I. ACTION ITEMS:

A. Approval of the Minutes of the meeting of November 2, 2015.

B. Policy Calendar

1. City University of New York – Approval of Selection of SoliDDD CORP. to Participate in the Start-Up NY Program Through Medgar Evers College: to authorize The President of Medgar Evers College and the General Counsel to execute and submit all documents that are necessary or useful to effectuate SoliDDD’s participation in the Start-UP NY Program.

2. College of Staten Island – Execution of New Lease for 120 Stuyvesant Place, Staten Island, New York: to authorize the General Counsel to execute a new lease for fifteen years, for approximately 16,150 rentable square feet of space on the first floor, at 120 Stuyvesant Place, Staten Island, New York, on behalf of the College of Staten Island.

3. CUNY Graduate School of Public Health and Health Policy – Execution of Lease Amendment for 55 West 125th Street, New York, New York: to authorize the General Counsel to execute a lease amendment for approximately fifteen years, for approximately 29,104 rentable square feet of space on the fifth and sixth floors, at 55 West 125th Street, New York, New York, on behalf of the CUNY Graduate School of Public Health and Health Policy.
The meeting was called to order at 3:03 p.m.

There were present:

**Committee Members:**
- Hon. Benno Schmidt, Chair
- Hon. Philip A. Berry, Vice Chair
- Hon. Valerie Lancaster Beal
- Hon. Wellington Z. Chen
- Hon. Freida D. Foster
- Hon. Carol A. Robles-Roman
- Hon. Barry F. Schwartz

**University Staff:**
- Chancellor James B. Milliken
- Executive Vice Chancellor and University Provost Vita Rabinowitz
- Executive Vice Chancellor and Chief Operating Officer Allan H. Dobrin
- Vice Chancellor Judy Bergrastam
- Vice Chancellor Matthew Sapienza
- Vice Chancellor Pamela Silverblatt
- Senior Advisor to the Chancellor Marc V. Shaw

**Trustee Observers:**
- Hon. Terrence Martell

**Trustee Staff:**
- Senior Vice Chancellor and Secretary Jay Hershenson
- General Counsel and Senior Vice Chancellor Frederick P. Schaffer
- Deputy to the Secretary Hourig Messerlian
- Ms. Towanda Lewis

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The agenda items were considered and acted upon in the following order:

I. **ACTION ITEMS:**

A. **APPROVAL OF THE MINUTES OF THE MEETING OF APRIL 6, 2015.** The minutes were approved as submitted.

B. **POLICY CALENDAR**

1. **THE CITY UNIVERSITY OF NEW YORK – STRATEGIC INVESTMENT FUND:**

   RESOLVED, That the Board of Trustees of The City University of New York approves the allocation of $20 million in CUNY Investment and Performance Funds according to the recommendations of Chancellor Milliken which are based upon the methodology described in the Board resolution of October 1, 2015. The Chancellor recommends that a total of $13.6 million be awarded to fund 28 proposals submitted by CUNY’s senior colleges and graduate and professional schools and $6.4 million be awarded to fund 15 proposals submitted by CUNY’s community colleges.

   **EXPLANATION:** Consistent with the performance funding proposal included in Governor Cuomo’s executive budget and the call for a CUNY Investment and Performance Fund in the New York State budget adopted on April 1, 2015, for which the state appropriated $12 million, CUNY developed a competitive proposal process to inspire colleges to develop innovative and effective projects to advance the State’s priorities to improve access, degree completion, academic programs and student services that support post-graduate success, research, and community engagement, and expand experiential learning opportunities, as well as further some additional goals of strategic importance to CUNY. CUNY supplemented the $12 million
state appropriation designated for performance funding for FY 2016 with an additional $8 million, at least $6 million of which was dedicated to funding community college initiatives.

CUNY’s process, known as the Strategic Investment Initiative, asked colleges to submit proposals for projects that would advance goals aligned with the highest priorities of both the University and the State. The RFP required that colleges demonstrate their capacity to implement the initiative within the fiscal year and sustain it beyond the initial funding cycle. It further required colleges to include an evaluation plan to gauge the success of the project, both in terms of implementation (project milestones) and subsequent outcomes (project goals).

Following the methodology described in the Strategic Investment resolution of October 1, 2015, a team of reviewers evaluated 68 proposals submitted by CUNY’s 24 colleges and schools under the RFP for CUNY’s Strategic Investment Initiative and 14 submitted under a grant funded by the JP Morgan Chase Foundation. Overall, 43 projects were found to be worthy of investment.

