



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

Florida International University  
Modesto A. Maidique Campus  
Graham Center Ballrooms

**Thursday, December 5, 2019  
2:30 p.m.**

*or*

*Upon Adjournment of Previous Meeting*

**AGENDA**

- |   |                           |
|---|---------------------------|
| <b>1. Call to Order and Chair's Remarks</b> | <b>Chair Claudia Puig</b> |
| <b>2. Public Appearances</b>                | <b>Claudia Puig</b>       |
| <b>3. Foundation Report</b>                 | <b>Richard Brilliant</b>  |
| <b>4. President's Report</b>                | <b>Mark B. Rosenberg</b>  |
| <b>5. Action Items – Consent Agenda</b>     | <b>Claudia Puig</b>       |
- BT1. Minutes, September 18, 2019
  - FF1. FIU Direct Support Organizations Financial Audits FY 2018-2019
    - A. FIU Foundation, Inc.
    - B. FIU Research Foundation, Inc.
    - C. FIU Athletics Finance Corporation
    - D. FIU Academic Health Center Health Care Network Faculty Group Practice, Inc.
  - FF2. Signature Authority
    - Depositories for the University
  - FF4. Approval of Capital Improvement Budget and Expenditure for Road Relocation Project for Parkview II Project
  - FF5. Approval of Contracts over \$3 million #PUR-02644, vendor: Toshiba America Business Solutions, Inc. and Contract #PUR-02645, vendor: CDW Government, LLC.
  - FF7. Award of Contract and Approval of Expenditure Budget for Soil Remediation on Foundation Enterprise Holdings V, LLC (FEH V) Doral Property

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

- FF8. Approval of Agreement to Provide Health Services with Citrus Health Network, Inc.
- AP1. Honorary Degree Nomination
- AP2. Tenure as a Condition of Employment Nomination
- AP3. Legislative Budget Request
- AP4. Industrial HEMP Pilot Project
- AP5. New Program Proposal: FIU Embrace Education Program

**6. Action Items**

- |  |                      |
|--|----------------------|
| <b>FF3. Re-authorization for the Issuance of Debt to Finance the Construction of a Student Residence Facility at the University’s Modesto A. Maidique Campus</b> | <b>Leonard Boord</b> |
| <b>FF6. Renewing of Naming of the Ocean Bank Convocation Center</b>  | <b>Leonard Boord</b> |
| <b>FF9. Approval of Asset Acquisition and Related Matters Pertaining to Torrey Pines Initiative</b>  | <b>Leonard Boord</b> |

**7. Status Reports, Board Committees**

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

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

**9. Concluding Remarks and Adjournment** **Claudia Puig**

**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

December 5, 2019

**Subject: Approval of Minutes of Meeting held September 18, 2019**

---

**Proposed Board Action:**

Approval of Minutes of the FIU Board of Trustees, Full Board meeting held on Wednesday, September 18, 2019, at the Modesto A. Maidique Campus, MARC 290, Earlene and Albert Dotson Pavilion.

---

**Background Information:**

Board members will review and approve the Minutes of the FIU Board of Trustees, Full Board meeting held on Wednesday, September 18, 2019, at the Modesto A. Maidique Campus, MARC 290, Earlene and Albert Dotson Pavilion.

---

**Supporting Documentation:** Minutes: Full Board Meeting, September 18, 2019

This page intentionally left blank



**FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES  
FULL BOARD MEETING  
SEPTEMBER 18, 2019  
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 2:07 p.m. on Wednesday, September 18, 2019, at the FIU, Modesto A. Maidique Campus, MARC 290, Earlene and Albert Dotson Pavilion.

General Counsel Carlos B. Castillo conducted roll call of the Florida International University Board of Trustees and verified a quorum. Present were Claudia Puig, *Board Chair*; Leonard Boord; Dean C. Colson; Gerald C. Grant, Jr.; Natasha Lowell; Justo L. Pozo; Joerg Reinhold; Sabrina L. Rosell; Marc D. Sarnoff; and Roger Tovar. Trustees Jose J. Armas, *Board Vice Chair*, and Michael G. Joseph arrived late.

Trustee Cesar L. Alvarez was excused.

Chair Puig welcomed all Trustees and University faculty and staff to the meeting. Chair Puig indicated that the Board will engage with Dr. Belle Wheelan, President of the Southern Association of Colleges and Schools Commission on Colleges, at a future meeting where Dr. Wheelan will discuss the new accreditation standard of board self-evaluation. Chair Puig explained that while the Board looked forward to hearing from Dr. Wheelan at the regularly scheduled September 5, 2019 meetings, her travel plans were cancelled, and the Board of Trustees meetings were postponed, in anticipation of Hurricane Dorian's impact on parts of South Florida.

Chair Puig provided a brief overview on recent University achievements, noting that FIU was named a "Great College to Work For" according to a new survey by The Great Colleges to Work For program. She indicated that the University was recognized for creating an exceptional work environment with Honor Roll status and that FIU is one of only two universities in the nation and the only one in Florida to earn recognition in all 12 categories of the survey. She stated that FIU Law graduates earned a 95.7 percent first-time bar passage rate on the July 2019 Florida Bar Exam, the highest of any of Florida's 11 law schools, and 21.8 percentage points higher than the state average. She also highlighted upcoming fall events, namely ShellHacks 2019, Homecoming, and FIU Football vs Miami.

Chair Puig issued a reminder of the upcoming Board of Governors Trustee Summit scheduled for October 29, 2019 and encouraged full Trustee participation. She asked Trustees to save the date on Wednesday, February 5, 2020 for the next FIU Day.

## 2. Public Appearances

*There were no public appearances.*

Chair Puig requested to take the agenda out of order. There were no objections.

## 3. Action Items – Consent Agenda

Chair Puig explained that the Consent Agenda was amended to include new business items that were reviewed by the Finance and Facilities Committee and the Governance Committee, namely, FF6. Approval of the 2019-20 Fixed Capital Outlay Budget and G4. FIU Funding Certification Form, respectively.

Chair Puig indicated that the Finance and Facilities Committee recommended approval by the Board of action items FF1 and FF3-FF6, that the Academic Policy and Student Affairs Committee recommended approval by the Board of action items AP1-AP7, and that the Governance Committee recommended approval by the Board of action items G1-G4 contained in the Consent Agenda.

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

- **BT1. Minutes, June 19, 2019** - Approval of Minutes of the FIU Board of Trustees, Full Board meeting held on Wednesday, June 19, 2019, at the Modesto A. Maidique Campus, Graham Center Ballrooms.
- **FF1. Approval of Carryforward Expenditures** - Approve the Florida International University (FIU) Educational and General (E&G) expenditure plan for carryforward funds in accordance with State University System of Florida Board of Governors (BOG) Regulation 9.007 State University Operating Budgets and Florida Statute 1011.45 End of Year Balance of Funds; submit the BOT-approved expenditure plan to the BOG for approval at its October 29-30, 2019 meetings; authorize the University Chief Financial Officer to certify the unexpended amount of funds appropriated to the University from the General Revenue Fund, the Educational Enhancement Trust Fund, and the Education/General Student and Other Fees Trust Fund as of June 30, 2019; and authorize the University President to amend the BOT expenditure plan as necessary and report to the BOT and the BOG any amendments to the spending plan in a format prescribed by the BOG Office of University Budgets.
- **FF3. Amendment to Regulation FIU-1101 Tuition and Fees Schedule** - Approve the revisions to Regulation FIU-1101 Tuition and Fees Schedule, and delegate authority to the University President to approve any subsequent non-material amendments based on comments to the Regulation received from the Florida Board of Governors (BOG) or as a

result of the regulation-making process.

