The meeting was called to order at 5:30 p.m.

There were present:

**Committee Members:**
- Hon. Brian D. Obergfell, Chair
- Hon. Sandra Wilkin, Vice Chair
- Hon. Lorraine A. Cortés-Vázquez
- Hon. Charles A. Shorter
- Prof. Jay Weiser, faculty member
- Mr. Hercules Reid, student alternate
- President Gail O. Mellow, COP Liaison

**University Staff:**
- Chancellor James B. Milliken
- Vice Chancellor Judith Bergtraum
- Mr. Gustavo Ordóñez

**Trustee Observer:**
- Hon. Chika Onyejiukwa

**Trustee Staff:**
- Senior Advisor to the Chancellor and Secretary of the Board Gayle M. Horwitz
- Interim General Counsel and Vice Chancellor for Legal Affairs Jane Govern
- Ms. Towanda Lewis
- Ms. Fenella Ramsami

**Cal. No.**

**DISPOSITION**

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

**II. INFORMATION ITEMS:**

A. **Statement of Chancellor James B. Milliken**

I had an opportunity to hear Governor Andrew Cuomo deliver the first of six of the State of the State messages. This is my third State of the State, and this one is notable for important items on behalf of The City University of New York (CUNY). First, free tuition for students at the community and senior colleges. I know President Gail Mellow shares my excitement for this proposal positioning New York, CUNY and SUNY in the forefront of the nation in terms of creating affordable access and providing an opportunity for the University to bring more deserving students into CUNY, and to see them as graduates of the institutions. The administration is enthusiastic, and looks forward to working with Governor Cuomo's staff and the legislature to see that it be successful.

Second, is the renewal of commitment to an initiative that this Board had endorsed in the past and will again. CUNY is an enthusiastic supporter of Governor Cuomo's commitment to passing the DREAM Act this year which means so much to so many students at the University. This is important for not only CUNY and its students but for the state and for the country.

Lastly, an exciting proposal of transfer for CUNY and New York, to transition the Institute for Basic Research in Staten Island, the research component of Willowbrook, which still exists, doing cutting edge research in neuroscience, chemistry, physical therapy, and biology, to CUNY and the College of Staten Island (CSI). Already there are partnerships with the college, as they share a border. There will be opportunities for not only efficiencies in
administration but also in new collaborative opportunities with doctoral students from The Graduate Center, CSI, and across CUNY, and with faculty. There will be a blue ribbon taskforce established to monitor the transition but it is an exciting opportunity for the University to be part of what can be a nationally leading research institute, right on one of CUNY’s campuses.

I. ACTION ITEMS:

A. APPROVAL OF THE MINUTES OF THE MEETING OF OCTOBER 5, 2016 AND NOVEMBER 16, 2016. The minutes were approved as submitted upon motion made and seconded.

B. POLICY CALENDAR

1. Queens College – Purchase of Construction by BID (City Funded) to Build Perimeter Fencing. Committee Chair Brian Obergfell asked for the Committee’s approval to authorize the General Counsel to execute a construction contract to build perimeter fencing at Queens College. The contract will be awarded to the lowest responsive and responsible bidder. The contract cost shall be chargeable to the City Capital Budget, Project No. QC-051-014, for an amount not to exceed $861,695. The contract shall be subject to approval as to form by the University Office of General Counsel. Queens College will build a wrought iron fence around the perimeter of two parking lots between the Horace Harding Expressway and Reeds Avenue. The work will include: (a) removing all existing chain link fence around the perimeter of the parking lots and protecting surrounding areas (approximately $201,206); (b) excavating and backfilling areas for foundation/footings for fence posts, providing and installing 6’ high wrought iron fence, 4 pedestrian gates and 2 sliding gates (approximately $462,213); (c) and providing and installing concrete footings for fence posts and concrete curbs (approximately $198,276).

See attached Vice Chancellor Judy Bergtraum’s presentation on the Queens College perimeter fencing.

In response to a question from Prof. Jay Weiser on what would be the process on this kind of request that comes from Reso-A money:

Vice Chancellor Judith Bergtraum stated that although this is a small dollar amount, it has to be bid out the same way as any other request.

In response to a question from Trustee Shorter on whether the developer wanted to put underground parking:

Vice Chancellor Bergtraum stated that there have been four prior proposals that did not work out as the cost of underground parking was astronomical, and no developer proposed putting in the parking at their cost.

Following discussion, the item was approved for submission to the Board as moved by Committee Chair Obergfell and seconded by Trustee Charles Shorter.

II. INFORMATION ITEMS, continued:

B. Management of University Projects by DASNY

Vice Chancellor Bergtraum noted that about six or seven years ago, the Office of Facilities Planning, Construction and Management (OFPCM) started discussions with the Dormitory
Authority of the State of New York (DASNY) about what construction projects would be done by each entity.

Vice Chancellor Bergtraum then explained that Chancellor Milliken wants the Committee to be more informed about what projects are done by DASNY, which has over $1 billion worth of CUNY projects. With such mandate, Vice Chancellor Bergtraum pledged to give the Committee updates on the progress of CUNY projects managed by DASNY.

In response to a question from Trustee Lorraine Cortés-Vázquez on whether DASNY does construction for CUNY:

Committee Chair Obergfell stated that DASNY does construction for CUNY.

Vice Chancellor Bergtraum added that DASNY has been doing construction for CUNY for as long as DASNY has existed but that pursuant to the agreement with DASNY, CUNY now decides what projects CUNY does itself and what projects DASNY does. At the time of the agreement with DASNY, the issue was that CUNY did not have a big construction unit, so while the University was working on building one, it took on smaller projects. Now, the University has a good idea of what DASNY and CUNY are each good at. Even when CUNY chooses DASNY to do a project, CUNY has remedies under the agreement if DASNY is not performing well, such as the ability to have DASNY designate a different project manager. This puts CUNY in a much better position since CUNY understands better than DASNY the needs of the University and can match them with the DASNY’s construction specialties such as the perimeter fencing to be done at Queens College.

In response to a follow-up question from Trustee Shorter on whether CUNY is the decider on all projects that DASNY works on:

Vice Chancellor Bergtraum stated that CUNY makes the decision as to which projects are given to DASNY.

In response to a question from Trustee Shorter on who makes the decision on the architect and design of each project:

Vice Chancellor Bergtraum stated that OFPCM has the requirement contracts so designs are done by CUNY unless the design calls for something very technical, in which case CUNY will request DASNY to step in as they have the technical expertise.

In response to questions from Prof. Weiser a) on whether CUNY starts designs without having construction funds, and b) on whether DASNY owns the buildings that they work on for CUNY:

Vice Chancellor Bergtraum stated that if the City is providing the money, design cannot start without having the construction funds. The State would prefer CUNY to have all the funds as well. Vice Chancellor Bergtraum also stated that CUNY’s buildings are owned by DASNY but the University is responsible for the maintenance.

Upon motion duly made by Prof. Weiser, and seconded by Trustee Lorraine Cortés-Vázquez the meeting was adjourned at 5:56 p.m.

CONVENING OF EXECUTIVE SESSION:
Committee Chair Obergfell called for an Executive Session pursuant to Section 105, Article 7, of the Public Officers Law, for the purpose of discussing real estate matters under current negotiation by the University. The Executive Session started at 5:58 p.m.
Upon motion duly made by Committee Chair Obergfell, and seconded by Prof. Weiser, the meeting was adjourned at 6:22 p.m.