Reviewers evaluated proposals using a 10-dimension rubric with a maximum score of 300 points. The proposals submitted by the seven community colleges were evaluated separately from the proposals submitted by the senior colleges and graduate and professional schools. Based on available funding, the top scoring proposals are recommended for awards. The Chancellor's recommendation includes an award for each of the 24 colleges.

Chancellor James Milliken stated that this initiative is the culmination of a process that began with an appropriation of $12 million in the state budget for the senior and professional schools for a performance funding program. The Board allocated $6 million to the community colleges as well so they could participate in the process, and an additional $2 million in CUNY funds as well as private funds to supplement the overall fund. Vice Chancellor Matthew Sapienza and Executive Vice Chancellor and University Provost Vita Rabinowitz led a University-wide process to elicit proposals from each college. They also established a good set of guidelines based on the state’s interest and the University’s priorities, which are entirely aligned, and then worked with the colleges, receiving an impressive number of proposals to come up with a good recommendation.

Dr. Vita Rabinowitz stated that she would like to first give this Executive Committee a special thank you for allowing this initiative to move forward, given how important it is for the University to get the funds to the colleges. As Chancellor Milliken mentioned above, responses of the colleges to this opportunity have been astounding. It was on October 1st that the Board passed the resolution approving CUNY’s allocation of funds. Sixteen days later, 46 proposals were received from senior colleges, two of which were so complex that it was broken into two more, making it 48 proposals. From the community colleges, 19 proposals were received, and an additional 15 were submitted in response to the request for proposals under the JPMorgan Chase Foundation grant. Every proposal was rated by two independent raters from the Office of Academic Affairs, working closely with the Office of Budget and Finance. As the Chancellor also mentioned, every proposal was rated on ten dimensions so that the most important one was aligned with the state’s and the University’s priorities. But the University also counted feasibility and practicality, budget and financial sustainability, and evaluation and metrics strongly in its consideration. There was high inter-rater reliability that CUNY’s independent raters saw the proposals the same way, and all proposals that had achieved a certain minimum were recommended for funding. The recommendations of the teams were then discussed with Vice Chancellor Sapienza and myself, and then later with Chancellor Milliken. Based on the merits, every college will be getting a substantial award. However, some colleges will be receiving more than others. In addition to the priorities of the
state, the University is interested in also addressing matters having to do with workforce development, global learning and perspectives, and online learning. The recommended proposals mostly meet more than one priority area and CUNY received most proposals in the areas of student success, degree completion and academic momentum, and online learning. She added that the University had a separate RFP for the JPMorgan Chase Foundation grant and that University Dean Suri Duitch's grant would be part of CUNY's performance and investment fund. Such is the interest in working with tech industries that this RFP garnered 15 proposals from eight senior colleges and five community colleges. While two winners were selected—one senior college and one community college—University Dean Duitch said that all the proposals submitted were so strong that the colleges were invited to enter the competition to join CUNY’s tech consortium, and limited additional funds will be used to seed projects by the other colleges, working towards identifying other sources of public and private funds to support workforce development.

Vice Chancellor Sapienza stated that from the total amount of funding that was established for this initiative, $12 million was appropriated by the state in the last State Enacted Budget for the senior colleges. CUNY identified $6 million for the community colleges, which was part of the community college allocation, and then $1 million from the grant that Dr. Rabinowitz mentioned, and $1 million that the University identified that was available for both senior and community colleges, totaling an available $20 million. He added that he would like to reiterate what Dr. Rabinowitz said about the colleges doing a terrific job in getting thoughtful and comprehensive proposals together in such a short time. In addition, the University's review committees did a terrific job in turning it around quickly, and again giving a thoughtful and comprehensive analysis of the awards.

Chancellor Milliken stated that first he would like to echo what Dr. Rabinowitz said about how welcome it was that this Executive Committee provided the opportunity to move this initiative forward expeditiously. He added that the University has been in communication with the state throughout this process consulting on CUNY's approval process and timeline.

In response to a question from Trustee Valerie Beal, Dr. Rabinowitz stated that most of CUNY’s proposals are aimed at four to five key initiatives. The University does want to get groups together to share best practices and learn from each other. Because of time constraints CUNY did not get a lot of collaborative proposals but hopes to encourage collaboration going forward. She added that this is not a one shot deal, the University is asking for more performance funding from the state in its budget request so that this initiative can endure and develop over time.

