



BOARD OF TRUSTEES

Board of Trustees Meeting Agenda

Thursday, April 27, 2023

4:00 PM – 5:00 PM

(Or upon the conclusion of the Academic & Student Affairs Committee meeting)

Florida Polytechnic University WEBEX TELECONFERENCE MEETING

Dial in: 1-415-655-0001 | Access code: 2422 943 9051#

MEMBERS

Cliff Otto, Chair
Dr. Laine Powell
Melia Rodriguez
Lyn Stanfield

Beth Kigel, Vice Chair
Gary C. Wendt
Dr. Narendra Kini
Dr. David Williams

Mark Bostick
Bob Stork
Dr. Susan LeFrancois

AGENDA

- | | | |
|------|--|--|
| I. | Call to Order | Cliff Otto, Chair |
| II. | Roll Call | Kristen Wharton |
| III. | Public Comment | Cliff Otto |
| IV. | Resolution 2023-002 Recognition of Service: Trustee Susan LeFrancois
Action Required | Cliff Otto |
| V. | Florida Polytechnic University Accountability Plan 2023
Action Required | Dr. David Williams, Chair
Academic & Student Affairs
Committee |
| VI. | Consent Agenda
Action Required | Cliff Otto |
| A. | Academic and Student Affairs Committee | |
| | 1. Approve Revision to Regulation FPU-2.003 First Time In College (FTIC) | |
| B. | Board of Trustees | |
| | 1. Approve meeting minutes from March 15, 2023 | |
| | 2. Approve meeting minutes from July 21, 2022 | |
| | 3. Approve Executive Committee meeting minutes from March 28, 2022 | |
| | 4. Approve Special Meeting minutes from August 26, 2021 | |

5. Approve Executive Committee meeting minutes
from April 20, 2021

VII. Closing Remarks and Adjournment

Cliff Otto

**Florida Polytechnic University
Board of Trustees
April 27, 2023**

Subject: Recognition of Service: Trustee Susan LeFrancois

Proposed Board Action

Approve Board of Trustees Resolution 2023-002, Recognition of Service: Trustee Susan LeFrancois.

Background Information

Trustee LeFrancois will be recognized for her service on the Florida Polytechnic University Board of Trustees. Her term ends May 5.

Supporting Documentation: Resolution 2023-002

Prepared by: Kristen Wharton, Corporate Secretary



FLORIDA POLYTECHNIC
UNIVERSITY

Board of Trustees

Resolution

2023-002

In Recognition and Profound Appreciation of Distinguished Service:

Trustee Susan LeFrancois

The Florida Polytechnic University Board of Trustees hereby adopts the following Resolution:

WHEREAS, Trustee Susan LeFrancois has served on The Florida Polytechnic University Board of Trustees from May 6, 2022, through May 5, 2023, and

WHEREAS, Trustee LeFrancois served on the Board of Trustees Academic and Student Affairs Committee and the Board of Trustees Strategic Planning Committee, and

WHEREAS, Trustee LeFrancois joined Florida Polytechnic University in July 2013 as the first adjunct faculty member hired, and

WHEREAS, Trustee LeFrancois currently serves as an assistant professor in data science, and

WHEREAS, Trustee LeFrancois continues to grow social science data research and has submitted a manuscript titled *Influence of demographics, social determinants of health, health and behavioral factors, and religious attendance on cardiovascular disease stratified by sex* for consideration in the Journal of Social Science and Medicine, and

WHEREAS, Trustee LeFrancois served as the Chair of the Faculty Assembly from May 2022 through May 2023.

Now, therefore be it resolved that The Florida Polytechnic University Board of Trustees, at its regular board meeting on this 27th day of April, in the year of 2023, does hereby recognize and commend Trustee Susan LeFrancois for her contributions to Florida Polytechnic University, and

Be further resolved that this resolution is included in the minutes of the meeting and a copy presented to Trustee LeFrancois as a token of the Board's appreciation and sincere thanks.

Resolution adopted by the Florida Polytechnic University Board of Trustees on April 27, 2023.

CLIFFORD K. OTTO, Chair

**Florida Polytechnic University
Board of Trustees
April 27, 2023**

Subject: Florida Polytechnic University Accountability Plan FY23

Proposed Board Action

At the recommendation of the Academic & Student Affairs Committee, approve the Florida Polytechnic University Accountability Plan for fiscal year 2023.

Background Information

Pursuant to the Board of Governors Regulation 1.001, the Board of Trustees (BOT) shall prepare a multi-year Accountability Plan for the Board of Governors (BOG) that outlines the University's priorities, strategic directions, and performance measures and outcomes on institutional and system-wide goals. The Accountability Plan reflects the University's distinctive mission and a focus on core institutional strengths within the context of the State University System goals and regional and statewide needs. The 2023 Accountability Plan requires BOT approval prior to its submission to the BOG, on May 1.

