

**Florida A&M University  
Board of Trustees Meeting  
Committee of the Whole  
Summarized Minutes  
Grand Ballroom**

**April 13, 2004**

**Present:** Fred Gainous, President; James Corbin, Chairman; William Jennings, Co-Chair; Regina Benjamin, Barney Bishop, Al Cardenas, Mary Diallo, Pamela Duncan, Randail Hanna, R.B. Holmes, Leerie Jenkins, Challis Lowe and Larry O. Rivers.

**Opening Remarks**

The meeting of the Committee of the Whole was convened by Fred Gainous, President, at 11:50 a.m. on April 13, 2004.

- ***Agenda Amendment***

The Housing report was limited to the MGT Housing Inc. study.

***FAMU Way Extension***

Chairman Corbin introduced City Commissioner Andrew Gillum who thanked the Board for the opportunity to present the proposed FAMU Way Extension project. Commissioner Gillum introduced Mr. Michael Wright, Assistant City Manager, Mr. Gabriel Menendez, Director of Public Works, and Mr. Wayne Tedder (Planning Department) from the City of Tallahassee.

Mr. Tedder provided the Board with an overview of existing City projects: The Gaines Street Revitalization, The South Monroe Sector Plan, Capital Cascades Corridor, and The Albert Crate Property. He also provided an explanation of the rationale for the concept to extend FAMU Way. A copy of the presentation talking points were distributed to the Board of Trustees. Mr. Tedder explained that the concept proposed is a fully landscaped two-lane street adjacent to Florida A&M University. He noted there is no intention to making this into a four-lane road or a thruway street. The project would have some features built into it to make pedestrians a primary consideration in the design. City officials also proposed the establishment of a committee composed of representatives from Florida A&M University. The City and Blueprint 2000 representatives will participate in the design of the street and associated facilities.

Trustee William Jennings inquired about the number of daily trips anticipated. Gabriel Menendez, Director of Public Works, explained that City officials would need to get the PD&E done to provide that information which is a six-month to a year process.

Trustee Barney Bishop inquired about the expected road count on the revised FAMU Way. Mr. Tedder responded that the road is not intended to be a cut-through street. Until details through the PD&E study are provided that information will not be available.

Trustee Barney Bishop inquired about the chances of the proposed road being completed without enough funds to complete the landscape as depicted. City officials assured Trustee Bishop that appropriate funds would be available for completion of the project.

Trustee R. B. Holmes also inquired about the source of funding for the project and the possibility of securing funds from Blueprint 2000 (a sales tax extension) should there be a shortfall in available funds to complete the project. City Commissioner Gilliam responded that the allocation should be adequate from Blue Print 2000 and he does not anticipate a short fall in available funds.

President Fred Gainous indicated he has discussed the project with City officials and his concern was the closeness of the project to New Beginnings, a Daycare facility, and the possibility of the project being four lanes. Commission Gilliam assured the President and Trustees that the road would never become more than two lanes. He noted that the University may include language that suggest expansion of the two lanes not be permissible without FAMU's approval.

Trustee Barney Bishop inquired about the time frame for sidewalk construction. City officials responded the time frame is within the five-year plan.

Chairman Corbin asked Trustee Randall Hanna to assist in drawing up the agreement with the City of Tallahassee. Trustee Hanna declined and abstained from voting upon Attorney McKnight's recommendation. (Trustee Hanna's law firm represents the City and Blueprint 2000).

City officials requested the Board of Trustees conceptually approve the FAMU Way Extension.

Trustee Jennings inquired about FAMU continuation of expansion and the possibility of the University using new land for mitigation with Capital Cascade Trail area. Mr. Gabriel Mendenz assured the Board the proposal is a win-win situation for all parties involved.

Trustee Leerie Jenkins asked President Gainous to ensure, that in projects similar to this, that there is money allocated by the City to maintain the roadways to a high standard. Trustee Al Cardenas inquired about providing Public Transportation similar to a Trolley considering future housing expansion for students to transport from one area of campus to other by using the additional 20 feet now available. The City initially envisioned an 80-foot right of way, but it is now 60. President Gainous is in agreement noting his concern for the safety of bike paths. City Commissioner Gilliam noted the City would make amends for these concerns in the design phase of the project.

