The meeting was called to order at 5:02 p.m.

There were present:

Committee Members:
Hon. Philip A. Berry, Vice Chair, via videoconference
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 Brian Cohen
Vice Chancellor Frank Sánchez
Vice Chancellor Matthew Sapienza
Vice Chancellor Gillian Small
Senior Advisor to the Chancellor Marc V. Shaw

Trustee Observers:
Hon. Terrence F. Martell
Hon. Joseph K. Awadjie

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. Fenella Ramsami
Ms. Doris Wang

Cal. No. DISPOSITION

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

I. ACTION ITEMS:

A. APPROVAL OF THE MINUTES OF THE MEETING OF NOVEMBER 2, 2015. The minutes
were approved as submitted.

B. POLICY CALENDAR

1. THE CITY UNIVERSITY OF NEW YORK - APPROVAL OF SELECTION OF SOLIDDD CORP. TO PARTICIPATE IN THE START-UP NY PROGRAM 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 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 Solidd as offering a particularly strong fit for its academic programs. Pursuant to University policy, Solidd 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).

Vice Chancellor Judy Bergtraum stated that the Start-up New York program is Governor Andrew Cuomo’s economic development program where a business partners with an eligible college. The University has five CUNY schools that are so designated. The businesses operate in a tax-free area for ten years on or near the eligible campus. The requirements of a business to partner with the University are that it needs to be high-tech, it needs to create new jobs, it needs to bolster the economic development of the community, and the business must be aligned with the mission and academic programs of the sponsoring school. Most importantly, the college must increase internships, vocational training, and experiential learning for its students. The process consists of the businesses registering with the Empire State Development Corporation; the business is then introduced to the college, and then the college and the business negotiate the academic benefit package. A committee on the campus reviews the business to ensure that it is aligned with the mission of the college and will provide a sufficiently robust package of academic benefits. The business is vetted by the University Office of Vendor Integrity, and then there is a joint Central Office and college committee to meet and recommend sponsorship. Then it is brought to the Board for approval. If approved, it will then go back to the Empire State Development Corporation, which will take about three or four months for review. This start-up is going to be located at the Brooklyn Navy Yard, which has set aside 9,000 sq. ft. for a suite for the start-up with Medgar Evers College (MEC). This is at no cost to CUNY. The Brooklyn Navy Yard has undertaken renovating the space to accommodate five businesses with a shared kitchen and conference facility. Individual business space will range from 1,200 to 2,000 sq. ft. The reason that this resolution is time-sensitive is that the Brooklyn Navy Yard will complete the buildout of the space and needs tenants. This is the beginning of a partnership between MEC and the Brooklyn Navy Yard. It is an opportunity that no other college in New York City has. The Brooklyn Navy Yard wants to use this as a model and expand it over the next two years. Solidd is a high-tech business, creating lenses and software that would eliminate 3D glasses. It currently employs two people, but projects employing 12 people in two years and 98 people in five years. Solidd anticipates moving to another part of the Brooklyn Navy Yard when it reaches this capacity.
In response to a question from Vice Chairperson Philip Berry, MEC Chief Operating Officer Jerry Posman stated that SoliDDD has ambitious projections in terms of its growth. In regards to protection for CUNY, if SoliDDD grows from 12 to 98 people over a five-year period, the Brooklyn Navy Yard will bring on a million sq. ft. of additional space. The idea is to establish a base at the Brooklyn Navy Yard. Therefore, if companies grow their start-up business with the Start-Up NY program, they can go into new space, replaced by smaller start-up companies. Additionally, protection from the Brooklyn Navy Yard includes leasing. If SoliDDD signs a lease for five or ten years, and for any reason it has to back out of the lease, the Brooklyn Navy Yard would absorb that cost. There is no cost to the College as well as to the University. Mr. Posman added that while the College was engaged in this process with the Brooklyn Navy Yard, it has also been engaged with Carnegie Mellon University, Pratt Institute, New York Politechnic, and with a host of organizations, like Industrial and Technology Assistance Corporation (ITAC) who would like to help the College out in terms of establishment. This is an opportunity for CUNY to get into the economic arena considering the growth of Brooklyn. For MEC this is extremely important as its students do not have the type of networking access that a lot of other college students have.

Vice Chairperson Berry stated that he fully supports this program.

In response to a question from Trustee Valerie Beal, MEC Chief Operating Officer Posman stated that as part of the agreement, SoliDDD will establish at least two internships at the beginning. These internships will evolve into jobs. The vision in terms of the jobs is to have high-tech jobs. One of the advantages of SoliDDD is that there is a business aspect—marketing and sales—which is already taught at the School of Business. The CEO of SoliDDD is Neal Weinstock, who is already working with the School of Technology and Health at the College as the second part of the agreement is a high-tech component. The idea is that if students can start out early as interns, in their sophomore and junior years, then the College can build its curriculum accordingly, enabling students to get jobs with this company and other companies that it is associated with.

In response to a question from Trustee Carol Robles-Roman, Vice Chancellor Bergtraum stated that the submittal documents consist of Memorandum of Understanding (MOU) agreements and an application.

In response to a question from Trustee Barry Schwartz, MEC Chief Operating Officer Posman stated that the University has a signed agreement between SoliDDD and the College. He added that one of the incentives of this start-up is that if SoliDDD does not fulfill the agreement over a period of time, besides not creating the jobs, they could be eliminated from the program.