- **FF4. Amendment to Regulation FIU-2201 Purchasing** - Approve the revisions to Regulation FIU-2201 Purchasing, and delegate authority to the University President to approve any subsequent non-material amendments based on comments to the Regulation received from the Florida Board of Governors or as a result of the regulation-making process.
- **FF5. Proposed Revisions to Finance and Facilities Committee Charter** - Approve the proposed revisions to the Finance and Facilities Committee Charter.
- **FF6. Approval of 2019-2020 Fixed Capital Outlay Budget** - Approve the 2019-20 Florida International University (FIU) Fixed Capital Outlay (FCO) Budget in accordance with State University System of Florida Board of Governors (BOG) Regulation 14.0025 (with proposed amendments) and BOG directives; submit the BOT-approved FCO Budget to the BOG for discussion and review at its October 3, 2019 Budget and Facilities Workshop and approval at its October 30, 2019 meeting; authorize the University Chief Financial Officer, the University President, and the Chair of the Board of Trustees to certify the FCO Budget; and authorize the University President to amend the BOT FCO Budget as necessary and report to the BOT and the BOG any amendments to the Fixed Capital Outlay Budget as prescribed by the BOT and the BOG.
- **AP1. Tenure as a Condition of Employment Nominations** - Approve three (3) candidates for Tenure as a Condition of Employment.
- **AP2. Legislative Budget Requests** - Approve the 2020-2021 Legislative Budget Requests:
  - Targeted STEM Initiatives Request: \$4,998,664
  - Base Funding Request: \$17,000,000
- **AP3. Textbook and Instructional Materials Affordability Annual Report** - Approve the Textbook and Instructional Materials Affordability Annual Report.
- **AP4. New Regulation FIU- 2506 Academic Program Termination and Temporary Suspension of New Enrollments** - Approve the proposed Regulation 2506 Academic Program Termination and Temporary Suspension of New Enrollments.
- **AP5. Program Termination: Master of Science in Nursing in Anesthesiology** - Approve the termination of the Master of Science in Nursing in Anesthesiology (CIP 51.3804).
- **AP6. New Program Proposal: Doctorate of Design** - Approve the Doctorate of Design (CIP 4.0902) new program proposal.
- **AP7. New Program Proposal: Master of Science in the Internet of Things** - Approve the Master of Science in Internet of Things (CIP 15.999) new program proposal.

- **G1. Revisions to Florida International University Annual Accountability Plan, 2019 -** Approve the revisions to Florida International University’s Annual Accountability Plan as provided in the Board materials and delegate authority to the University President to perform finish editing as needed and to amend consistent with comments received from the Board of Governors (BOG).
- **G2. Ratification of the revised 2018-2021 Collective Bargaining Agreement between the Florida International University Board of Trustees and the United Faculty of Florida - FIU Chapter –** Ratify the revised 2018-2021 Collective Bargaining Agreement between the Florida International University Board of Trustees (BOT) and the United Faculty of Florida (UFF) - FIU Chapter. Amendments have been made to Article 11: Salaries.
- **G3. 2019 Florida Educational Equity Act Report -** Approve the 2019 Florida Educational Equity Act Report.
- **G4. FIU Funding Certification Form -** Approve the proposed FIU Funding Certification Form.

#### 4. Action Item

##### **FF2. Public Safety and Emergency Management Facilities Expansion-Amendment**

Trustee Leonard Boord, Finance and Facilities Committee Chair, explained that, at its meeting earlier in the day, the Committee had a substantive discussion relating to the Public Safety and Emergency Management Facilities Expansion-Amendment and ultimately, recommended Board of Trustees approval.

A motion was made and passed that the FIU Board of Trustees approve an amendment to the budget for the expansion of space within Parking Garage 5 “Market Station” (PG-5) to provide additional hardened space for Public Safety and Emergency Operations including offices, emergency operations center, conference/breakout/meeting room, locker room and showers, and storage.

Trustee Roger Tovar voted against the motion and explained why he was not in support of the amendment.

#### 5. Foundation Report

Senior Vice President of University Advancement Howard R. Lipman presented the Foundation Report, reporting that the Next Horizon Campaign has raised \$512.6M to-date towards the \$750M goal. In terms of fiscal year 2018-2019, he provided examples of giving levels and total gift amounts and indicated that \$67.4M was raised, surpassing the \$65M goal. He delineated a historical cash gift analysis and stated that to-date, faculty and staff have given over \$5.4M to support their favorite FIU programs and that this is one of the highest rates of giving among faculty and staff in the country. Sr. VP Lipman described major areas of impact, namely the Simmons+Hernandez Suarez Fellowship at FIU Embrace, \$2.4M; Knight Foundation support for CasaCuba, \$2M; MacArthur Foundation prosecutorial research initiative, \$1.7M; and Badia Spices Scholarship Endowment at the Chaplin School, \$1M. He indicated that, as of July 31, 2019, the Foundation’s total investment



portfolio totaled approximately \$301M.

## **6. President's Report**

University President Mark B. Rosenberg provided an update on the freshman class profile, indicating that the 4,639-student cohort has the highest average GPAs and SAT scores, 4.10 and 1,208, respectively. He reported that 55,000 students are enrolled at FIU for the 2019–2020 academic year and that 9,000 class sessions are being offered in the Fall 2019 semester. In terms of parking, he indicated that 33,000–34,000 spots are used daily between the Modesto A. Maidique Campus, Biscayne Bay Campus, and Engineering Center.

Provost and Executive Vice President Kenneth G. Furton provided an update on the acquisition of the Torrey Pines Institute for Molecular Studies, noting that a lease agreement has been executed. He indicated that the University has recruited four faculty members with transferrable funding, inspected and developed a three-year plan for necessary repairs, and coordinated a visit of the facility with Board of Governors staff in anticipation of a proposal being submitted. Provost Furton explained that the University has started conversations with the Cleveland Clinic in terms of a partnership aimed at helping to create the FIU-Cleveland Clinic Translational Research Park in Port St. Lucie. He described the next steps in the acquisition process, namely, that it is the expectation that the proposed plan and budget to acquire the Torrey Pines facility as a Special Purpose Center of the University will be presented to the Board of Trustees for its consideration at the next regularly scheduled meeting.

President Rosenberg introduced freshmen, class of 2023 cohort, Ms. Celesse Temes and Mr. Daniel Carlson. Ms. Temes shared that she is majoring in Hospitality Management with a focus on the travel and tourism industry and discussed her plans to become more involved on campus and in the community. In response to Trustee Board's inquiry, Ms. Temes described the main drivers that led her to select FIU. Mr. Carlson described his background, namely, that he was the valedictorian of Manhattan High School in Montana and indicated that he is a National Merit Scholarship recipient, a member of the Honors College and is majoring in Computer Science. Mr. Carlson also described the reasons why he chose FIU.

President Rosenberg pointed out that FIU was once again named one of the best colleges in the nation to work for, according to a new survey by the Great Colleges to Work For program. He also explained that Biscayne Bay has been the site of major sewage leaks, wastewater drainage and historic seagrass die off and that FIU is cohosting the Biscayne Bay Marine Health Summit at the University's Biscayne Bay Campus on September 20, 2019 with the purpose of developing an action plan that can be presented to the state government for approval.