For additional information, please see the Academic & Student Affairs Committee meeting materials.

Supporting Documentation: 2023 University Accountability Plan

Prepared by: Dr. Terry Parker, Executive Vice President and Provost

**Florida Polytechnic University
Board of Trustees
April 27, 2023**

Subject: Consent Agenda

Proposed Board Action

Approve the consent agenda.

Each of the following items comes before the Board with unanimous approval from the respective Committees, and, as such, there is no need for a second.

- A. Academic and Student Affairs Committee
 - 1. Approve Revision to Regulation FPU-2.003 First Time In College (FTIC)
- B. Board of Trustees
 - 1. Approve meeting minutes from March 15, 2023
 - 2. Approve meeting minutes from July 21, 2022
 - 3. Approve Executive Committee meeting minutes from March 28, 2022
 - 4. Approve Special Meeting minutes from August 26, 2021
 - 5. Approve Executive Committee meeting minutes from April 20, 2021

Background Information

- A. Academic and Student Affairs Committee

The Revision to Regulation FPU-2.003 First Time In College (FTIC) will be discussed and considered for approval in the Academic and Student Affairs Committee meeting immediately preceding this meeting of the Board. Should the Committee approve the revision to this Regulation, it will be considered for adoption on today's consent agenda.

- B. Board of Trustees

After an extensive review of the University Board of Trustees' records, one set of meeting minutes of the Board of Trustees, two sets of meeting minutes of the Executive Committee, and one set of meeting minutes of a "Special Meeting" were found in final draft form without official approval by the Board. Today's approval of these minutes will bring the University Board's meeting records up to date.

Also included for approval is the March 15, 2023 Board of Trustees meeting minutes.

Supporting Documentation:

- 1. Revision to Regulation FPU-2.003 First Time In College (FTIC)
- 2. Board of Trustees meeting minutes from March 15, 2023
- 3. Board of Trustees meeting minutes from July 21, 2022
- 4. Executive Committee meeting minutes from March 28, 2022
- 5. Special Meeting minutes from August 26, 2021
- 6. Executive Committee meeting minutes from April 20, 2021

Prepared by: Kristen Wharton, Corporate Secretary



Board of Trustees Meeting Minutes

DRAFT MEETING MINUTES

March 15, 2023
4:00 PM – 5:00 PM

Florida Polytechnic University WEBEX TELE-CONFERENCE MEETING

I. Call to Order

Chair Cliff Otto called the meeting to order at 4:00 p.m.

II. Roll Call

Kristen Wharton called the roll: Chair Cliff Otto, Vice Chair Beth Kigel, Trustee Susan LeFrancois, Trustee Melia Rodriguez, Trustee Narendra Kini, Trustee Lyn Stanfield, Trustee Bob Stork, and Trustee Gary Wendt were present (Quorum).

Trustees Not Present: Trustee Laine Powell, Trustee Mark Bostick, Trustee David Williams

Staff present: President Randy Avent, Provost Terry Parker, Dr. Allen Bottorff, Kathy Bowman, David Blanton, Mike Dieckmann, David Fugett, Melaine Schmiz, and Kristen Wharton were present.

III. Public Comment

There were no requests received for public comment.

IV. Approval of Minutes

Trustee Melia Rodriguez made a motion to approve the Board of Trustees meeting minutes of February 16, 2023. Trustee Lyn Stanfield seconded the motion; a vote was taken, and the motion passed unanimously.

V. University Finance and Budget

A. Florida Poly Student Housing System Update

Dr. Allen Bottorff, VP and Chief Financial Officer, reviewed the Board of Trustees' approvals related to student housing, one of which was approving the issuance of a tax-exempt bond to finance acquisition of Residence Hall II and construction of Residence Hall III. Since that approval, the University finalized pre-sale execution steps and distributed the POS/NOS and investor presentation, while at the same time working with Capstone Development Partners to lower the Guaranteed Maximum Price (GMP) on Residence Hall III from \$4.8M above the anticipated budget to \$2M above the anticipated budget. The total GMP is now \$41.8M. Bottorff and President Randy Avent are confident the additional \$2M can be covered by using excess capacity within the bond or with University Auxiliary Enterprise reserves.

The notice of intent to sell the bonds was released on March 7 and the bond sale was conducted and completed on March 9. There were eight competitive bidders, with the spread between highest and lowest bids separated by 40 basis points. The bonds were awarded to Robert W. Baird and Company, Inc. at a true interest cost (TIC) of 4.736%.

