The meeting was called to order at 4:02 p.m.

There were present:

Committee Members:
Hon. Freida D. Foster, Chair
Hon. Jeffrey S. Wiesenfeld, Vice Chair
Hon. Wellington Z. Chen
Hon. Rita DiMartino
Hon. Charles A. Shorter
Prof. Jay Weiser, faculty member
President Gail O. Mellow, COP Liaison

University Staff:
Chancellor Matthew Goldstein
Executive Vice Chancellor and Chief Operating Officer Allan Dobrin
Executive Director of Department of Design and Construction Robert P. Lemieux
Director of Public/Private Partnerships Jennifer Friedman

Trustee Observers:
Hon. Terrence Martell
Hon. Brian D. Obergfell

Trustee Staff:
Senior Vice Chancellor and Secretary of the Board Jay Hershenson
Senior Vice Chancellor and General Counsel Frederick Schaffer
Deputy to the Secretary Hourig Messerlian

The agenda items were considered in the following order:

I. ACTION ITEMS:

B. APPROVAL OF THE MINUTES OF THE MEETING OF JUNE 4, 2012. The minutes were unanimously approved as submitted.

B. POLICY CALENDAR

1. Medgar Evers College – Bedford Building Elevator Replacement-Purchase of Construction by Bid. Executive Director Robert Lemieux stated that this resolution concerns the purchase of a construction contract for the replacement of three elevators in the Bedford Building, including the cars, the pumps, the Fire Department-related recall controls and everything else necessary for the replacements to be up to par. The current elevators are very old and break down on a regular basis at which time there is no ADA access to the upper floors of the building. This resolution would allow the purchase of a contract to have the replacement done as quickly as possible.

2. York College – Academic Village and Conference Center-Amendment. Director Lemieux noted that this is an amendment to the original design contract as there have been a number of changes that evolved during the discussions with the college and the architects. The amendment will increase the contract cost by about $1.5 million. Construction funding has not been appropriated as of now, so the architects will follow up the schematic design with the design development documents which are funded under
this contract and will stop the design at that point until appropriation of additional funds for construction become available.

In response to a question from Prof. Jay Weiser, Director Lemieux noted that the design has evolved to an eight-story tower with a double-glazed curtain wall that will actually be a beacon--coming to Manhattan on the LIRR one will see a shimmery design with the college name prominently at the top. Also, there has been additional site work with the MTA in terms of access from the railroad station through the underpass to the college at 159th Street. The project has become more complicated than originally envisioned, which is why the additional design is necessary.

3. Central Administration – Lease renewal and Modification Agreement-16 Court Street, Brooklyn, New York. Director Lemieux stated that CUNY currently has a lease for 26,676 square feet at this location. Additionally, the New York City College of Technology has a lease in the same location which is funded by DASNY for about 6,700 square feet. The administration is looking to renew these leases for a ten-year period and add an additional 13,000 square feet so that the Central Office occupies about 42,000 square feet and the New York City College of Technology continues to occupy about 7,000 square feet.

In response to a question from Prof. Weiser, Director Lemieux called on Chief of Real Estate Operations Alfred Toscano who explained that his office fractioned to not exceed the $34 per square foot number, just in the remote event that more money is needed for potential renovation work at these sites. The actual base rent will be just about $30.10 per square foot, which Director Lemieux explained was market rent.

5. Borough of Manhattan Community College – Roof Replacement Construction at 199 Chambers Street. Director Lemieux stated that this will be a contract which will be put out for public bid and charge 50% to city funds and 50% for state funds. This is a very large roof, so the cost of the first phase is about $4.2 million. During the second phase a large number of photovoltaic (PV) cells will be installed on this roof which has no sun obstruction, and that will probably be the largest PV installation in the city.

6. The City University of New York – City of New York property Agreement. Director Jennifer Friedman stated that this resolution authorizes the General Counsel to execute all documents in connection with an agreement between the City of New York and CUNY concerning the disposition of four properties, all located in Manhattan. The agreement between CUNY and the City came out of discussions relating to the Hunter College Science and Health Professions project, which was brought to the Board in June 2012. Both parties decided to expand the negotiations beyond the transfer of the Brookdale campus, to include three other sites which have been identified as prime real estate assets that can be leveraged for the benefit of the University. The sites are CUNY's headquarters at 80th Street, Hunter College's MFA building at West 41st Street, and John Jay College's North Hall Building at West 59th Street.