In response to Trustee Board's request for regular updates in terms of the FIU Next Horizon 2025 Strategic Plan, President Rosenberg described recent improvement in the rankings, namely, that FIU placed as the second university in the nation for international business and 12<sup>th</sup> for social mobility, according to U.S. News and World Report. He explained that while FIU ranks 105<sup>th</sup> among public universities, initiatives and performance indicators are centered around the goal of being among the top 50 public universities in the nation within five years.

Trustee Dean C. Colson pointed out that initiatives and proposals must be performance-driven in that they must support the University's goal of increasing in the rankings, namely, as a top 50 public university.

## **7. Status Reports, Board Committees**

### **Audit and Compliance Committee Report**

Trustee Gerald C. Grant, Jr., Audit and Compliance Committee Chair, provided highlights from the Committee's meeting earlier in the day. He indicated that the University's Chief Audit Executive, Mr. Trevor L. Williams, provided updates on recently completed audits that involved Student Activity and Service Fee, Facilities Management Data Systems Controls, and Internal Control Review over Personal Data Pursuant to Florida Department of Highway Safety and Motor Vehicles. He explained that Mr. Williams also provided updates on the progress towards completing past audit recommendations. Trustee Grant mentioned that Chief Compliance and Privacy Officer, Ms. Jennifer LaPorta, provided updates on the launch of two new compliance platforms, the Compliance and Ethics Survey, and the launch of the compliance newsletter. Trustee Grant added that as is mandated by the Committee's Charter, the Committee met with the Chief Audit Executive without the presence of senior management.

### **Finance and Facilities Committee Report**

Trustee Boord provided highlights from the Committee's meeting earlier in the day. He pointed out that Senior Vice President for Administration and Chief Financial Officer Kenneth A. Jessell, presented the FIU 2017 Operational Audit findings, recommendations and implementation schedule. Trustee Boord explained that the University experienced operating revenues above estimates by \$33.6M and that operating expenses were below estimates by \$38.1M. He indicated that CFO and Sr. VP Jessell provided an update on the CasaCuba building, reporting on grants and funds received in addition to providing a timeline of related deadlines in terms of commitment levels. Trustee Boord described the Committee's determination in terms of remaining focused on reviewing items that help to advance the University's academic mission.

### **Academic Policy and Student Affairs Committee Report**

Board Vice Chair Jose J. Armas provided highlights from the Academic Policy and Student Affairs Committee's meeting earlier in the day. He pointed out that Vice President for Regional Academic Locations and Institutional Development Pablo Ortiz facilitated a comprehensive presentation highlighting FIU campuses and sites. Board Vice Chair Armas indicated that the Committee also received updates relating to the Faculty Senate and Student Government.

### **Governance Committee Report**

Board Chair Puig indicated that at their August meeting, the Florida Board of Governors confirmed the reappointment of Dr. Rosenberg as FIU's President.

## **8. New Business**

President Rosenberg described the timing constraints in terms of finding a suitable date for the Board meetings that also comply with Board of Governors deadlines and explained that Trustee Cesar L. Alvarez sent his regrets as he was not able to participate given that the Board meetings were

postponed and ultimately rescheduled. President Rosenberg introduced a video that highlighted the water pollution issue that has been occurring in the waters near and on the Biscayne Bay campus.

### **9. Concluding Remarks and Adjournment**

With no other business, Board Chair Claudia Puig adjourned the meeting of the Florida International University Board of Trustees Full Board on Wednesday, September 18, 2019 at 3:10 p.m.

*Trustee request:*

*Trustee Board requested regular updates in terms of the FIU Next Horizon 2025 Strategic Plan.*

---

Claudia Puig  
*Chair*  
*FIU Board of Trustees*

---

Mark B. Rosenberg  
*Corporate Secretary*  
*FIU Board of Trustees*

This page intentionally left blank

**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

December 5, 2019

**Subject: Florida International University Foundation Inc., Financial Audit, 2018-19**

---

**Proposed Board Action:**

Accept the Florida International University Foundation, Inc. Financial Audit for the 2018-19 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.

---

**Background information:**

Pursuant to Regulation FIU-1502 (2)(g), the Florida International University Foundation, Inc. must submit an independently conducted financial audit of its accounts and records, which has been recommended by the University President to the Florida International University Board of Trustees for review and acceptance.

The Florida International University Foundation, Inc. Financial Audit for 2018-19 was approved by the Florida International University Foundation, Inc. Board of Directors on October 19, 2019, and the University President is recommending its acceptance.

Florida Board of Governors Regulation 9.011 (5) University Direct Support Organizations and Health Services Support Organizations, states in relevant part: Support organizations shall provide for an annual audit conducted pursuant to university regulations or policies. The annual audit report shall be submitted to the university board of trustees for review. The audit report shall be submitted to the Board of Governors, and the Auditor General.

---

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

This page intentionally left blank

**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

December 5, 2019

**Subject: Florida International University Research Foundation Inc., Financial Audit,  
2018-19**

---

**Proposed Board Action:**

Accept the Florida International University Research Foundation, Inc. Financial Audit for the 2018-19 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.

---

**Background information:**

Pursuant to Regulation FIU-1502 (2)(g), the Florida International University Research Foundation, Inc. must submit an independently conducted financial audit of its accounts and records, which has been recommended by the University President to the Florida International University Board of Trustees for review and acceptance.

The Florida International University Research Foundation, Inc. Financial Audit for 2018-19 was approved by the Florida International University Research Foundation, Inc. Board of Directors on October 7, 2019, and the University President is recommending its acceptance.

Florida Board of Governors Regulation 9.011 (5) University Direct Support Organizations and Health Services Support Organizations, states in relevant part:

Support organizations shall provide for an annual audit conducted pursuant to university regulations or policies. The annual audit report shall be submitted to the university board of trustees for review. The audit report shall be submitted to the Board of Governors, and the Auditor General.

---

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

This page intentionally left blank



**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

December 5, 2019

**Subject: Florida International University Athletics Finance Corporation Financial Audit, 2018-19**

---

**Proposed Board Action:**

Accept the Florida International University Athletics Finance Corporation Financial Audit for the 2018-19 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.

---

**Background information:**

Pursuant to Regulation FIU-1502 (2)(g), the Florida International University Athletics Finance Corp. must submit an independently conducted financial audit of its accounts and records, which has been approved by its governing board and recommended by the University President to the Florida International University Board of Trustees for review and acceptance.

The Florida International University Athletics Finance Corp. Financial Audit for 2018-19 was approved by the Florida International University Athletics Finance Corp. Board of Directors on October 17, 2019, and the University President is recommending its acceptance.

Florida Board of Governors Regulation 9.011 (5) University Direct Support Organizations and Health Services Support Organizations, states in relevant part:  
Support organizations shall provide for an annual audit conducted pursuant to university regulations or policies. The annual audit report shall be submitted to the university board of trustees for review. The audit report shall be submitted to the Board of Governors, and the Auditor General

---

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

This page intentionally left blank

**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

December 5, 2019

**Subject: Florida International University Academic Health Center Health Care Network Faculty Group Practice, Inc. Financial Audit, 2018-19**

---

**Proposed Board Action:**

Accept the Florida International University Academic Health Center Health Care Network Faculty Group Practice, Inc. Financial Audit for the 2018-19 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.