Chancellor Milliken stated that his experience has been with building online learning operations that this initiative starts out as kind of a cottage industry. It takes individual faculty, who are interested and engaged with developing new courses and using new methodologies. The University has a great opportunity, having either six or eight proposals that are online. This will now be the nucleus of CUNY’s next generation of developing online courses, sharing best practices and expertise together. He added that the University had a budget request last year for funding to help jumpstart this initiative with new program development in online learning so this will provide the opportunity for that.

In response to a question from Chairperson Benno Schmidt, Dr. Rabinowitz stated that all the proposals that were approved will have sustainability. The colleges are prepared to fund them if there is no more performance funding. The most important criterion of this initiative was alignment with the state’s priorities.
Chancellor Milliken stated that this initiative gives CUNY the analogy of “laboratory of democracy” to encourage innovation and new ways to seed investments at different places, to see which ones make the most difference.

In response to a question from University Faculty Senate Chair and Trustee Terrence Martell, Dr. Rabinowitz stated that if this Executive Committee approves Chancellor Milliken's recommendations, CUNY intends to inform the winners tomorrow so that they can plan launching. She added that for the proposals that were not funded, written feedback will be provided on how it can be done better.

In response to a question from Trustee Beal, Vice Chancellor Sapienza stated that BMCC had initiated a similar type of initiative this past summer and found that it was very successful in terms of retention and credit accumulation for the students. So the University wanted to replicate it and enhance it.

Following discussion, this item was approved.

2. QUEENSBOROUGH COMMUNITY COLLEGE – OUTDOOR ATHLETIC TRACK REPLACEMENT:

RESOLVED, That the Board of Trustees of The City University of New York authorize the General Counsel to execute contract(s) on behalf of Queensborough Community College to purchase and install a replacement outdoor athletic track. The contract(s) shall be awarded to the lowest responsive and responsible bidder(s) after public advertisement and sealed bidding by the College pursuant to law and University Regulations. Such purchase shall not exceed a total estimated cost of $650,000 during the fiscal year ending June 30, 2016. The contract(s) shall be subject to approval as to form by the University Office of General Counsel.

EXPLANATION: Queensborough Community College will replace its outdoor athletic track after several decades of use by the college and the community. The new athletic track will be made of durable, state-of-the-art materials that is expected to provide at least 12 years of safe, low use and that can then be re-surfaced to extend its useful life for another 10 years.

Following discussion this item was approved.

The meeting was adjourned at 3.24 p.m. to go into Executive Session.
The Executive Session was called to order at 3:25 p.m.

There were present:

**Committee Members:**
- Hon. Benno Schmidt, Chair
- Hon. Philip A. Berry, Vice Chair
- Hon. Valerie Lancaster Beal
- Hon. Wellington Z. Chen
- Hon. Freida D. Foster
- Hon. Carol A. Robles-Roman
- Hon. Barry F. Schwartz

**University Staff:**
- Chancellor James B. Milliken
- Executive Vice Chancellor and University Provost Vita Rabinowitz
- Executive Vice Chancellor and Chief Operating Officer Allan H. Dobrin
- Vice Chancellor Judy Bergtraum
- Vice Chancellor Matthew Sapienza
- Vice Chancellor Pamela Silverblatt
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**Trustee Staff:**
- Senior Vice Chancellor and Secretary Jay Hershenson
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The Executive Committee went into Executive Session to discuss collective bargaining matters.

The Executive Session was adjourned at 3:57 p.m.
CITY UNIVERSITY OF NEW YORK -- APPROVAL OF START-UP NY PARTICIPATING BUSINESS THROUGH MEDGAR EVERS COLLEGE

RESOLVED, That the Executive Committee of the Board of Trustees of The City University of New York approves the selection of Soliddd Corp. ("SoliDDD") to participate in the Start-Up NY program (the “Program”) through Medgar Evers College. The President of Medgar Evers College and the General Counsel are each authorized to execute and submit all documents that are necessary or useful to effectuate SoliDDD’s participation in the Program. SoliDDD’s participation in the Program shall be subject to all University and New York State requirements. All Program documents to be executed for the University shall be subject to approval as to form by the University Office of the General Counsel.