Trustee Gary Wendt inquired why the prices came in so favorably. Bottorff responded the University had a strong package, everyone took the bond insurance, and the investors were impressed with the University's accomplishments, plans for growth, and purpose. Bottorff also mentioned that Federal Reserve Chair Powell's signaling of additional interest rate increases in the days preceding the bond sale, likely drove investors out of riskier investments and into the safer bond market in time for the sale to be most effective. Trustee Wendt added the bond rates decreased for a few days during the prior week which also helped. He congratulated staff for their efforts in making this bond sale such a success.

Bottorff stated early construction activities on Residence Hall III started on Monday of this week with field locates underway. He anticipates delivery of the bond proceeds by March 30, 2023. Proceeds in the amount of \$26.5M, which are set aside for the acquisition of Residence Hall II, will be invested in the US Department of Treasury State and Local Government Series Securities (SLGS) to earn interest until needed for closing on the property. The remaining proceeds, set aside for the construction of Residence Hall III, are to be invested in the State Board of Administration ("SBA") Florida PRIME account to earn interest over the duration of construction.

Vice Chair Beth Kigel asked the projected amount the University can earn via these investments. The University could earn approximately \$300-350k through the SLGS and another \$500k through Florida PRIME, all of which must be used toward the project. Bottorff noted that an estimate of interest income was already incorporated in the pro forma, but that it conservatively held under 2% as annual yield, where the use of SLGS and Florida PRIME would likely double that return.

B. Resolution for Participation in Florida PRIME

Trustee Beth Kigel made a motion to approve the authorizing resolution for participation in the Local Government Surplus Funds Trust Fund (Florida PRIME). Trustee Narendra Kini seconded the motion; a vote was taken, and the motion passed unanimously.

C. Florida Poly Student Housing System: Approval to Acquire Residence Hall II

Bottorff stated that within the ground lease for Residence Hall II there is an option for the University to purchase the Project. Schedule I of the ground lease lists the buyout amount in year eight (2023) to be \$26.5M. The University requests Board approval to purchase Residence Hall II.

Trustee Wendt inquired if there are any potential issues arising from the purchase. President Randy Avent did not believe so and stated the benefits of the University being able to control and utilize Residence Hall II for freshmen and other incoming students. Trustee Wendt asked if the University would have the ability to set the rates for Residence Hall I; Bottorff replied that, per the existing ground lease, the owner of Residence Hall I sets the rates, however, they must notify the University of those rates annually as well as any increases to them.

Trustee Bob Stork asked the current value of Residence Hall II. Bottorff responded

approximately \$60M based on the few local comps available and as compared with the cost to construct Residence Hall III.

Trustee Gary Wendt made a motion to approve the acquisition of Florida Poly Student Housing System: Residence Hall II in the amount of \$26,515,000, plus appropriate and customary closing costs, on or around June 15, 2023. Trustee Melia Rodriguez seconded the motion; a vote was taken, and the motion passed unanimously.

VI. University Facilities Planning, Design, and Construction

A. Florida Poly Student Housing System: Residence Hall III Project Approval

Bottorff reviewed the design and construction elements of the Residence Hall III project. On February 2, 2022, the University released RFQ 22-012 for competitive selection of qualified firms to partner with Florida Poly in the development of an on-campus student housing project and selected three qualified firms. In May 2022, the University released ITN 22-022 for competitive negotiations with these top ranked firms. From this solicitation, the selection committee selected Capstone Development partners (“CDP”) and entered into a Predevelopment Agreement with Board of Trustees’ approval in July 2022.

Over the intervening months, CDP collaborated diligently with Florida Poly on the design of Residence Hall III and has now provided the University with a Guaranteed Maximum Price (“GMP”) for the full design-build project. In addition to the GMP, the University has now reached the point of closing on a successful dormitory bond sale, from which the University anticipates proceeds to be delivered to the University no later than March 30.

Lastly, the Project is approved by the State of Florida Board of Governors (“BOG”), is on the University’s Capital Improvement Plan, and is recommended in the University’s current Educational Plant Survey.

Trustee Wendt inquired if the University has a contract for the GMP. Bottorff responded the University does not have a signed contract; however, the Board’s approval today will authorize President Avent to sign a contract with the GMP of \$41.8M and that CDP is ready to sign the GMP as well.

Trustee Gary Wendt made a motion to approve Florida Poly Student Housing System: Residence Hall III to be designed, constructed, and furnished within the total budget, not to exceed \$41,835,842. Trustee Beth Kigel seconded the motion.

Discussion ensued with Trustee Stork inquiring about the difference in square footage of the dorm rooms in Residence Halls II and III. Bottorff stated much of the difference is accounted for in the amenity space and that Residence Hall II is more traditional with shared dorm rooms while Residence Hall III will have more single and apartment-style rooms in the product mix.

A vote was taken, and the motion passed unanimously.