In response to another question from Trustee Schwartz, MEC Chief Operating Officer Posman stated that the jobs will be with SoliDDD. He added that one of the academic benefits is to have guest lecturers from UC Berkeley on Physics and Istanbul University on Film, as well as lecturers from CUNY institutions.

In response to a question from University Student Senate Chair and Trustee Joseph Awadjie, MEC Chief Operating Officer Posman stated that start-up companies do not have a great record of success so this company will start out with 2 people. However, the company has assured the College that as they expand, the internships and job opportunities will expand as well.

Trustee Beal stated that as part of the resolution approval process, there will be a report provided to the Board on an annual basis.
Following discussion, this item was approved.

2. **COLLEGE OF STATEN ISLAND - EXECUTION OF NEW LEASE FOR 120 STUYVESANT PLACE, STATEN ISLAND, NEW YORK:**

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 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.

Vice Chancellor Bergtraum stated that this space will be used for a satellite campus for the College of Staten Island (CSI) at St. George. This unserved population is under great economic development. The space is a little over 16,000 sq. ft., and the term of the lease will be for 15 years. She added that this resolution is before this Committee today because CSI cannot start any construction until the lease is signed, and most construction of spaces of this size takes about five or six months, so the College would like to start as soon as practicable.

President William Fritz stated that this is an access initiative to increase enrollment at CSI. To understand what CSI is trying to accomplish, one must understand that Staten Island is a borough of cars—with seventy percent car ownership. If you own a car, access is easy to the main campus of CSI. It is difficult to get to the CSI campus by public transportation. There are 70,000 commuters a day that the bus service is designed to get people to the ferry and then into work in Manhattan. CSI is trying to capture students who would take a course on their way to work or on their way home from work so the College did a demand study. In the eight zip codes that have much easier access to St. George, there are 18,000 residents—18 to 25-year olds—with a high school diploma not attending any CUNY campus and CSI’s outreach is to try to get stop-out students and new students to take a course at St. George. In addition, CSI is targeting graduate certificate programs in data and business analytics, leveraging its high performance and computational expertise. There are about 56,000 residents in that area with baccalaureate degrees who would be eligible to take that course. CSI is also doing workforce development for some of the new businesses that are moving into the St. George area through continuing education opportunities.
In response to a question from Vice Chairperson Berry, President Fritz stated that CSI is confident that this space will be fully ADA-compliant.

In response to a question from Trustee Schwartz, President Fritz stated that based on lease projections for the first year, CSI is targeting 800 undergraduate students taking one course, and 300 graduate students taking graduate or certificate courses. There are ten classroom spaces, and the goal is to fill those ten classrooms up throughout the day.

In response to another question from Trustee Schwartz, President Fritz stated that there will be no full-time faculty and/or advisors in residence at this new location; however, the deans and the provost will be putting together a schedule. Unlike some satellite locations, this is a location that a lot of CSI faculty would like to teach at because they are commuting via the ferry. CSI will be able to staff this site with faculty of the same quality that it has on the main campus.

In response to a question from Trustee Robles-Roman, President Fritz stated that CSI anticipates this project to be a long-term commitment. The College has been working with the Office of the Staten Island Borough President, which sees higher education as helping anchor some of the development plans in St. George.

Following discussion this item was approved.

3. CUNY GRADUATE SCHOOL OF PUBLIC HEALTH AND HEALTH POLICY - EXECUTION OF LEASE AMENDMENT FOR 55 WEST 125TH STREET, NEW YORK, NEW YORK:

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 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 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.
Vice Chancellor Bergtraum stated that since the University identified additional space at 55 West 125th Street, and the lease will expire on November 30, 2030, this amendment will provide an additional 29,000 sq. ft. on the entire fifth, and a portion of the sixth floor. The new lease amendment will be coterminous with the current lease. This is the only space left in the building. When CUNY originally found this space, the building was three-quarters empty. This space has to be ready for occupation by September 1st. Experience has shown that construction will take seven months, so once this resolution is approved the process can begin. Construction cannot start until CUNY has a signed lease.

University Faculty Senate Chair and Trustee Terrence Martell stated that this is a highly unusual circumstance, getting two floors in the same building with the rest of the faculty of the School. It should produce interesting synergies.

In response to a question from Trustee Robles-Roman, Vice Chancellor Bergtraum stated that the build-out cost is about $5 million.

In response to another question from Trustee Robles-Roman, Chancellor James Milliken stated that the growth of the School of Public Health (SPH) is about twenty percent this year, and the projected growth is around fifteen percent over each of the next five years. It is not quite double, but it is a greatly expanded program.

Dean Ayman El-Mohandes stated that the faculty and the students of SPH are excited about this opportunity. The access of students to the wide interdisciplinary talent of its faculty, currently located on multiple locations, will for the first time allow the students to have the faculty co-located across disciplines in one location, both at the master's and the doctoral levels. SPH saw an almost sixty percent increase of applications nationally, and for the first time ever in the national pool, saw a ten percent matriculation of international students to the School.

Trustee Beal stated that the economic engine that CUNY is—just by the leasing—is incredible. The University is serving as an anchor in communities that are underserved and that are improving in their service.

Following discussion this item was approved.

The meeting was adjourned at 5:35 p.m.