Trustee Cardenas inquired about the budgetary impact of an 80 foot right away in comparison to 60. Commission Gilliam responded that the additional footage would likely be brought in anyway. Trustee Cardenas reiterated his desire to see transportation provided for the students. Trustee Rivers inquired about a slow down zone being provided in the New Beginning and FAMU DRS areas.

Trustee Hanna inquired about the development of the greenway and the area north of FAMU Way. Mr. Dave Bright, Planning Manager for Blueprint 2000 indicated the City does not have a Greenway concept prepared and provided further clarification. Mr. Hanna also inquired about the relationship between the City and FAMU. The President assured the Trustee a pedestrian friendly area is being implemented.

The Chairman asked Trustees Leerie Jenkins and Trustee William Jennings to work with the President and the City in development of the FAMU Way Extension agreement. Trustee Jenkins suggested he take an advisory role with the President to avoid conflicts.

The Board endorsed the conception of the FAMU Way Extension and would vote for approval during the Full Board meeting.

- *University Housing and Housing Finance Committee*
  - *Trustee Pamela Duncan, Chair*

Trustee Pamela Duncan introduced Dr. Cindy Balogh, Senior Associate for MGT of America Inc. The Committee on Housing and Housing Finance met on April 5, 2004, via teleconference, to hear Dr. Balogh's presentation of Housing study findings.

Dr. Balogh presented to the Board an overview of the scope of the study, market research, set planning priorities, an overview of the ten-year comprehensive plan, assumptions and specifications for financial modeling, and proposed improvements to campus housing.

Trustee Al Cardenas thanked Dr. Balogh for the report and asked for a qualitative comparison of FAMU and other public institutions. Dr. Balogh noted colleges across the nation are facing similar housing challenges in reference to older buildings like FAMU's and provided the Board with housing trends in comparison to other public institutions. Trustee Cardenas inquired about other universities experimenting with outsourcing management. Dr. Balogh commented outsourcing management is unusual with the exception of maybe community colleges that have no tradition of residence life. Trustee Cardenas requested short term benchmarks to see if the University is moving in the right direction and if not, look into outsourcing.

Chairman Corbin appointed a committee to review financing of university housing. Trustee Jennings suggested the Executive Committee work together on the issue rather than appointing another committee. (All chairs of other Board committees and Trustee Al Cardenas). Trustee Rivers thanked MGT and the Division of Student Affairs for the housing study.

Dr. Balogh provided the Board with additional information in reference to the study's Financial analysis and the identification of Federal funds that are available to Historically Black Institutions at a low lending rate. The Chairman requested this information be distributed to the Board.

Trustee Hanna anticipated using the MGT Housing report as a part of University Strategic Plan. Trustee Cardenas inquired about the study being in full capability with the University Master Plan, and President Gainous informed the Board that the Master Plan would be redesigned to encompass housing growth projections. Dr. Balogh ensured the Board that she worked closely with campus planning in conducting the study.

Trustee Duncan noted Polkinghorne Village to ensure housing needs of families with small children are met. Chairman Corbin asked Dr. Green-Powell to work with Trustee Duncan in this endeavor. Dr. Green-Powell, Vice President for Student Affairs, assured that the Board her staff is sensitive to housing needs of families.

The Committee will ask the Board to accept the MGT of America, Inc. Housing Study during the full Board meeting.

- *Tallahassee Community College Articulation Agreement*
  - *Dr. Larry Robinson, Provost and Vice President for Academic Affairs*

Dr. Larry Robinson gave the Board background information in reference to the articulation agreement between Florida A&M University and Tallahassee Community College that identifies (1) an opportunity to offer a Baccalaureate degree and (2) specifies areas in which we want to fast track some articulation agreements where students would come to this campus to continue in their pursuit of a Baccalaureate degree. Chairman Corbin inquired about the need for an annual legislative approval for special programs that prepare students for college.