VII. Closing Remarks and Adjournment

Chair Otto thanked Dr. Bottorff and President Avent and all staff who worked diligently on this effort, including those at the Division of Bond Finance and the Board of Governors.

Kristen Wharton noted the change to the annual Board of Governors' Trustee Summit from November 1 to November 8, 2023. As the November 8 date falls on the Board's currently scheduled Board committee meeting day, a new date will be determined and shared with Trustees in the near future.

With no further business to discuss the meeting adjourned at 4:30 p.m.

Respectfully Submitted:
Kristen J. Wharton
Corporate Secretary



Board of Trustees Meeting Minutes

DRAFT MEETING MINUTES

July 21, 2022
9:00 AM – 10:00 AM

Florida Polytechnic University WEBEX TELE-CONFERENCE MEETING

I. Call to Order

Chair Cliff Otto called the meeting to order at 9:00 a.m.

II. Roll Call

Kristen Wharton called the roll: Chair Cliff Otto, Vice Chair Mark Bostick, Trustee Susan LeFrancois, Trustee Lyn Stanfield, Trustee Laine Powell, Trustee Melia Rodriguez, Trustee Beth Kigel, Trustee Bob Stork, and Trustee Gary Wendt were present (Quorum).

Board members not present: Trustee Narendra Kini

Staff present: President Randy Avent, Provost Terry Parker, Dr. Allen Bottorff, Gina DeIulio, Kathy Bowman, David Blanton, Kristen Wharton, Alex Landback, and Melaine Schmiz were present.

Other guest present: Kevin Mara, Brailsford & Dunlavey, Inc.

III. Public Comment

There were no requests received for public comment.

IV. Approval of Minutes

Trustee Melia Rodriguez made a motion to approve the May 24, 2022 minutes. Trustee Laine Powell seconded the motion; a vote was taken, and the motion passed unanimously.

V. Ratification of Amendment to Article 12 of the Collective Bargaining Agreement

Alex Landback, Associate General Counsel, presented the amendment to article 12 of the Collective Bargaining Agreement (CBA). This amendment provides a recurring base salary increase for eligible bargaining unit employees who received a 2021-2022 evaluation rating of Meets Expectations or higher, ranging from 4.125% to 4.625% depending on the evaluation rating.

The amendment also includes a scaled salary adjustment for eligible bargaining unit employees whose 2021-2022 Academic Year annual salaries are within the bottom quartile of all salaries for in-unit employees. This adjustment is gradually scaled from 0% for the individual at the top of the quartile described to 4% for the individual at the bottom. This increase would be cumulative to the base salary increase.

The Board's approval of this amendment is contingent upon ratification by UFF-Florida Poly after which the amendment would be incorporated in the 2021-2024 CBA. Salary changes would be effective on August 16, 2022.

Trustee Gary Wendt asked about such modest increases given current inflation, and second, he inquired as to the incentive to improve given the small percentage point difference between "meets" and "exceeds" expectations.

Provost Terry Parker agreed given inflation the University wishes the numbers could be larger, however, this is best base salary increase for faculty within the State University System (SUS). He also noted President Randy Avent's desire to have equitable salary increases across faculty and staff. Regarding differential in performance, the University has tried to set a reasonably high bar for individuals who are meeting expectations and provide some reward incentive. Trustee Wendt asked if a faculty member were recruited by another institution, would Florida Poly have the capability to increase that professor's salary to incentivize them to stay; Provost Parker responded there is a small amount of discretionary funds outside of the formulaic elements of salary increases that can be added.

Trustee Melia Rodriguez inquired if faculty salaries remain competitive with this salary increase. Provost Parker explained how the University benchmarks salaries to aspirant peers and stated Florida Poly's salaries remain competitive.

Chair Cliff Otto asked for clarification on the adjustment of salaries of those in the lower quartile versus changing the range. Landback stated the range is not being changed and that the adjustment is based on the salary they have going into this past academic year. The faculty member would receive a proportional adjustment to their base salary; this adjustment is based on a sliding scale.

Trustee Laine Powell made a motion to ratify the Amendment to Article 12 (Salaries) of the 2021-2024 Collective Bargaining Agreement ("CBA") with the United Faculty of Florida ("UFF"), subject to the anticipated ratification of the Amendment by the UFF-Florida Polytechnic University Chapter. Trustee Bob Stork seconded the motion; a vote was taken, and the motion passed unanimously.

VI. Pre-Development Agreement (PDA) with Capstone Development Partners

Dr. Allen Bottorff, Vice President, and Chief Financial Officer presented the results of the ITN (Invitation to Negotiate) selection process for a student housing development partner and was pleased to present Capstone Development Partners as the University's selection. The presentation covered the Pre-Development Agreement (PDA) with Capstone.

