Food Network & Cooking Channel South Beach Wine & Food Festival Presented by Capital One (SOBEWFF®) scheduled from February 24 to 27, 2022.

Board Chair Colson presented each member of the Board with the following books: *From Incremental to Exponential: How Large Companies Can See the Future and Rethink Innovation* by Vivek Wadhwa, Ismail Amla, and Alex Salkever; *American Happiness and Discontents: The Unruly Torrent, 2008-2020* by George F. Will; *Arguing with Zombies: Economics, Politics, and the Fight for a Better Future* by Paul Krugman; and *Rescuing Socrates: How the Great Books Changed My Life and Why They Matter for a New Generation* by Roosevelt Montas.

2. Public Appearances

There were no public appearances.

3. Foundation Report

Senior Vice President for Advancement Howard R. Lipman provided a fundraising update, noting that 98% towards the \$750M goal has been raised. He presented the philanthropy to cash reconciliation, noting \$10M in total cash was received with \$52M in total philanthropy. He reported that as of October 31, 2021, the Foundation's total investment portfolio stands at approximately

\$454M and that the Total Managed Assets returned 2.08%. He reported on major gifts, specifically the \$1M cash gift from Maximo Alvarez in honor of Monsignor Bryan O. Walsh, \$500K from PayCargo LLC to support programs in the College of Business, and \$285K from Silvana Massolo '04 to establish the Silvana Massolo Entrepreneurs Grant Endowment. He indicated that the Foundation has engaged the Maude Group to help define the visitor experience for the University's alumni center. He provided a timeline and presented design concept renderings for the University's Hotel, Conference, and Alumni Center.

4. President's Report

President Rosenberg commented on the upcoming commencement ceremonies. He introduced FIU's new athletic director, Scott Carr, noting that AD Carr joined FIU on December 1, 2021 and previously served as deputy and interim athletic director at the University of Central Florida. AD Carr shared his vision for FIU athletics.

President Rosenberg remarked that the College of Engineering and Computing has received a \$3M three-year grant from the U.S. Department of Energy to lead an initiative to prepare minority students for careers with national security entities. He indicated that FIU was named a Fulbright Hispanic-Serving Institutions Leader by the U.S. Department of State's Bureau of Educational and Cultural Affairs. He announced that Mr. George Corton was recently promoted to Vice President of Development and Innovation Philanthropy. President Rosenberg remarked that Dr. Annellys Hernandez, assistant professor at the Herbert Wertheim College of Medicine, is one of 52 physicians chosen nationwide to participate in a new program focused on addressing disparities in treatment protocols. President Rosenberg mentioned that Construction Management Professor, Nipesh Pradhananga, was awarded two grants on worker safety from U.S. Department of Labor. He commented that the University received a \$2.5M grant from the U.S. Small Business Administration's Community Navigator Pilot Program.

President Rosenberg pointed out that FIU Business has been ranked No. 1 in the world for real estate research productivity by the Journal of Real Estate Literature. He indicated that FIU's Chaplin School of Hospitality and Tourism Management partnered with Sandals Resorts International and The University of the West Indies (UWI) to create the Gordon "Butch" Stewart International School of Hospitality and Tourism. He stated that the College of Business has introduced a Luxury Incubator MBA Project course that will teach luxury product marketing. He mentioned that the Association of American Law Schools has named FIU Law's Path to the Legal Profession program the recipient of its Programmatic Change-Maker Award, adding that said award recognizes programs that have created structural and systemic change to increase access to legal education and diversify the legal profession. President Rosenberg remarked that Bentley Walker is the first Panther ever to be named a finalist for the internationally recognized Rhodes Scholarship. He indicated that the John S. and James L. Knight Foundation will invest \$2.25M in CodePath to expand its programming at FIU. He further stated that the 10th anniversary of Give Miami Day was FIU's most successful yet, noting that the University received a record \$215,043 from 352 donors over the course of Give Miami Day 2021. President Rosenberg conveyed the importance of each Board member's contribution to the capital campaign.

President Rosenberg introduced members of the FIU School of Music Concert Choir, who under the direction of Dr. Erynn Millard with Dr. Vindhya Khare, performed two musical selections.

5. Action Items – Consent Agenda

Chair Colson indicated that the Audit and Compliance Committee recommended approval by the Board of action item AC1, that the Finance and Facilities Committee recommended approval by the Board of action items FF1-FF3, and that the Academic Policy and Student Affairs Committee recommended approval by the Board of action items AP1-AP5 contained in the Consent Agenda.

Board Chair Colson indicated that in addition to the Committee action items, the Consent Agenda includes the Minutes of the Full Board meeting that occurred on September 14, 2021. He added that said Minutes include a copy of the Form 8A Memorandum of Voting Conflict For State Officers completed by Trustee Marc D. Sarnoff, as required by Florida law. He remarked that, at the September 14, 2021 Board of Trustees meeting, Trustee Sarnoff verbally disclosed a voting conflict during the Finance and Facilities Committee and Full Board meetings prior to participating and voting on the action item described, in part, as “Approval of the execution of a Sublease Agreement with the Knight Foundation”. Board Chair Colson mentioned that, as reflected by the copy of the Form 8A, Trustee Sarnoff, on September 14, 2021, completed the required form and thereafter timely filed it with the Board of Trustees office.