Trustees Randy Hanna and Lowe asked for clarification of the number of Tallahassee Community College transfers at FAMU. Trustee Mary Diallo expressed concern that the faculty senate was not part of the TCC articulation agreement discussion. Dr. Robinson assured Trustee Diallo that the appropriate Deans would engage their faculty in the discussion. Trustee R. B. Holmes inquired about the agreement being routed through the Faculty Senate. President Gainous suggested the Agenda item be pulled from the April 13 agenda and routed through the Faculty Senate and brought back to the Board. Chairman Corbin agreed.

- *Strategic Planning Committee Update—Trustee Randall Hanna*

Trustee Randy Hanna informed the Board that the Strategic Planning Committee concluded its third meeting on April 12, 2004, at 2:00 p.m. The Committee discussed research issues at the University and worked on a time line for the development of the strategic plan. The committee met with the consultants that were retained by the University to assist in the development of the timeline. Mr. Hanna noted that Town Hall meetings, Focus groups, and surveys are planned for an environmental scan of the University with a goal to complete the strategic plan by the end of the year. He also noted that one issue arose, (1) the interaction between development of long-range strategic plan and the development of the long-range financial plan. As part of the process for the Board of Governors the Committee agreed to develop a long-range financial plan by July 2004. The development of the strategic plan and the development of the long-range financial plan will need to be done simultaneously. Trustee Hanna referred to a Board Alert transmitted to the Board of Trustees recommending that action item 004 be delayed so it is completed along with the strategic plan. Trustee Hanna recommended that the Board return to the Board of Governors with the time line of the development of the long range financial plan and ask that it be made consistent with the development of the Strategic Plan.

Trustee Larry Rivers referred to the Resolution of the Civil Rights adopted at the November 25, 2004 meeting and asked if the Board of Governors had taken action on this item. The Chairman agreed to inquire.

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Fred Gainous, President, convened the regular meeting of the Florida A&M University Board of Trustees on April 13, 2004 at approximately 11:25 a.m. The roll was called and a quorum was present.

- ***Opening Remarks***

President Fred Gainous began the meeting by announcing that the Dean of the College of Arts and Sciences was appointed to the National Parks Services Advisory Board by the U.S. Secretary of Interior, Gail Norton and will serve as Chair of the historical Landmark Subcommittee of the National Parks Service Advisory Board. Dr. Rivers is also appointed by Secretary of State Linda Hood to serve on the Advisory Board of Florida Historical Commission. Dr. Gainous received a letter (April 29) from the *New York Times* Student Journalism Institute which indicated that five FAMU students have been selected to go to that Institute this summer. The students are: Gale Dowers, Gabriel Finley, Jennifer Jefferson, Russell Nicholas, and Garrison Vereen II. He informed the Board that FAMU is hosting the Board of Governors meeting on April 21 and 22, 2004 with a reception being held for them on the evening of April 21, 2004 at the President's home on South Adams. A School of Business Industry student will make a presentation to the Board on April 21 at 1:00 during the Board of Governors Learning Assessment Workshop. The College of Pharmacy received a new ranking of number three in the nation in receipt of National Institute of Health funding. FAMU faculty was challenged to secure 100 million dollars of grant and contracts in one year and presently we are at 99 million 612 thousand. The University received a five million dollar grant over a two-year period from NOAA as well as two hundred thirty-five thousand dollar transportation grant. FAMU has reached and surpassed the one million dollar mark in grants and contracts. The first student to receive his PhD in Physics from FAMU defended his dissertation defense on April 12. Under the leadership of Professor William Ravenell, FAMU placed ninth (9<sup>th</sup>) at the championship round of the National Intercollegiate Mock Trial Tournament in Des Moines, Iowa, defeating such institutions as Dartmouth, University of Michigan, University of Southern California, University of North Carolina-Chapel Hill and Georgia Tech. Finally, FAMU ranked sixth among 39 HBCUs in the country on the graduation rates for students

- ***Approval of Agenda***

- Amendments to the agenda, Section VI, Action Items:

**Item G:** FAMU BOT Resolution 6C3-10.103, Florida Administrative Code is substituted with revised resolution received with memorandum dated April 7, 2004.