Director Friedman noted that the agreement reached by the parties is as follows: CUNY will retain all the proceeds from the sale of 80th Street for such purposes and uses as determined by the University; CUNY will use the proceeds from the sale of North Hall for the design and construction of a proposed permanent home for the New Community College, which will be located on a portion of the North Hall site; the Brookdale and MFA sites will be transferred to the City for such purposes and uses as determined by the City.
In connection with Brookdale—as mentioned at the June 2012 meeting, the City will provide an interest in a site at East 73rd Street, as well as capital funding for the new Hunter College Science and Health Professions building.

In response to a question from Prof. Weiser, Director Friedman explained that according to rough evaluation estimates the swap is fairly equivalent, sort of an equal trade. General Counsel and Senior Vice Chancellor Frederick Schaffer noted that this was kind of a rough justice settlement of a dispute with the City in which CUNY winds up with two of the properties and the capital funding from the City. The City did not want to appear to be buying a property that it claims it had a reversionary interest in and so the MOU stated that they would fund to a certain amount. Given the nature of the legal dispute and both parties’ desire to move quickly, this was a negotiated settlement, which CUNY felt was the best it was going to get from the City.

Trustee Charles Shorter stated that he would expect that the terms of how CUNY will structure this deal will come before the Board, because the tremendous opportunity for the University with this particular project is going beyond an outright sale.

Following discussion, items I.B.1 through I.B.5 were unanimously approved for submission to the Board.

Chancellor Matthew Goldstein stated that CUNY has been on the forefront in this city for developing innovative relationships with entities that allow the University to stretch its capital dollars significantly. President Jennifer Raab had been trying desperately to find a facility to build a new science complex for Hunter College which has an extremely talented bunch of fine scientists whose work has been compromised over a long period of time by not having the adequate physical facility to build the appropriate labs. Hunter College faculty will now work collaboratively with some of the best scientists at Memorial Sloan Kettering and at Cornell—because CUNY did another deal with Cornell to identify about 27,000 square feet of space.

Chancellor Goldstein stated that as he had mentioned at the COP meeting earlier today, CUNY has an idea that has never been tried before about the administration possibly taking on bonding responsibility—selling bonds on the open market secured by specific revenues. He added that he will be speaking directly with the Governor about this idea as it could be a great model not only for CUNY, but for SUNY as well.

Prof. Weiser stated that it was important to proceed cautiously as sophisticated public debt financing structures can have hidden risks that have caused trouble for other government entities.

Chancellor Goldstein noted that a week ago CUNY had the unveiling of the New Community College, where he was proud to give the Mayor the Chancellor's Medal for his unstinting help in getting the idea that we have now connected to a new community college.

Chancellor Goldstein stated that on the morning of September 12, 2001 he stood with President Antonio Perez at the top of a very badly damaged Fiterman Hall and told him that he did not know how, but CUNY was going to build a new Fiterman Hall. The Chancellor added that yesterday he had the wonderful opportunity to see the new Fiterman Hall, and it is absolutely breathtaking. The light that comes into the building, the
activity of the students in that building, the smiles on their faces for being given a facility that BMCC had never envisaged before was quite something to behold. There will be an opening on September 19th that I hope everybody at the meeting can attend.

Chancellor Goldstein noted that two days later will be the opening of Bronx Community College's North Hall and Library Building, which is also breathtakingly beautiful. The students will have never experienced something of this magnitude, with the technology in the building, and the architecture that is so well integrated with the original facility that was built for New York University. Yet again, CUNY found a way to stretch its dollars with the very strong support of the Albany and New York City administrations.

Chancellor Goldstein added that on October 12 will be the opening of the first science facility in Lehman College's history. Ten days later will be the ribbon-cutting ceremony for the new Law School building in Long Island City, a facility that was very advantageously negotiated by CUNY with CitiGroup.

The meeting was adjourned at 4:36 p.m.