EXPLANATION: The Program authorizes the creation of tax-free zones on eligible university campuses in New York State for new and expanding businesses. Under New York State law five CUNY campuses, including Medgar Evers College, have been designated by the Board to participate in the Program. CUNY campuses other than the five designated by the Board may apply to host tax-free zones in competition with other universities.

Tax-free zones may be located within eligible College campuses, affiliated business incubators, and certain off-campus space affiliated with participating Colleges. Businesses locating within these tax-free zones will be generally exempt from State taxes, and the income paid to new employees of such businesses will be fully or partially exempt from State income taxes, for a period of ten years. In order to participate in the Program, businesses must be either a start-up or a high-tech business, must create new jobs, must not compete with any existing business within the immediate community but outside the tax-free zone, must be aligned with or further the academic mission of the host campus, and must provide positive community and economic benefits. Businesses applying to participate in the Program are subject to approval by CUNY and the NYS Commissioner of Economic Development.

The five campuses designated by the Board are permitted to include an unlimited amount of campus and affiliated space in the Program. CUNY has worked with New York State Empire State Development, which administers the Program, to solicit potential businesses on an ongoing basis, and the College identified SoliDDD as offering a particularly strong fit for its academic programs. Pursuant to University policy, SoliDDD was evaluated and recommended for selection into the Program by a committee of College and Central Office staff, and by the College President and the Vice Chancellor for Facilities Planning, Construction and Management (or their designees).

January 2016
RESOLVED: That the Executive Committee of the Board of Trustees of The City University of New York authorizes the General Counsel to execute a new lease for fifteen years, for 16,150 rentable square feet of space on the first floor, at 120 Stuyvesant Place, Staten Island, New York, on behalf of the College of Staten Island. The lease shall be subject to approval as to form by the University Office of the General Counsel.

EXPLANATION: To better serve the diverse higher educational needs of Staten Island, the College is broadening its geographic location and physical space by opening a satellite campus in the St. George section of the borough. The growing economic development of the St. George area, as well as being home to one of the borough’s best transportation hubs, will enhance the College’s opportunity to advance its mission of access and excellence.

The satellite campus in St. George would be located at 120 Stuyvesant Place. The proposed new lease will provide for 16,150 rentable square feet of administrative offices and academic space constituting the entire first floor of the building. The term of the lease will be for fifteen years and start upon substantial completion of the landlord’s work. The base rent for the term will start at $616,126 ($38.15/RSF) per annum and will increase by 10% every five (5) years for the balance of the term. The rent includes the amortized cost of leasehold improvements built to the University’s specifications by the landlord and increases of 1.5% per annum in lieu of operating expense escalations.

The Landlord shall be responsible for exterior, structural and roof repairs. The University will be responsible for its proportionate share of any increase on current real estate taxes.

January 2016
RESOLVED: That the Executive Committee of the Board of Trustees of The City University of New York authorizes the General Counsel to execute a lease amendment for approximately fifteen years, for 29,104 rentable square feet of space on the fifth and sixth floors, at 55 West 125th Street, New York, New York, on behalf of the CUNY Graduate School of Public Health and Health Policy. The lease amendment shall be subject to approval as to form by the University Office of the General Counsel.

EXPLANATION: The CUNY Graduate School of Public Health and Health Policy is currently located at 55 West 125th Street. The college currently occupies 26,000/RSF of space on the entire 7th floor and part of the 8th floor pursuant to a lease that started on August 3, 2015 and will expire on November 30, 2030. The base rent for the current space is $981,500 ($37.75/RSF) per annum.

The proposed new lease amendment will provide the college with an additional 29,104/RSF rentable square feet of offices and academic space constituting the entire 5th and part of the 6th floors of the building. The term of the lease amendment for the additional space will start upon substantial completion of the landlord’s work and will expire on November 30, 2030, along with the existing space. The rent for the additional space will start at approximately $1,251,472 ($43.00/RSF) per annum. The combined base rent for the current space and the additional space will be approximately $2,225,100 ($40.38/RSF) and will increase by 12.5% on every fifth anniversary of the original start date of the lease. The University will be responsible for approximately $5.3 million in buildout costs built by the Landlord to the University’s specifications.

The Landlord shall be responsible for all repairs, including the HVAC system. The landlord will also provide janitorial and pest control services to the School. The University will be responsible for interior maintenance and its proportionate share of any increases in current real estate taxes.

January 2016