---

**Background information:**

The Florida International University Academic Health Center Health Care Network Faculty Group Practice, Inc. Financial Audit for 2018-19 was approved by the Florida International University Academic Health Center Health Care Network Faculty Group Practice, Inc. Board of Directors on October 24, 2019, and the University President is recommending its acceptance.

Florida Board of Governors Regulation 9.017 (2)(e) Faculty Practice Plans, states in relevant part that each Faculty Practice Plan shall include and/or provide for an annual audit, which shall be forwarded to the Board of Governors for review and oversight.

Florida Board of Governors Regulation 9.011 (5) University Direct Support Organizations and Health Services Support Organizations, states in relevant part: Support organizations shall provide for an annual audit conducted pursuant to university regulations or policies. The annual audit report shall be submitted to the university board of trustees for review. The audit report shall be submitted to the Board of Governors, and the Auditor General.

---

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

This page intentionally left blank

**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

December 5, 2019

**Subject: Signature Authority – Depositories**

---

**Proposed Board Action:**

Approve the following banking institutions as designated depositories at which University funds may be deposited:

Bank of America, N.A.  
Charlotte, NC

U.S. Bank, N.A.  
Cincinnati, OH

Regions Bank, N.A.  
Birmingham, AL

JP Morgan Chase Bank, N.A.  
Columbus, OH

Furthermore, the Florida International University Board of Trustees (BOT) approves that the University President, the Chief Financial Officer, and the University Treasurer, are each individually authorized to take all actions necessary to open or close bank accounts at any of the designated depositories.

---

**Background Information:**

The BOT is updating its official records with respect to the banking institutions that may serve as depositories of University funds. The official record is being amended to reflect the following changes:

- Removal of Wachovia Bank, N.A. which is no longer designated a qualified public depository; and
- Adding JP Morgan Chase Bank, N.A. which was awarded Banking Services through ITN Solicitation # ITN 2019-00006.

Section 1011.42 (1) of the Florida Statutes provides that the board of trustees of each university shall designate the depositories in which any university funds may be deposited. No bank shall be designated unless it is a qualified depository as provided by Florida Statutes.

---

**Supporting Documentation:**

*Information behind the Finance and Facilities Committee tab*

This page intentionally left blank

**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

December 5, 2019

**Subject: Approval of Capital Improvement Budget and Expenditure for Road Relocation Project for Parkview II Project**

---

**Proposed Board Action:**

Approve a capital improvement budget and expenditure for the relocation of S.W. 17<sup>th</sup> Street to accommodate the construction of Parkview II Housing Project; and authorize the University President to amend the budget up to five percent as needed.

---

**Background Information:**

Parkview II housing is currently proposed to be located on the parking lot just east of the FIU Stadium and south of S.W. 17<sup>th</sup> Street as reflected in the 2010-20 Campus Master Plan. To improve student safety and to integrate Parkview II housing with existing housing located north of S. W. 17<sup>th</sup> Street, the relocation of S.W. 17<sup>th</sup> Street to the southern property line adjacent to Miami-Dade County Tamiami Park is requested.

The cost of relocating S.W. 17<sup>th</sup> Street is \$3,685,204, including a temporary road, new utilities and relocated utilities, earthwork, and hardscaping, and soft costs. There is also a construction contingency of \$95,160. Additional budget authority of five percent, or \$184,260; is also requested.

The funding for the relocation will come from the Auxiliary Shared Services fund, which is the fund used to support auxiliary operations. Over the past 10 years, the Housing and Residential Life auxiliary has contributed approximately \$7.5 million to the fund.

---

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

This page intentionally left blank



**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

December 5, 2019

**Subject: Approval of Contract #PUR-02644, vendor: Toshiba America Business Solutions, Inc. and Contract #PUR-02645, vendor: CDW Government, LLC.**

**Proposed Board Action:**

Pursuant to the Delegations of Authority from the Florida International University Board of Trustees (the BOT) to the University President, as reflected in the Resolution on the President's Powers and Duties approved by the BOT on March 4, 2019, (i) approve the University entering into contracts No. 1 and No. 2 as listed and described below and (ii) authorize the University President or his designee to execute, on behalf of the University, the aforementioned contracts.

**Background information:**

1. Contract #PUR-02644 (vendor: Toshiba America Business Solutions, Inc.) The piggyback agreement is being requested by FIU Procurement for University-wide print managed services. Toshiba copiers and printing services are utilized by all University departments. The agreement was awarded as a result of a Request for Proposal RFP-NP-18-001 solicited by the State of Colorado in conjunction with the NASPO ValuePoint Cooperative Purchasing Program.
  - **Term:** Commences on date executed through December 31, 2021. The agreement may be extended for up to three (3) consecutive one (1) year additional terms by written amendment. Total duration of this agreement, including any extensions, shall not exceed five (5) years.
  - **Cost:** \$2,080,000.00 for initial term ending December 31, 2021. Additional yearly cost of \$960,000.00 if agreement is extended for three (3) consecutive one (1) year terms. Anticipated total cost of \$4,960,000 for the term of the contract, calculated based on historical spend data.
  - **Funding source:** Various
  
2. Contract #PUR-02645 (vendor: CDW Government, LLC.) The piggyback agreement is being requested by FIU Procurement for computer equipment and related hardware, software, services and support. The master agreement (E&I CNR01439) was awarded as a result of a Request for Proposal RFP Number 683385 solicited by Educational and Institutional Cooperative Services (E&I).
  - **Term:** Commences on date executed through July 31, 2022. The agreement may be renewed for one (1) five (5) year term by written amendment.
  - **Cost:** \$17,000,000.00 for the initial term ending July 31, 2022. Additional yearly cost of \$8,000,000 if agreement is renewed for one (1) five (5) year renewal. Anticipated total cost of \$60,000,000.00 for the term of the contract, calculated based on historical spend data.
  - **Funding source:** Various

**Supporting Documentation:**

*Information behind the Finance and Facilities Committee tab*

This page intentionally left blank

**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

December 5, 2019

**Subject: Award of Contract and Approval of Expenditure Budget for Soil Remediation on Foundation Enterprise Holdings V, LLC (FEH V) Doral Property**

---

**Proposed Board Action:**

Approve the project budget and proceed to award a contract to the lowest responsive, responsible bidder, The BG Group, LLC, to perform soil remediation in accordance with the Corrective Action Plan (CAP) approved by the Miami-Dade County Department of Environmental Resources Management's (DERM) for 62.5 acres of vacant land west of the Florida Turnpike and south of N.W. 41<sup>st</sup> Street in Doral (Doral Property) owned by Foundation Enterprise Holdings V, LLC (FEH V), a single member LLC wholly owned by the Florida International University Foundation, Inc. (FIU Foundation).

---

**Background Information**

DERM approved a CAP on October 5, 2015 to address soil contamination on the Doral Property.

On December 29, 2016, Langan Engineering & Environmental Services (Langan), an environmental engineering firm, prepared a Phase II Environmental Site Assessment (ESA) for the Doral Property at the request of the prior owner, Turnberry/Doral Development, Limited Partnership. The Phase II ESA references quantities included in the CAP, stating approximately 65,000 cubic yards of soil will be excavated and the solid waste removed through screening. The CAP assumes that 10,000 tons (6,667 cubic yards) of material will be disposed at a licensed landfill. In addition, "the total Rough-Order-of-Magnitude (ROM) cost to address potential environmental concerns at the site to achieve site closure through a No Further Action (NFA) approach is from \$1,400,000 to \$1,800,000."