**Item I:** Approval of DSO Audit(s)

**Item J:** FAMU Way Extension

**Item K:** Acceptance of MGT's of America's, Inc Study

**Item L:** Adjustment of Action Plan 004 Milestones 13 and 14

**Item M:** University's Banking Transactions: Added to agenda: Mr. Larry Reese, Vice President of Administrative and Financial Services and Elwood McElhaney who was introduced to the Board. It is recommended that the Board approve the name changes for FAMU Banking Transactions from Mr. Tom Hanna and Phyllis Watson to Mr. Larry Reese and Mr. Elwood McElhaney.

**Item N:** Board Operations: Added to the agenda by Dr. Regina Benjamin.

Trustee Challis Lowe moved to accept the agenda with amendments and Trustee R.B. Holmes seconded the motion was approved with no objections.

- *Approval of Minutes*

Trustee R.B. Holmes moved that the minutes for March 8, 2004 and March 9, 2004 be approved. Trustee Larry O. Rivers seconded he motion. The motion was approved without objection.

- *Action Items*

**Resolutions:** Trustee Randy Hanna moved that the Board approve the resolution for Dr. Dhyana Ziegler. Trustee Leerie Jenkins seconded the motion. The motion was seconded without objections. Trustee R.B. Holmes moved that the Board approve the resolutions for the FAMU Men's Basketball Team and the FAMU Girls' Basketball Team resolutions. The motion was approved without objection.

**BOT Resolution:** Trustee Larry Rivers moved that the Board of Trustees Resolution be adopted and Trustee Mary Diallo seconded the motion. The motion was approved without objection.

**Roll Call for the motion:**

Trustee Regina Benjamin	Y
Trustee Barney Bishop	Y
Trustee Al Cardenas	Y
Trustee Mary Diallo	Y
Trustee Pamela Duncan	Y
Trustee Randall Hanna	Y
Trustee R.B. Holmes	Y
Trustee Leerie Jenkins	Y
Trustee William Jennings	Y
Trustee Challis Lowe	Y
Trustee Larry Rivers	Y

**Settlement:** Co-Chair Jennings moved for approval of the South Adams Street settlement and Trustee R.B. Holmes seconded the motion. Trustee Randall Hanna asked President Gainous if it was his recommendation that the Board approve the item and if it was General Counsel's recommendation to approve the item. President Gainous responded "yes" and Attorney Shira Thomas responded "yes". The motion was approved without objection.

**DSO Audits:** Trustee Challis Lowe moved that the DSO Audits be approved. Trustee Al Cardenas seconded the motion. The motion was approved without objection.

**FAMU Way:** Trustee R.B. Holmes moved that the Board approve the FAMU Way concept and the Trustee Pamela Duncan seconded the motion. Trustee Randall Hanna abstained from the vote. The motion was approved without objection.

**MGT of America Inc Study:** Trustee Hanna moved that the Board accept the MGT of America, Inc. Housing Study. Trustee Pamela Duncan seconded the motion. The motion was approved without objection.

**Adjustment of Milestone Date:** Trustee Randal Hanna moved that two dates in the financial action plan be adjusted to align with the strategic plan. The motion was approved without objection.

**University Banking Transaction:** It was recommended that the Board approved the name change for business transactions from Tom Hanna to Larry Reese and from Phyllis Watson to Michael McElhaney.

Trustee Barney Bishop moved that the name change be approved and Trustee Leerie Jenkins second the motion. The motion was approved without objection

**Board Operations:** Trustee Regina Benjamin requested that Board meetings be scheduled before committee meetings. Trustee R.B. Holmes inquired about Board meetings and Committee Meetings being scheduled simultaneously. (Committee of the Whole for some committees). Trustee Randall Hanna suggested setting up committee meeting an afternoon before the Board meetings. Chairman Corbin asked the opinion about Trustees who travel. Trustee Benjamin agreed. Trustee Lowe noted she couldn't come in to day before if we do not meet on Tuesday. Trustee Jennings agreed.

