

**BOARD OF TRUSTEES
THE CITY UNIVERSITY OF NEW YORK
535 EAST 80TH STREET
NEW YORK, NEW YORK 10075**

SUMMARY OF ACTIONS TAKEN AT THE SEPTEMBER 26, 2011 BOARD MEETING

DISPOSITION

The absence of Chairperson Benno Schmidt and Trustee Wellington Z. Chen was noted.

The meeting was called to order at 4:30 P.M. Items were considered in the following order:

- No. 1 CHANCELLOR'S UNIVERSITY REPORT – September 26, 2011, **resolution adopted to include Addendum and Errata items.**
- No. 2 APPROVAL OF THE MINUTES:
The minutes of the regular Board meeting of June 27, 2011, and the Special Board meeting of August 3, 2011 were **unanimously adopted.**
- No. 3 **NOTICE** OF AMENDMENTS TO THE BYLAWS OF THE BOARD OF TRUSTEES OF THE CITY UNIVERSITY OF NEW YORK, FOR CONSIDERATION AT THE BOARD'S NOVEMBER 28, 2011 MEETING:
- No. 4 **COMMITTEE ON ACADEMIC POLICY, PROGRAMS AND RESEARCH:**
- A. NEW YORK CITY COLLEGE OF TECHNOLOGY – B.S. IN MATHEMATICS EDUCATION: **Resolution unanimously adopted.**
 - B. QUEENSBOROUGH COMMUNITY COLLEGE/NEW YORK CITY COLLEGE OF TECHNOLOGY – DUAL/JOINT AAS/BSEd IN TECHNOLOGY/CAREER AND TECHNICAL EDUCATION: **Resolution unanimously adopted.**
 - C. BOROUGH OF MANHATTAN COMMUNITY COLLEGE/JOHN JAY COLLEGE – DUAL/JOINT AS/BS IN ACCOUNTING FOR FORENSIC ACCOUNTING/ECONOMICS: **Resolution unanimously adopted.**
 - D. HOSTOS COMMUNITY COLLEGE – AS IN POLICE SCIENCE: **Resolution unanimously adopted.**
- No. 5 **COMMITTEE ON FACULTY, STAFF, AND ADMINISTRATION:**
- A. THE CITY COLLEGE OF NEW YORK– NAMING OF MARTY AND MICHELE COHEN WAY: **Resolution unanimously adopted.**
 - B. THE GRADUATE SCHOOL AND UNIVERSITY CENTER – NAMING OF THE MARILYN JACOBS GITTELL PROFESSORSHIP: **Resolution unanimously adopted.**
 - C. HOSTOS COMMUNITY COLLEGE – NAMING OF THE VITO MARCANTONIO CONFERENCE ROOM: **Resolution unanimously adopted.**
 - D. LEHMAN COLLEGE – AMENDMENT TO THE COLLEGE GOVERNANCE PLAN: **Resolution unanimously adopted.**
 - E. QUEENS COLLEGE – NAMING OF THE ELLEN GRUBER ELEMENTARY & EARLY CHILDHOOD EDUCATION SCHOLARSHIP AWARD AND ELLEN SAUL GRUBER '64 ELEMENTARY & EARLY CHILDHOOD EDUCATION SEMINAR ROOM: **Resolution unanimously adopted.**
 - F. QUEENS COLLEGE – NAMING OF THE FORBES I. HILL SCHOLARSHIP ENDOWMENT FUND AND THE FORBES I. HILL LECTURE HALL: **Resolution unanimously adopted.**
 - G. QUEENS COLLEGE – NAMING OF THE RUTH GORDON NORMAN MEMORIAL SCHOLARSHIP ENDOWMENT: **Resolution unanimously adopted.**

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| | H. THE CITY UNIVERSITY OF NEW YORK – AMENDED CAMPUS AND WORKPLACE VIOLENCE PREVENTION POLICY: <u>Resolution unanimously adopted.</u> |
| | I. LAGUARDIA COMMUNITY COLLEGE – NAMING OF THE SERPHIN R. MALTESE ACADEMIC HALL: <u>Resolution unanimously adopted.</u> |
| | J. [ADDED ITEM] THE CITY UNIVERSITY OF NEW YORK – NAMING OF THE HIMAN BROWN TV AND RADIO STUDIO AT CUNY-TV: <u>Resolution unanimously adopted.</u> |
| No. 6 | COMMITTEE ON FACILITIES PLANNING AND MANAGEMENT: |
| | A. BROOKLYN COLLEGE – MASTER PLAN AMENDMENT: <u>Resolution unanimously adopted.</u> |
| | B. BROOKLYN COLLEGE – TV STUDIO PRODUCTION FACILITY: <u>Resolution unanimously adopted.</u> |
| | C. COLLEGE OF STATEN ISLAND – RESIDENCE HALL: <u>Resolution unanimously adopted.</u> |
| No. 7 | EXECUTIVE COMMITTEE: <u>Notice</u> of Action Taken on July 21, 2011 of one item that was consequently adopted by the Board at its Special Board meeting on August 3, 2011. |

Upon motion duly made, seconded and carried, the public meeting was adjourned to go into Executive Session at 5:30 P.M.

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EXECUTIVE SESSION

The Executive Session was called to order at 5:34 P.M.