On June 9, 2017, the FIU Foundation Board of Directors (FIUF BOD) approved an investment in the Doral Property. FIUF BOD accepted the investment in the Doral Property based on the CAP description of the total 62.5 acres of the property, of which 4.7 acres contain buried solid waste requiring remediation and 49.9 acres contain wetlands. Remediation on the wetlands is not required as per the CAP.

On October 27, 2017, FEH V acquired the Doral Property for a bargain purchase price of \$1,008,153. On July 27, 2018, DERM approved the transfer of the CAP to FEH V as the new owner. The CAP remains in effect and must be satisfied.

The FIU Foundation has been working with FIU Facilities Construction and Procurement Services on securing a vendor to perform the environmental remediation required per the CAP. FIU Procurement Services issued an Invitation-to-Bid (ITB) # ITB-2019-00019 "FIU Foundation (FEH#5) Doral Property Soil Remediation – FM 170616" for the environmental remediation work on June 7, 2019. Bids were opened on August 7, 2019, and 6 bids were

evaluated. The lowest responsive, responsible bid based on the ITB's total cost was provided by The BG Group, LLC.

The unit of measure cost for The BG Group, LLC's bid includes a base estimate of 10% cubic yards solid waste disposal, as noted in the CAP. In addition, a 30% cubic yards solid waste disposal contingency has been included. This brings the total assumption of solid waste disposal to 40%, for a cost of \$1,911,827 based on the unit costs submitted in the ITB. The total cost of the project is \$2,242,254.

On November 21, 2019, the Executive Committee and Real Estate Sub-Committee of the FIU Foundation approved that the University Board of Trustees issue the award and subsequent Notice-to-Proceed to The BG Group, LLC.

University Board of Trustees approval is required for FIU Procurement Services to issue the award and subsequent Notice-to-Proceed to The BG Group, LLC and for the expenditure of funds to complete the remediation. With this approval, the remediation work can begin in late February 2020 and is expected to be completed by August 2020.

---

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

**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

December 5, 2019

**Subject: Request for Ratification of Agreement to Provide Health Services entered into between The Florida International University Board of Trustees and Citrus Health Network, Inc. and for Delegation of Authority to the University President or designee to Execute an Amendment to the Agreement**

---

**Proposed Board Action:**

The Florida International University Board of Trustees (the BOT) (1) ratifies the Agreement to Provide Health Services entered into March 20, 2019 between the BOT on behalf of its initiative FIU Embrace (“FIU Embrace”), a part of the Office of Research and Economic Development and Citrus Health Network, Inc. (the “Agreement”); and (2) delegates authority to the University President or designee to execute an amendment to the Agreement to revise section I.E of the Agreement.

---

**Background Information:**

The number of young adults with developmental disabilities in the U.S. is growing and there is limited knowledge of how to provide comprehensive health care for this underserved population, as well as how to address the needs to make them productive citizens. FIU Embrace is a state-funded (and privately funded) University-wide initiative that promotes health, wellness, and overall functioning for adults with developmental disabilities, such as autism spectrum disorder (ASD), intellectual disabilities (ID), and other neurodevelopmental disorders (OND). The program seeks to develop empirically tested and replicable programs that help these populations lead healthy lives and maximize their individual potential across their lifespan. FIU Embrace’s core programs are education, legal services, and medical services, and research to test and demonstrate best practices.

In response to the growing needs of the developmentally disabled population, FIU Embrace has developed various models of care that are innovative, sustainable and reproducible of which the medical practice is one model. The practice is aligned with the goals established in accordance with the line item funding provided by the State of Florida. To best deliver the comprehensive medical services, FIU has partnered with Citrus Health Network, Inc. (“Citrus”), a Federally Qualified Health Center (FQHC), as reflected in the Agreement. The Agreement with Citrus provides for the enhancement and expansion of medical services in an integrated care model (physical and behavior health) in an outpatient setting located near the FIU Modesto A. Maidique campus. Not only will this practice be a training hub for students entering the healthcare profession, it also serves as a psychiatric residency site for medical students along with service as a site for sponsored research projects. The Agreement will allow FIU Embrace to obtain revenue to support its operation and to augment the revenues collected by insurance to provide the additional delivery of care needed for the population that FIU Embrace serves. Essentially, FIU pays Citrus to operate the medical services, and as volumes increase, any operational surplus (evaluated annually after the first period) will be returned to FIU Embrace for reinvestment into FIU Embrace initiatives.

The Agreement, which became effective on March 20, 2019, provides for an initial outlay of \$600,000 from FIU to Citrus within thirty days of the execution of the Agreement, with FIU

providing Citrus with monthly payments thereafter of \$42,294.50. The total amount due to Citrus is \$1,107,534 for the first year of the Agreement. The initial \$600,000 payment to Citrus has been made. The Funding Certification Form included in the supporting documentation to this Agenda item identifies the funding source used to make that payment and the future payments due pursuant to the Agreement. If at any time program revenue exceeds Citrus's program costs for the initial period ending June 30, 2020 and annually at June 30<sup>th</sup> of each fiscal year thereafter, any such surplus will be reimbursed to FIU up to the annual payment amount and FIU and Citrus will renegotiate future payments. Thus, any revenues generated by Citrus will offset future payments from FIU to Citrus. Payments will be reduced to zero if/when the program becomes self-sustaining.

The term of the Agreement runs through June 30, 2023 and may be extended on an annual basis for up to ten years or modified upon the mutual written agreement of both parties, unless the Agreement is terminated early for cause upon notice with a thirty day cure period or without cause upon ninety days prior written notice.

The Agreement was executed by the University President because it requires payment in excess of \$1M. The Agreement was executed shortly after the BOT issued its updated delegation requirements on March 4, 2019 which required that this Agreement be approved by the BOT. Such BOT approval was erroneously not obtained prior to the Agreement's execution. Request is hereby made for the BOT to ratify the execution of the Agreement. Additionally, an amendment to the Agreement is needed to revised section I.E of the Agreement. Request is also made for the BOT to delegate authority to the University President or his designee to execute that amendment.

The Agreement sought to be ratified obligates Citrus to:

- A. Provide to 300 persons enrolled yearly in the FIU Embrace Initiative primary care and behavioral health services by licensed physicians, including without limitation, health screenings, primary care, gynecology, psychiatric evaluations, counseling, preventive services including some prenatal and perinatal services, cancer and other disease screening, cardiovascular risk assessments, eye and ear screening for adults and their family members, family planning services; episodic care for acute illness, chronic disease management for identified chronic illness, specialty and surgical referrals when needed, health education and care management services and other services as agreed upon the University and Citrus Health (the "Services"). Citrus is also obligated to determine patient eligibility for services.
- B. Rent and build out premises for the provision of the Services, including the application to local and Federal government for licensure to operate the premises, with such premises having the specifications, furniture and equipment as set forth in the Agreement. Citrus is solely responsible for the complete oversight and renovation of the leased premises, including directly engaging the contractor, subcontractors and vendors. Citrus is obligated to provide FIU progress reports regarding the status of construction of the buildout, and FIU has the right to have a representative present at the periodic progress meetings.
- C. Maintain and operate the leased premises including all the operating costs reflected in Attachment 2 of the Agreement and to purchase, maintain and replace at the premises, all medical and lab equipment and supplies and furniture, provide the cleaning and janitorial

services and provide all utilities, including air conditioning, electric, water and telephone service.

D. Provide FIU with monthly and quarterly reports as set forth in section 1.G of the Agreement, including number of appointments made, patients seen, patient visits, new patients, etc.