- *Discussion Item*

#### Presidential Evaluation

Chairman Corbin distributed the Presidential Evaluation to all members of the Board with the exception of Trustee Laura Branker, who was not present. Donna Ginn, Presidential Evaluator, presented a finalized evaluation to the Board. The Board accepted the report. Chairman Corbin appointed the Executive Committee of the Board, (excluding himself), and Trustee Al Cardenas to meet with the President to develop goals and objectives. Trustee Rivers asked the Chairman to consider adding the next student body president to that group for the purpose of offering input in order for the Full Board's consideration. Trustee Leerie Jenkins inquired about the time frame for the next Presidential Evaluation. Trustee Rivers commented that the President's contract stipulated that he began on July 1<sup>st</sup> and the actual business at the University runs until June 30<sup>th</sup> and suggested that time period for the evaluation.

- *Attorney Client Session*

Acting General Counsel Avery McKnight cited Section 288.011 of the Florida Statute and Article 5.12 of the FAMU Board of Trustees' Operating Procedures, which provides parameters by which closed attorney/client sessions may be conducted. Chairman Corbin announced that on Tuesday, April 13, 2003 at 3:20 p.m. the Board would have an attorney/client session to discuss settlement negotiations and litigation expenditures as they relate to pending litigation to which the University is currently a party before a court or administrative agency. The persons in attendance included: Trustees Benjamin, Bishop, Cardenas, Corbin, Duncan, Hanna, Holmes, Jenkins, Jennings, Lowe, Rivers, Diallo along with President Fred Gainous, Attorney Avery McKnight and Shira Thomas, and Attorney Ginger Barry. A certified court reporter also attended the meeting to transcribe the session. The meeting resumed at 4:17 p.m:

Chairman Corbin announced the conclusion of the Attorney Client Session and noted that no vote or final action was taken during the attorney/client session. The Board considered taking final action on the contingent mediation settled in the Doctor Emma Dawson versus FAMU. Trustee Barney Bishop moved that the FAMU Board of Trustees approve the contingent mediated settlement agreement in Emma Dawson v. Florida A&M University, et al, and Case Number 03-719. Trustee Rivers seconded the motion. The motion was seconded without objection.

Chairman Corbin appointed the Construction Committee: Members are: Trustees Benjamin, Cardenas, Duncan, Hanna, and Holmes. He announced the next Board meeting is scheduled May 25, 2004. Trustee Randall Hanna announced the next Strategic Planning Committee meeting scheduled for May 24 from 2:00 p.m.-5:00 p.m.

• *Public Comments*

Mr. William Tucker commented that collective bargaining has begun and hope to have an agreement by the end of the summer, or early fall. He also commented that the matter of faculty compensation in terms of pay raises would be put before the Board at some point. He reminded the Board that the Legislature would not appropriate general pay raises for University faculty due to a new structure. He informed the Board that raises would come from the Board and requested that the Board "move monies" in that category.

The meeting was adjourned at 4:45 p.m.

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- *Agenda*

The agenda was approved with an amendment.

- *Minutes*

The minutes were approved and seconded with necessary corrections.

- *Land Acquisition*

Trustee Holmes moved that the Florida A&M University Board of Trustees authorize the purchase of 9.105 acres of land adjacent to The Center for Viticulture and Small Fruit Research on Mahan Drive (U.S. 90 East), Tallahassee, Florida." The motion was seconded without objection.

- *Ivery Luckey v. FAMU*

It was moved that the Florida A&M University Board of Trustees approve the proposed Contingent Settlement Agreement dated December 15, 2003 in Ivery Luckey v. Florida A&M University. The motion was seconded without objection.

- *Division I-A*

It was recommended that the Florida A&M University Board of Trustees: 1) reconsider its action to allow the University to reclassify its football program to Division I-A, and 2) delay the progression of the University's move to Division I-A football until such time as it is recommended by the president.

Vote: 7 Yes 5 No

Benjamin	N
Bishop	Y
Branker	Y
Cardenas	N
Corbin	N
Diallo	Y
Duncan	Y
Hanna	Y
Holmes	Y
Lowe	N
Jennings	N
Rivers	Y

The meeting was adjourned 6:30 p.m.