Project goals include Florida Poly having greater control over its housing operation and new on-campus housing of 700 beds by fall 2026. Bottorff reviewed the partner selection process and the integrated development team under the umbrella of Capstone Development Partners. He also shared a map of the campus which identified the project site as well as a preliminary design concept for Phase 3 housing.

Kevin Mara of Brailsford & Dunlavey, Inc. presented the terms of the PDA, which is a customized P3 (Public-Private Partnership) structure. Florida Poly will ground lease the project site to a non-profit entity. The housing will be financed and owned by the non-profit entity and Florida Poly receives all net cash flows from housing rentals and retains significant operational control.

The non-profit owner will then contract with Capstone Development Partners for on-time, on-budget delivery of Phase 3 housing. Florida Poly will contract with the non-profit owner so that Florida Poly can provide leasing, residence life, and other services. Additionally,

Capstone will contract with the non-profit owner to provide custodial, maintenance, and asset management services.

Mara reviewed the anticipated deal structure which involves four agreements: ground lease, development agreement, services agreement, and an operations agreement.

In order to deliver Phase 3 Housing for Fall 2024, Capstone must advance design concurrent with negotiations, prior to project approvals and financial close. Therefore, Capstone is taking on significant financial risk of up to \$3.4M. Both parties must collaborate to maintain a financially feasible project. The University will retain significant control over design and rental rates. The PDA codifies a fair distribution of risk prior to financial close. There are three events which would trigger Florida Poly's need to reimburse Capstone: if the Board of Governors does not approve of the project; if the project is unable to achieve a Guaranteed Maximum Price (GMP); or the project encounters market disruptions.

Trustee Bob Stork recited past issues with the University not having authority to operate and manage student dorms. He asked if the current agreement is acceptable to University administration or if that authority will change with the negotiations. Dr. Bottorff responded Florida Poly will maintain the majority of operation management. Florida Poly can also work with Capstone Management to move custodial and maintenance operations to the University.

Dr. Bottorff clarified for Trustee Wendt the difference between using a DSO to finance the project versus a non-profit. Trustee Wendt also inquired if the University would incur any liability between today and the date the final agreement is brought to the Board. Bottorff responded the only risk involves the three triggering events previously stated in this discussion.

Trustee Bob Stork made a motion to approve the Pre-Development Agreement with Capstone Development Partners. Trustee Beth Kigel seconded the motion; a vote was taken, and the motion passed unanimously.

VII. Student Success Plan

Provost Parker stated when a university in Florida's State University System (SUS) scores below 70 points in Performance Based Funding (PBF), the institution is required to submit a Student Success Plan. The performance of this plan is evaluated the following spring and, if approved by the Board of Governors, \$2.1M of PBF is released to the University.

Parker reviewed the metrics requiring improvement. The loss of 10 points in metric five and the loss of 5 points in metric 9.B.1. are due to a decline in Academic Progress Rate (APR). He also explained how the University lost 7 points in metric 8.A. even though the score was higher this year than in 2021. Parker reviewed historical information on the University's Academic Progress Rate (APR), noting the dominant reason students leave the institution is due to academic difficulty.

After Parker reviewed the past year's efforts to improve APR, he outlined six strategies that are the focus of the Student Success Plan. The strategies include:

1. Excellence and Achievement in the Freshman Year (PBF #4, PBF #5, PBF #9.B)
2. Student Culture: Supporting the Whole Student (PBF #1, PBF #4, PBF #5)
3. Graduate On Time (PBF #4, PBF #9.A)
4. Grow and Support the Graduate Program (PBF #8)
5. Provide Appropriate Support for Pell Students (PBF #7, PBF #9.B)
6. Promote Strong Employment Outcomes for Our Students (PBF #1)

Parker reviewed the tactics which will be used to accomplish the six strategies as well as five

remaining plan goals and expected results by March 2023. Parker reviewed this plan with BOG staff earlier this week and their recommended changes were incorporated.

Trustee Stork asked if Florida Poly's APR is measured against the other institutions in the SUS. Parker replied that compared to rest of System, Florida Poly did not perform well even though all but two institutions experienced a decline due to COVID.

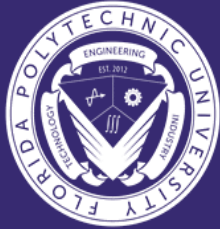
Trustee Wendt inquired if there is a financial reward for succeeding with this plan. Parker responded yes, the financial reward will be \$2.1M which is half of the performance funding the University is normally allocated when achieving 70 points or above.

Trustee Melia Rodriguez made a motion to approve the Student Success Plan that will then be considered by the Board of Governors in September 2022. Trustee Lyn Stanfield seconded the motion; a vote was taken, and the motion passed unanimously.