E. Provide reference materials to patients of FIU Embrace services/programs.

The Agreement provides that FIU and Citrus shall work together to develop marketing strategy and marketing strategy materials; that FIU and Citrus shall partner in the selection and training of physicians, clinical support staff and volunteers, and in the development of clinic hours and training plans.

Pursuant to the Agreement, FIU will refer Embrace enrollees to Citrus for the services, will provide volunteers cleared to work in the healthcare setting and approved by Citrus, will provide support for clinical salaries and rent and will provide training to clinicians and support staff.

Pursuant to section 9 of the Agreement, Citrus is required to provide the Services to all clients, whether they are referred by FIU Embrace or are walk-ins who clinically qualify for the Services regardless of ability to pay. Citrus will bill third party payors directly for eligible services. Patients who are uninsured will be billed utilizing a sliding fee discount schedule based on income and ability to pay.

If the Agreement is terminated early, Citrus is obligated to provide notice to its landlord that the Citrus lease will be assigned to FIU and FIU and Citrus will execute documentation to evidence said assignment. Upon FIU's assumption of the lease, Citrus, at no cost to FIU, shall convey to FIU title to the furniture and equipment at the premises.

---

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

## RESOLUTION

WHEREAS, to best deliver the comprehensive medical services required by FIU Embrace, which is a state-funded (and privately funded) University-wide initiative that promotes health, wellness, and overall functioning for adults with developmental disabilities, FIU entered into an Agreement to Provide Health Services with Citrus Health Network, Inc. on March 20, 2019 (the “Agreement”); and

WHEREAS, the Agreement required Florida International University Board of Trustees approval pursuant to the updated Presidential delegation requirements adopted by the Board on March 4, 2019, shortly before the Agreement was executed by the University President; and

WHEREAS, the University erroneously did not obtain the Board’s approval for the Agreement prior to its execution; and

WHEREAS, an amendment is required to revise section I.E of the Agreement; and

WHEREAS, the University requests that this Board ratify the Agreement that was executed on March 20, 2019; and

WHEREAS, the University requests that this Board delegate to the University President, or his designee, the authority to execute an amendment to the Agreement to revise section I.E.

NOW THEREFORE, BE IT RESOLVED, that the Agreement to Provide Health Services executed by the University with Citrus Health Network, Inc. on March 20, 2019 is hereby ratified.

BE IT FURTHER RESOLVED that the University President, or designee, is hereby granted the delegation of authority to execute the amendment to the Agreement to Provide Health Services to revise section I.E of the Agreement.

This action is in the form of a resolution to take effect immediately upon adoption.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2019 by the Board of Trustees of Florida International University.

---

Claudia Puig  
Chair  
FIU Board of Trustees

---

Mark B. Rosenberg  
Corporate Secretary  
FIU Board of Trustees



**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

December 5, 2019

**Subject: Honorary Degree Nomination**

---

**Proposed Board Action:**

Endorse Dr. Enid Curtis Pinkney as a recipient of a doctoral degree *honoris causa* from Florida International University.

---

**Background Information:**

The nomination was recommended by the Faculty Senate on Tuesday, March 27, 2018.

The nominee was approved by the University President and Provost to receive an honorary degree at Commencement.

Florida Board of Governors Regulation 3.004, Honorary Degrees, provides that each university board of trustees shall establish policies and procedures for recommending candidates for honorary degrees.

---

**Supporting Documentation:**

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

This page intentionally left blank

**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

December 5, 2019

**Subject: Tenure as a Condition of Employment Nomination**

---

**Proposed Board Action:**

Approve one (1) candidate for Tenure as a Condition of Employment (TACOE).

---

**Background Information:**

Pursuant to 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 nominee held tenure at their previous institutions and has been selected to receive TACOE based on the caliber of their work.

---

**Supporting Documentation:**

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

This page intentionally left blank

**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

December 5, 2019

**Subject: 2020-2021 Legislative Budget Request**

---

**Proposed Board Action:**

Approve the 2020-2021 Legislative Budget Request:

- Program of Distinction in Environmental Resilience Request: \$15,150,000
- 

**Background Information:**

Pursuant to Section 7, Article 9 of the Florida Constitution, the Board "...shall operate, regulate, control, and be fully responsible for the management of the whole university system." Included within this responsibility is the development of a Legislative Budget Request (LBR). In addition, Section 216.023(1), Florida Statutes, requires the submission of a LBR to the Legislature and Governor based on an independent judgment of needs.

The LBR is an assessment of needs developed by the Florida Board of Governors in cooperation with the universities. The Florida Board of Governors requires that all State University System institutions submit their institutional LBR request for review and approval.

---

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

This page intentionally left blank

**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

December 5, 2019

**Subject: Authorization of the Board of Trustees for the University to implement an industrial hemp pilot project in accordance with Section 1004.4473, Florida Statutes**

---

**Proposed Board Action:**

Authorize the University to implement an industrial hemp pilot project in accordance with the requirements of Section 1004.4473, Florida Statutes.

---

**Background Information:**

Section 1004.4473, Florida Statutes (the “Statute”), allows universities to implement industrial hemp pilot projects under the circumstances set forth in that statute. “The purpose of the pilot projects is to cultivate, process, test, research, create, and market safe and effective commercial applications for industrial hemp in the agricultural sector in this state.”<sup>1</sup> Among the requirements of the Statute is that “a university must obtain the authorization of its board of trustees before implementing an industrial hemp pilot project.”<sup>2</sup>

The University would like to implement an industrial hemp pilot project to further the research mission of the University.

The Statute defines “Industrial hemp pilot project” as “a project that includes research of industrial hemp and any aspect of cultivation, harvesting, processing, market research, and sales of approved industrial hemp agricultural, industrial, and commercial products.”<sup>3</sup> Industrial hemp is defined as “all parts and varieties of the cannabis sativa plant, cultivated or possessed by an approved grower under the pilot project, whether growing or not, which contain a tetrahydrocannabinol concentration that does not exceed 0.3 percent on a dry-weight basis.”<sup>4</sup>

The Statute requires that a university must partner with a “Qualified project partner”,<sup>5</sup> which is defined as: “a public, nonprofit, or private entity that:

1. Has a principal place of business in this state.
2. Has access to a grow site and research facility located in this state which is acceptable for the cultivation, processing, and manufacturing of industrial hemp and hemp products, as determined by the department.
3. Submits a comprehensive business or research plan acceptable to the partnering university.
4. Provides proof of prior experience in or knowledge of, or demonstrates an

---

<sup>1</sup> Section 1004.4473(2)(a), Fla. Stat.

<sup>2</sup> Section 1004.4473(3), Fla. Stat.

<sup>3</sup> Section 1004.4473(1)(d), Fla. Stat.

<sup>4</sup> Section 1004.4473(1)(c), Fla. Stat.

<sup>5</sup> Section 1004.4473(1)(f), Fla. Stat.

interest in and commitment to, the cultivation, processing, manufacturing, or research of industrial hemp, as determined by the department.