There were present:

Philip Alfonso Berry, Vice Chairperson

Valerie L. Beal
Rita DiMartino
Freida D. Foster
Judah Gribetz
Joseph J. Lhota

Hugo M. Morales
Peter S. Pantaleo
Kathleen M. Pesile
Charles A. Shorter
Sam A. Sutton
Jeffrey S. Wiesenfeld

Cory Provost, ex officio

Sandi E. Cooper, ex officio

General Counsel and Senior Vice Chancellor Frederick P. Schaffer
Senior Vice Chancellor and Secretary of the Board Jay Hershenson
Hourig Messerlian, Deputy to the Secretary of the Board

Chancellor Matthew Goldstein
Executive Vice Chancellor and University Provost Alexandra Logue
Executive Vice Chancellor and Chief Operating Officer Allan H. Dobrin
Vice Chancellor Eduardo Marti
Vice Chancellor Frank D. Sánchez
Vice Chancellor Pamela Silverblatt
Vice Chancellor Gloriana Waters
Vice Chancellor iris Weinshall
Associate Vice Chancellor Matthew Sapienza
Senior University Dean Robert Ptachik

The absence of Chairperson Benno Schmidt and trustees Wellington Z. Chen and Carol A. Robles-Roman was noted.

The Board went into Executive Session to discuss real estate matters.

The Executive Session was adjourned at 5:46 P.M.

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The public session was reconvened at 5:47 P.M. The following item was considered:

No. 8 THE CITY UNIVERSITY OF NEW YORK - NEW CENTRAL OFFICE BUILDING:

RESOLVED, That the Board of Trustees of The City University of New York authorize the General Counsel to enter into a new 30 year leasehold condominium transaction, along with any associated agreements, for approximately 165,000 rentable square feet of space at 205 East 42nd Street, New York, New York, on behalf of the Central Office. The transaction documents shall be subject to approval as to form by the Office of the General Counsel.

EXPLANATION: The University's central headquarters, located at 535 East 80th Street, was constructed in 1937 as a hospital and converted for use by CUNY in 1952. However, the building's limited size, small floor plates, remote distance from public transit, aging infrastructure and the need for continuous capital improvements caused University management to consider alternative sites to house the central headquarters.

After an extensive evaluation of the future space planning needs of the central administration, the University examined a number of potential sites in Manhattan. The purpose of the site selection process was to identify a building that would meet the University objectives with respect to space planning needs, value and location. The only property that met all of the University's objectives was the building located at 205 East 42nd Street. The property is a 21 story commercial office building owned by the Durst Organization midblock between Second and Third Avenue in the Grand Central area of Manhattan. The Durst Organization is willing to enter into a unique 30 year "leasehold condominium" ownership structure with the University for several floors in the building – approximately 165,000 rentable square feet of space - including a storefront that can be converted into a parking area. The leasehold condominium ownership structure provides the University with an ownership interest in its floors for the 30 year term of the transaction. The University's ownership interest in this building will result in reduced occupancy costs since CUNY is a tax-exempt entity. The savings to the University in real estate tax payments are estimated to be at least seven dollars per square foot per annum. As a result, the occupancy costs for the 30 year term of the transaction will be extremely advantageous to the University.

In addition to the relocation of functions from 535 East 80th Street, the University will also relocate the Office of Admissions Services (OAS), which is currently located at 1114 Avenue of the Americas to 205 East 42nd Street. This relocation will allow the University to provide a long-term home to OAS in a central Manhattan location at occupancy costs far more favorable to the University than at their current location.

The main terms of the 205 East 42nd Street leasehold condominium ownership transaction are as follows:

Term: Thirty years to start upon completion of the University's office installation work by the Durst Organization.

Area: Approximately 165,000 rentable square feet of space located on Floors 7, 8, 9, 10, 11 and 18 and two ground floor units.

Annual Occupancy Costs: Years 1-5: Not to Exceed: \$6,616,214 (\$40.11/SF)
 Years 6-10: Not to Exceed: \$7,384,407 (\$44.77/SF)
 Years 11-15: Not to Exceed: \$8,270,096 (\$50.14/SF)
 Years 16-20: Not to Exceed: \$9,233,042 (\$55.97/SF)
 Years 21-25: Not to Exceed: \$10,276,466 (\$62.30/SF)
 Years 26-30: Not to Exceed: \$11,319,888 (\$68.62/SF)

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Owner Work: the Durst Organization will provide the University with a new building installation at its cost.

Owner Services: Base cleaning services, maintenance of building systems.

University Responsibilities: Routine interior repairs.

Operating Expense: The University will pay its proportionate share of building operating expenses over a base year.

In sum, the facility at 205 East 42nd Street will provide the University with a modern, built-to-suit headquarters centrally located in the heart of Manhattan's Grand Central Terminal district at a competitive cost.

The University will sell the property at 535 East 80th Street. Proceeds from the sale will be used to offset rental costs at 205 East 42nd Street. The balance of the proceeds would be committed to the Advanced Science Research Center (ASRC), located on The City College of New York campus, for the purchase of equipment. The equipment will be state-of-the-art core scientific equipment for use by research scientists through-out CUNY at ASRC. **Resolution unanimously adopted.**

Upon motion duly made, seconded and carried, the reconvened public meeting was adjourned at 5:50 P.M.