VIII. Closing Remarks and Adjournment

President Avent stated the University has been negotiating with Duke Energy on the location of a high-voltage power line which will be installed on a University parcel. He is hopeful the University will be able to bring that agreement to the Board for approval in September, however, that may be too late, prompting the need to have a quick interim Board meeting. Chair Otto stated the negotiations are moving forward favorably.

With no further business to discuss the meeting adjourned at 10:15 a.m.



Executive Committee Meeting

DRAFT MEETING MINUTES

March 23, 2022
2:00 PM – 2:30 PM

Florida Polytechnic University WEBEX TELECONFERENCE MEETING

I. Call to Order

Chair Cliff Otto called the meeting to order at 2:00 p.m.

II. Roll Call

Kris Wharton called the roll: Chair Cliff Otto, Vice Chair Mark Bostick, Trustee Earl Sasser, and Trustee Bob Stork were present (Quorum). Trustee Gary Wendt joined the meeting after the conclusion of agenda item IV.

Executive Committee member not present: Trustee Beth Kigel

Other trustees present: Trustee Narendra Kini

Staff present: President Randy Avent, Provost Terry Parker, Gina DeIulio, Dr. Allen Bottorff, Larry Locke, Dr. Tom Dvorske, Dr. Kathryn Miller, Kristen Wharton, David Blanton, David Calhoun, Alex Landback, Penney Farley, and Melaine Schmiz and were present.

III. Public Comment

There were no requests received for public comment.

IV. Naming Opportunity: Engineering Building

Chair Cliff Otto stated Trustee Gary Wendt elected not to participate in this portion of the meeting. Trustee Wendt submitted Form 8A to Kris Wharton, Assistant Secretary to the Board of Trustees, disclosing a conflict of interest which will be attached to the minutes of this meeting. Gina DeIulio read Trustee Wendt's disclosure into the minutes. Larry Locke, Director, Advancement Operations and COO of the University Foundation, commended Trustee Wendt's generosity, not only of his time and leadership, but also of his generous financial gift in naming the Engineering building slated to begin construction in August 2022. Locke requested approval of the naming of the Engineering building as the "Gary C. Wendt Engineering Building."

Trustee Earl Sasser made a motion to approve the naming request of the Gary C. Wendt Engineering Building. Trustee Mark Bostick seconded the motion; a vote was taken, and the motion passed unanimously.

V. Resolution: Signature Authority on Depository Accounts

Trustee Narendra Kini joined the meeting at this time.

President Randy Avent introduced Dr. Allen Bottorff, Florida Poly's new Vice President of Administration and Finance. Dr. Bottorff shared a few words of introduction.

Gina DeIulio reminded trustees pursuant to Florida statutes, the Board is responsible for designating and approving the legal name and position title of any University employee authorized to sign checks, pay legal obligations of the University, and transfer funds between accounts for University purposes. Resolution 2022-001 specifies three people who have such designation and authority: Dr. Randy K. Avent, president; Dr. Allen Bottorff, vice president of administration and finance; and Penelope Farley, university controller.

Trustee Earl Sasser made a motion to rescind Resolution 2020-001 and replace it with Resolution 2022-001 Signature Authority on Depository Accounts. Trustee Bob Stork seconded the motion; a vote was taken, and the motion passed unanimously.

Trustee Gary Wendt joined the meeting at this time. Chair Otto and Vice Chair Mark Bostick expressed their appreciation to Trustee Wendt for his generous financial gift to the University.

VI. University Housing Update

Provost Terry Parker stated the University has lowered fall 2022 enrollment projections due to lack of housing. This decision protects the rising sophomore class retention rate. The University originally allocated 410 beds to new students. Approximately 100 of those beds were reallocated to rising sophomores. Overall, this produces a decline in expected incoming students by approximately 100. Additionally, data sharing over room reservations with Housing remains a challenge.

Chair Otto asked for clarification if Florida Poly is forcing the reduction of 100 students in the incoming class because of inadequate housing. Provost Parker clarified the University is not forcing this reduction; rather, the University has accepted these applicants. Applicants must choose the university they will attend by May 1. If they select Florida Poly, make their deposit, yet find they cannot obtain a lease because housing is full, they will decline to come.

Provost Parker stated the availability of off-campus housing is minimal and no managers of nearby apartment complexes want to enter into an agreement with the University. Florida Poly will connect students to off-campus housing opportunities and increase transportation from campus to the apartment complexes.

Regarding doubling up of dorm rooms which Trustee Bob Stork inquired about, Provost Parker has had moderate success with the Housing partner in increasing the number of beds in the dorms from 748 in fall 2021 to 796 in fall 2022. Modular housing is not an economically viable solution and high-speed construction, while viable, would not be ready for fall 2022.