The Statute charges the Florida Department of Agriculture and Consumer Services (the “Department”) to “authorize and oversee the development of industrial hemp pilot projects for [among other entities, a] ... state university that has an established agriculture, engineering, or pharmacy program” and to adopt rules including rules for the certification and registration of sites used for growth or cultivation.<sup>6</sup> The Department “shall adopt rules that address safety, compliance, and accountability and, at a minimum, require the universities to provide detailed information on:

1. The scope, design, and objectives of the pilot project.
2. Personnel and participants involved in the pilot project.
3. Facility locations and security.
4. The chain of control of hemp material.
5. The economic impact of the pilot project on the state’s agricultural sector.
6. Genetic research, ensuring that psychotropic compounds will not be synthesized.
7. Compliance with state and federal law.<sup>7</sup>

A pilot project authorized by a university must be registered with the Department and must comply with rules adopted by the Department.<sup>8</sup>

The Statute requires that the university’s research office oversee the pilot project and ensure compliance with rules adopted by the Department.<sup>9</sup> The Statute further requires that the “research office must identify a contact person who is responsible for oversight of the pilot project and shall adopt procedures and guidelines to ensure the proper operation of the pilot project, the proper handling of hemp material and products, compliance with state and federal law, and the safety and security of the pilot project facility.<sup>10</sup> At a minimum, the guidelines must:

- (a) Designate the physical location, global positioning system position, and map of the pilot project facility. Areas within the facility must be designated as general access or limited access. An area where hemp material is cultivated, processed, stored, or packaged or where industrial hemp research is conducted must be designated as limited access. Limited-access areas must be restricted to entry by qualified program personnel and authorized visitors accompanied at all times by qualified program personnel. All other areas of the facility may be designated as general access and are open to authorized visitors, regardless of whether accompanied by qualified program personnel.
- (b) Identify the qualified program personnel involved in the pilot project who meet the

---

<sup>6</sup> Section 1004.4473(2)(a), Fla. Stat.

<sup>7</sup> Section 1004.4473(2)(b), Fla. Stat.

<sup>8</sup> Section 1004.4473(3), Fla. Stat.

<sup>9</sup> Section 1004.4473(5), Fla. Stat.

<sup>10</sup> Id.



requirements of 21 CFR s. 1301.18<sup>11</sup> pursuant to the Agricultural Act of 2014, 7 U.S.C. s. 5940<sup>12</sup>.

(c) Authorize the qualified program personnel to handle, grow, cultivate, process, and manufacture hemp materials.

(d) Establish a testing program and protocols to ensure the proper labeling of hemp material.

A university that implements an industrial hemp pilot project shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on the status of its pilot project and any research related to the cultivation, harvesting, processing, and uses of industrial hemp within 2 years after the pilot project is implemented.<sup>13</sup>

The contact person of the Office of Research and Economic Development who shall be responsible for oversight of the pilot projects and for ensuring that the University adopts appropriate procedures and guidelines for the same, as well as for ensuring the registration of the pilot projects with the Department and compliance with the reporting requirements of the Statute, is William Anderson. A potential Qualified Project Partner has been identified as Green Point Research LLC and the University will work towards establishing a contractual relationship with that partner.

**Supporting Documentation:**     *N/A*

---

<sup>11</sup> Contains requirements that protocols for research with controlled substances must meet.

<sup>12</sup> Federal statute that allows states to adopt research programs like the hemp pilot project at issue here.

<sup>13</sup> Section 1004.4473(6), Fla. Stat.

This page intentionally left blank

**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

December 5, 2019

**Subject: New Program Proposal: FIU Embrace Education Program**

---

**Proposed Board Action:**

Approve the New Program Proposal: FIU Embrace Education Program.

---

**Background Information:**

Florida International University proposes a Florida Postsecondary Comprehensive Transition Program (FPCTP) designed to provide a three-year academic and experiential program for individuals with intellectual disabilities. This non-credit program focuses on job training and academic development with the goal of eventual independent living.

Florida Statute (FS 1004.6495, Section (6)(a) 1)<sup>1</sup> requires the FPCTP approval process include the governing board. Thus the FIU Board of Trustees must vote on approval of the program prior to submission for approval by the Chancellor of the State University.

---

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

---

<sup>1</sup> Florida Postsecondary Comprehensive Transition Program Act (FS 1004.6495)

(6) *INSTITUTION ELIGIBILITY AND RESPONSIBILITIES.—*

(a) *To offer an FPCTP, the president or executive director of an eligible institution, as applicable, must submit to the center, by a date established by the center, the following:*

1. *An application for approval of a comprehensive transition program proposed by the eligible institution, which must be approved by the institution's governing board...*

This page intentionally left blank

**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

December 5, 2019

**Subject: Reauthorization for the Issuance of Debt to Finance the Construction of a Student Residence Facility at the University’s Modesto A. Maidique Campus**

---

**Proposed Board Action:**

Reauthorize 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.

---

**Background Information:**

The Department of Housing and Residential Life of the Division of Academic and Student Affairs previously submitted a Proposal (the “Original Proposal”) for the financing and construction of a new Student Residence Facility on the Modesto A. Maidique campus of the University (the “Project”). The Original Proposal included 656 beds (640 rentable and 16 for Student Resident Assistants), approximately 300 parking spaces and ancillary space to service the residents. The total Project construction cost based on the Original Proposal was expected to be approximately \$66,500,000 with \$16,400,000, cash contribution from Housing and Parking reserves.

The Original Proposal was approved by The Florida International University Board of Trustees on March 3, 2017, and subsequently by the Florida Board of Governors on June 22, 2017. Upon approval by the Board of Trustees, FIU advertised for Architectural and Engineering services to design the Project, which resulted in an award to the firm Perkins and Will. Subsequently, FIU advertised for Construction Management Services for the Project, which resulted in an award to the firm Moss and Associates.

Since the Project was approved, there have been significant increases in construction costs. Additionally, there have been changes in Project programming, such as type and number of units. As a result, re-approval of the Project by both the Florida International University Board of Trustees and the Florida Board of Governors is required.

The Project will be constructed as an apartment style residence hall with 697 beds (677 rentable and 20 for Student Resident Assistants) and will include ancillary space to service the residents (the “Updated Proposal”). The Project is contemplated on the University’s 2010-20 Campus Master Plan. The total Project construction cost based on the Updated Proposal is expected to be approximately \$87,500,231 with approximately \$23,000,000 cash contribution from Housing reserves.

The Administration recommends that The Florida International University Board of Trustees authorize 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) \$71,800,000, including Project cost and amount of debt issuance, as deemed necessary by the University to finance the construction of the Project,

finance capitalized interest and pay costs of issuing the Bonds. The Bonds will mature not more than thirty (30) years after issuance with fixed annual debt service payments.

This request is consistent with the Florida Board of Governors Debt Management Guidelines dated September 21, 2013; Sections 1010.62 of the Florida Statutes; and Article IX, Section 7, Florida Constitution.

---

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

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

**THE FLORIDA INTERNATIONAL UNIVERSITY**  
**BOARD OF TRUSTEES**

December 5, 2019

**Subject: Renewal of Naming of the “Ocean Bank Convocation Center”**

---

**Proposed Board Action:**

Approve the renewal of the naming of the “Ocean Bank Convocation Center” in accordance with the gift agreement related thereto and the University’s and the FIU Foundation, Inc.’s Donative Naming Policy.

---

**Background Information:**

Since November 2016, Ocean Bank has held the naming rights to the FIU Arena, currently known as the “Ocean Bank Convocation Center,” pursuant to a Gift Agreement executed by the Foundation and Ocean Bank. These naming rights expired in accordance with the terms of the Gift Agreement, on July 31, 2019.

Ocean Bank has agreed to continue to name the Ocean Bank Convocation Center, and accordingly has pledged a new gift totaling \$1,250,000 (\$250,000 per year for five (5) years), of which \$12,160 will be annually allocated for the purchase of football suite #207. These funds will help support FIU Athletics’ core efforts, including, but not limited to, the enhancement of athletic facilities and the student athlete experience at the University.