At the request of Board Chair Colson, General Counsel Castillo read the following into the record:

“I, Marc Sarnoff, hereby disclose that on 9/14/21, 2021:

(a) A measure came or will come before my agency which

X inured to the special gain or loss of Ponta Gadea Biscayne, LLC, by whom I am retained;

(b) the measure before my agency and the nature of my conflicting interest in the measure is as follows:

I and my Firm represent Ponta Gadea Biscayne, LLC. Ponta Gadea Biscayne, LLC is the landlord of the same office space that is the subject of a proposed sublease between the tenant, John S. James Knight Foundation, Inc. and FIU as a subtenant. On Sept. 14, 2021, the FIU Board of Trustees Finance and Facilities Committee (FFC), on which I serve, voted on whether to recommend the sublease for approval and the BOT full Board voted to approve the sublease. I verbally disclosed my conflict at both the FFC and full board meetings prior to any discussion or vote on the sublease.”

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

- **BT1. Minutes, September 14, 2021** - Approval of Minutes of the FIU Board of Trustees, Full Board meeting held on September 14, 2021.
- **AC1. External Program Review of the Florida International University Compliance Program, 2021** - Approve the External Program Review of the Florida International

University Compliance Program (the “External Program Review”) and authorize the submission of the External Program Review to the Florida Board of Governors.

- **FF1. FIU Direct Support Organizations Financial Audits, FY 2020-2021**
 - A. Florida International University Foundation Inc.** - Accept the Florida International University Foundation, Inc. Financial Audit for the 2020-21 Fiscal Year and authorize the CEO of the Florida International University Foundation, Inc. to take all actions necessary pertaining to this Financial Audit, including filing the report with the Auditor General.

 - B. Florida International University Research Foundation Inc.** - Accept the Florida International University Research Foundation, Inc. Financial Audit for the 2020-21 Fiscal Year and authorize the President of the Florida International University Research Foundation, Inc. to take all actions necessary pertaining to this Financial Audit, including filing the report with the Auditor General.

 - C. Florida International University Athletics Finance Corporation** - Accept the Florida International University Athletics Finance Corporation Financial Audit for the 2020-21 Fiscal Year and authorize the Executive Director of the Florida International University Athletics Finance Corp. to take all actions necessary pertaining to this Financial Audit, including filing the report with the Auditor General.

 - D. Florida International University Academic Health Center Health Care Network Faculty Group Practice, Inc.** - Accept the Florida International University Academic Health Center Health Care Network Faculty Group Practice, Inc. Financial Audit for the 2020-21 Fiscal Year and authorize the President of the Florida International University Academic Health Center Health Care Network Faculty Group Practice, Inc. to take all actions necessary pertaining to this Financial Audit, including filing the report with the Auditor General.

- **FF2. Authorization to Select a Construction Manager for the Trish and Dan Bell Chapel and East Loop Road Realignment** - Authorization to select a Construction Manager for the Trish and Dan Bell Chapel and East Loop Road Realignment (“Project”) and delegate to the University President the authority to negotiate and enter into the contract on behalf of the University.

- **FF3. Engineering Building Phase I—Second Amendment to Prior Budget Approval** - Approval of the request to expand the size and budget of Engineering Building Phase I from the currently approved budget of \$63.4 million to \$75.4 million, including \$15 million in subsequent build-out of shell space for research laboratories from Sponsored Research Overhead Funds, to accommodate updated programmatic and space needs and shell space for sponsored research.

- **AP1. Tenure as a Condition of Employment Nomination** - Approval of one (1) candidate for Tenure as a Condition of Employment as specified in the Board materials.

- **AP2. New Program Proposal: Master of Business Administration in Cybersecurity Risk Management** - Approve the Master of Business Administration in Cybersecurity Risk Management (CIP 11.0501) new program proposal.
- **AP3. New Program Proposal: Limited Access Bachelor of Science in Public Health** - Approve the Limited Access Bachelor of Science in Public Health (CIP 51.2201) new program proposal.
- **AP4. Florida International University HB 1261 Career Planning Requirement Implementation Plan** - Approval of (1) Florida International University's House Bill 1261 Career Planning Requirement Implementation Plan as provided in the Board materials and (2) delegation of authority to the University President to perform finish editing as needed and to amend consistent with comments received from the Board of Governors.
- **AP5. Updated Exclusion Resolution** - Adopt a Resolution that updates the exclusion of the named members of the FIU Board of Trustees from the requirements for a personnel security clearance.

6. Status Reports, Board Committees

Board Chair Colson mentioned that the following Committees met earlier in the day: Audit and Compliance; Finance and Facilities; Academic Policy and Student Affairs; Strategic Planning; and External Relations.

7. New Business

No new business was raised.

8. Concluding Remarks and Adjournment

With no other business, Board Chair Dean C. Colson adjourned the meeting of the Florida International University Board of Trustees Full Board on Wednesday, December 8, 2021, at 1:57 p.m.

Dean C. Colson
Chair
FIU Board of Trustees

Mark B. Rosenberg
Corporate Secretary
FIU Board of Trustees