Trustee Wendt expressed disappointment with lowering enrollment projections and suggested administration find a way to house all incoming students. President Avent replied administration is also unhappy with turning students away, and Provost Parker and his team are working diligently to find beds. Not owning both dorms is a large restriction. Additionally, state funds cannot be used for modular housing and the University doesn't have enough funds in auxiliaries to pay for them.

Trustee Earl Sasser asked how many beds are still available. Provost Parker reiterated the challenges the University has with the Housing company in obtaining that data. He can confirm that 440 housing request forms have come through admissions from new students, with approximately 250 executed leases. The University offered to buy furniture to make single rooms doubles and the Housing company refused the offer.

After much discussion, Trustee Stork asked to review the contracts for the two dorms and offered to talk with the owner of the Housing company to discover what is keeping him from accommodating the University's housing needs.

Regarding the bridge loan, President Avent stated Ben Watkins, Commission of Bond Financing, said he would not support a bridge loan. Watkins recommended obtaining financing to buy dorms 2 and 3 at the same time.

VII. Closing Remarks and Adjournment

With no further business to discuss the meeting adjourned at 3:14 p.m.

To Kim Wharton

FORM 8A MEMORANDUM OF VOTING CONFLICT FOR STATE OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Wendt, Gary C.		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Board of Trustees	
MAILING ADDRESS 3055 Harbor Drive Apt 1701		NAME OF STATE AGENCY Florida Polytechnic University	
CITY Ft. Lauderdale	COUNTY Broward	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE	
DATE ON WHICH VOTE OCCURRED 3/23/22			

WHO MUST FILE FORM 8A

This form is for use by any person serving at the State level of government on an appointed or elected board, council, commission, authority, committee, or as a member of the Legislature. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

ELECTED OFFICERS:

As a person holding elective state office, you may not vote on a matter that you know would inure to your special private gain or loss. However, you may vote on other matters, including measures that would inure to the special private gain or loss of a principal by whom you are retained (including the parent or subsidiary or sibling organization of a principal by which you are retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. If you vote on such a measure or if you abstain from voting on a measure that would affect you, you must make every reasonable effort to disclose the nature of your interest as a public record in a memorandum filed with the person responsible for recording the minutes of the meeting, who shall incorporate the memorandum in the minutes. If it is not possible for you to file a memorandum before the vote, the memorandum must be filed with the person responsible for recording the minutes of the meeting no later than 15 days after the vote.

For purposes of this law, a "relative" includes only your father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with you as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

A member of the Legislature may satisfy the disclosure requirements of this section by filing a disclosure form created pursuant to the rules of the member's respective house if the member discloses the information required by this subsection, or by use of Form 8A.

APPOINTED OFFICERS:

As a person holding appointive state office, you are subject to the abstention and disclosure requirements stated above for Elected Officers. You also must disclose the nature of the conflict before voting or before making any attempt to influence the decision by oral or written communication, whether made by you or at your direction.

For purposes of this law, a "relative" includes only your father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with you as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes.
- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION OR VOTE AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF STATE OFFICER'S INTEREST

I, Gary C. Wendt, hereby disclose that on March 23, 20 22 :

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

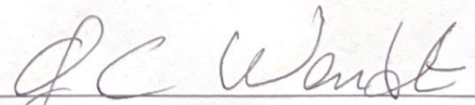
- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____ ;
- inured to the special gain or loss of my relative, _____ ;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent, subsidiary, or sibling organization of a principal which has retained me.

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

The Florida Polytechnic University Board of Trustees will be voting on the naming assignment of a building to which I have donated a University-specified amount of funds that allow for the naming of this building with a title of my choosing. I have elected not to participate in or attend the discussion and subsequent voting involved in this matter to avoid any appearance of impropriety.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

3/23/22
Date Filed


Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.



Finance & Facilities Committee Chair Transition Meeting

DRAFT MEETING MINUTES

**Thursday, August 26, 2021
11:30 AM – 12:15 PM**

Florida Polytechnic University WEBEX TELE-CONFERENCE MEETING

I. Persons Present

- Board of Trustees Chair Cliff Otto
- Trustee Beth Kigel
- Penney Farley, AVP and Controller
- John Irvine, Deputy Controller, Asset Management & Disbursements
- Kristen Wharton, Assistant Secretary, University Board of Trustees

II. Discussion

The purpose of this meeting was to familiarize Trustee Beth Kigel with her upcoming role as Chair of the Finance and Facilities Committee.

Penney Farley briefly discussed the many acronyms used in finance operations. She reviewed the Finance and Facilities Committee September 8 meeting agenda as well as standard reports that come before the Committee throughout the year.