In light of this significant gift, the University proposes to renew the name of the Ocean Bank Convocation Center.

In accordance with the University’s and the FIU Foundation Inc.’s Donative Naming Policy, Policy No. 710.015 (the “Naming Policy”), the Senior Vice President for University Advancement, the Executive Vice President and Provost, the Senior Vice President and Chief Financial Officer, and the Executive Committee of the FIU Foundation, Inc. (under authority delegated to it by the Board of Directors of the FIU Foundation, Inc.), have recommended and approved the naming rights granted herein.

This request is pursuant to and in accordance with the Florida Board of Governors Regulation 9.005, and the Naming Policy, which delegates to the BOT the authority to grant permanent naming recognition in connection with a University building, subject to the conditions contained therein.

---

**Supporting Documentation:** Requesting Resolution in Board of Governors Form

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

**A RESOLUTION AUTHORIZING THE RENEWAL OF  
NAMING OF THE “OCEAN BANK CONVOCATION  
CENTER.”**

**NOW, THEREFORE, BE IT RESOLVED:**

1. That the Florida International University Board of Trustees (the “BOI”) approves the renewal naming of the “Ocean Bank Convocation Center,” with such naming to be made pursuant to and in accordance with the gift agreement related thereto, and the University’s and the FIU Foundation, Inc.’s Donative Naming Policy, Policy No. 710.015;
2. That the Senior Vice President for University Advancement, the Athletics Director of the University, the Chief Financial Officer and other authorized representatives of the University and the BOT 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 execution and delivery of the Gift Agreements and the granting of the naming rights as set forth herein; and
3. This Resolution shall take effect immediately upon its adoption.



**THE FLORIDA INTERNATIONAL UNIVERSITY  
BOARD OF TRUSTEES**

December 5, 2019

**Subject: Approval of Asset Acquisition and Related Matters Pertaining to Torrey Pines Initiative**

---

**Proposed Board Action:**

Approve (1) The Florida International University Board of Trustees (“University”) entering into an Acquisition Agreement and Plan of Merger (the “Agreement”) with Torrey Pines Institute For Molecular Studies, Inc. (“Torrey Pines”), TPIMS Land Company, LLC (“TPIMS”) and certain defined California Supporting Organizations, pursuant to which (a) the University would acquire and assume certain Torrey Pines and TPIMS assets and contractual obligations (including a leasehold interest in an existing Ground Lease between TPIMS and the City of Port St. Lucie and title to a Building currently owned by TPIMS), and (b) the University would have the option, in its sole discretion, to merge one or more of the California Supporting Organizations into newly created Florida not for profit corporations (which would then become supporting organizations of an FIU direct support organization); (2) the transfer of the Ground Lease to the University, the assumption by the University of all the obligations of the tenant under such Ground Lease, and the transfer of the Building to the University at no cost; (3) the establishment of a Special Purpose Center and the University’s submission of a request to the Board of Governors for approval of the operation of the facility in Port St. Lucie as a Special Purpose Center; and (4) the delegation of authority to the University President, or designee, to execute the Agreement on behalf of the University and all other documents that may be necessary to effectuate the transactions contemplated in the Agreement.

---

**RESOLUTION**

WHEREAS, Torrey Pines is a nonprofit public benefit corporation, and a tax-exempt public charity under Section 501(c)(3) of the Internal Revenue Code, whose mission is to conduct basic research to advance the understanding of human disease and the improvement of human health; and

WHEREAS, the California Supporting Organizations, which term is defined to be comprise of the Diabetes National Research Group, Alzheimer’s and Aging Research Center, Osteoporosis and Breast Cancer Research Center and Arthritis & Chronic Pain Research Institute, are supporting organizations of their supported organization, Torrey Pines, pursuant to Section 501(c)(3) of the Internal Revenue Code, as reflected in the Tax Exempt Organizations Search of the Internal Revenue Service (“IRS”) and all of the filed returns, IRS Forms 990, of Torrey Pines and the California Supporting Organizations; and

WHEREAS, Torrey Pines is a party to certain Sponsored Research Agreements (as defined in the Agreement) and Assigned Agreements (as defined in the Agreement) that serve to support Torrey Pines’ pursuit and fulfillment of its mission; and

WHEREAS, TPIMS has a leasehold interest in the real property located at 11350 SW Village Parkway, Port St. Lucie, Florida 34987 (the “Premises”) under that certain Ground Lease Agreement, dated November 26, 2013 (the “Ground Lease”) between TPIMS and the City of Port

St. Lucie. Further TPIMS owns a building located on the Premises (the “Building”) and owns certain personal property located in the Building, as set forth in the Agreement. There are capital improvements, estimated to be in excess of \$4,500,000 (the “Capital Improvements”), anticipated to be made to the Building; and

WHEREAS, the University desires to acquire certain assets (including the Sponsored Research Agreements, Assigned Agreements, the Ground Lease, the Building and personal property on the Premises) of Torrey Pines, TPIMS and/or the California Supporting Organizations (the “Torrey Pines Entities”), and the Torrey Pines Entities are willing to transfer such assets, subject to the terms and conditions of the Agreement and in consideration of the University’s assumption of the obligation to make Capital Improvements; and

WHEREAS, the University believes that the acquisition of such assets from the Torrey Pines Entities will further the University’s research and academic mission and provide greater capabilities for the University to perform specialized research and training in the fields currently focused on by the Torrey Pines Entities; and

WHEREAS, the University’s assumption of the Assigned Agreements is believed to be essential to the University’s performance of the Sponsored Research Agreements and will also support the University’s efforts to pursue additional sponsored research and training projects in the fields currently focused on by Torrey Pines; and

WHEREAS, the University seeks to have the Ground Lease assigned to the University; and

WHEREAS, in the University’s sole discretion, the University may also elect to require the California Supporting Organizations to merge with and into newly created Florida not for profit corporations which would then become supporting organizations of an FIU direct support organization, as set forth in the Agreement; and

WHEREAS, the University wishes to establish a Special Purpose Center and to submit a request to the Florida Board of Governors for approval to operate the Building as a Special Purpose Center.

NOW THEREFORE, BE IT RESOLVED, that the University is authorized to enter into the Acquisition Agreement and Plan or Merger, with the University President, or his designee, hereby granted the delegation of authority to execute said Agreement on behalf of the University, as well as all other documents that may be necessary to effectuate the transactions contemplated in the Agreement.

BE IT FURTHER RESOLVED that the University is authorized to assume all of the obligations of the tenant under the Ground Lease and to accept title to the Building, with the University President, or his designee, hereby granted the delegation of authority to execute all documents on behalf of the University that may be necessary to effectuate said assumption and title transfer.

BE IT FURTHER RESOLVED that the University is authorized to establish a Special

Purpose Center and to submit to the Florida Board of Governors the Proposal to Establish a New Type I, II or III Campus, or Special Purpose Center for approval of operating the facility in Port St. Lucie to be acquired by the University, pursuant to the Agreement, as a Special Purpose Center.

This action is in the form of a resolution to take effect immediately upon adoption.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2019 by the Board of Trustees of Florida International University.

---

Claudia Puig  
Chair  
FIU Board of Trustees

---

Mark B. Rosenberg  
Corporate Secretary  
FIU Board of Trustees

---

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

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

This page intentionally left blank