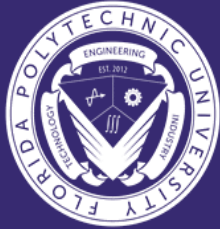
Chair Cliff Otto provided guidance by stating each Committee Chair has different styles of committee leadership and encouraged Trustee Kigel to explore her own.

Kris Wharton reviewed the ways her office supports each Committee Chair and shared the timeline of meeting preparations that occur beginning six weeks out from the first committee meeting.

Chair Otto confirmed he will lead the September 8 committee meeting and upon its conclusion, hand the committee's leadership to Trustee Kigel.

VII. Adjournment

With no further business to conduct, the meeting was adjourned at 11:55 a.m.



Board of Trustees Executive Committee Meeting

DRAFT MEETING MINUTES

Tuesday, April 20, 2021
2:00 PM – 3:00 PM

Florida Polytechnic University WEBEX TELE-CONFERENCE MEETING

I. Call to Order

Chair Cliff Otto called the meeting to order at 2:01 p.m.

II. Roll Call

Kris Wharton called the roll: Chair Cliff Otto, Vice Chair Mark Bostick, Committee Chair Earl Sasser, Committee Chair Gary Wendt, and Committee Chair Bob Stork were present (Quorum).

Other trustees present: none

Staff present: President Randy Avent, Provost Terry Parker, Ms. Gina DeIulio, Mrs. Kathy Bowman, Dr. Tom Dvorske, Dr. Kathryn Miller, Dr. Ben Matthew Corpus, Mrs. Kris Wharton, Mr. Alex Landback, Mr. David Blanton, Mr. Rick Maxey, Mr. David Calhoun, Mr. David Brunell, Ms. Penney Farley, Mrs. Maggie Mariucci, Ms. Melaine Schmiz

III. Public Comment

There were no requests for public comment.

IV. Approval of the June 12, 2020 Minutes

Vice Chair Mark Bostick made a motion to approve the June 12, 2020 minutes. Trustee Earl Sasser seconded the motion; a vote was taken, and the motion passed unanimously.

V. University Accountability Plan

Provost Terry Parker reviewed the proposed University Accountability Plan for 2021-2022. He briefly reviewed three key initiatives and investments, including enrollment and institutional growth, faculty and research, and administrative efficiency. The majority of the presentation focused on Performance Based Funding (PBF) metrics.

The first ten metrics have data under "actuals." This data has been validated and provided to the Board of Governors by BOG staff. The next two lines under "actual" include approved goals that were agreed to last year, and proposed goals. Provost Parker reviewed data under most of the metrics, including why some proposed goals were lowered by one or two points, mostly due to the effects of the COVID-19 pandemic.

The one metric with a significant drop in 2020-21 proposed goals is Academic Progress Rate (APR), which dropped from 77 as the approved goal to 66. Provost Parker stated the

University lost a significant number of students in fall 2020 due to COVID-related circumstances and lack of student engagement. However, this number is projected to rise to 80 for 2021-22. Trustee Earl Sasser inquired how other universities in the SUS have fared; Provost Parker responded he will know better once other universities' accountability plans are published prior to the June Board of Governors meeting. Trustee Sasser also asked if the University would have a similar problem with juniors and seniors. The provost stated most likely not, but additional data will be forthcoming as the institution moves into AY2021-22.

Trustee Bob Stork asked if a university hits a number higher than a proposed goal, does that number change accordingly. Provost Parker responded the proposed goal number remains the same.

Trustee Sasser inquired about fall admissions. Provost Parker stated the University is solid in terms of FTIC and the summer cohort. Transfers and graduate students are okay.

Chair Cliff Otto referred back to the proposed goal of 80 for the 2021-22 Academic Progress Rate (APR) and recommended Provost Parker consider lowering that number to 75 since there will be a two-year effect from COVID. Provost Parker and President Avent both agreed it is reasonable to lower the number.

Trustee Stork recommended adding a color indicator or asterisk to show which numbers are COVID related. Provost Parker responded that these numbers are explained in later pages; however, Kevin Calkins affirmed short notes can be added directly to the table.

The rest of the metrics were reviewed by the provost without further questions or comments. He also reviewed several of the Key Performance Indicators (KPI). Enrollment planning numbers are particularly promising.

Trustee Bob Stork made a motion to approve the 2021-2022 University Accountability Plan with the following amendments: lower the proposed goal for AY2021-22 Academic Progress Rate (APR) from 80 to 75; and add footnotes within the tables of metrics, indicating numbers that are or will be affected by COVID-19. Trustee Earl Sasser seconded the motion; a vote was taken, and the motion passed unanimously.

VI. Closing Remarks and Adjournment

With no further business to discuss, the meeting adjourned at 2:45 p.m.