Chairman Lutgert convened the meeting of the University Board of 
Trustees in the Sprint Room on the Florida Gulf Coast University Campus at 8:30 a.m., 
April 10, 2003, with the following members present:

Brian Cobb
Larry Hart
Renee Lee
Bernard Lester
David Lucas
Scott Lutgert
Ed Morton
Adam Ricciardiello
Jerry Starkey
Linda Taylor
Michael Villalobos
Peg Gray-Vickrey

Guests: Mr. F. Fred Pezeshkan, Chair, FGCU Foundation Board of 
Directors
Mr. Windell Paige, Director, Office of Supplier Diversity

Members of the staff present were:

William Merwin, President
Brad Bartel, Provost
Curtis Bullock, Vice President, Administrative Services
J. Robert Quatroche, Vice President, Advancement
Susan Evans, Special Assistant to the President
Wendy Morris, General Counsel

1. Call to Order & Chair’s Remarks – Chair Scott Lutgert

Chairman Lutgert greeted the trustees and thanked audience 
members for attending.

Approved May 29, 2003
2. **Remarks from FGCU Faculty Senate – President Peg Gray-Vickrey**

   President Merwin introduced Dr. Peg Gray-Vickrey, President of the Faculty Senate who updated trustees regarding faculty events and activities.

3. **Remarks from FGCU Student Government Association – President Adam Ricciardiello**

   President Merwin introduced Mr. Adam Ricciardiello, President of the FGCU Student Government Association. Mr. Ricciardiello reported on various student activities and projects over the past few months.

4. **Remarks from FGCU Staff Advisory Council – President Bob Swank**

   President Merwin introduced Mr. Bob Swank, President of the FGCU Staff Advisory Council. Mr. Swank updated trustees on the recent SAC elections and recent activities of the Council.

5. **Remarks from FGCU Foundation – Chair F. Fred Pezeshkan**

   President Merwin introduced Mr. F. Fred Pezeshkan, Chair of the FGCU Foundation Board of Directors for the past two years. Mr. Pezeshkan provided Trustees with an overview of the activities and accomplishments of the FGCU Foundation Board over the past year.

6. **Remarks from FGCU Alumni Association (Presentation on New Organization) – Michele Yovanovich, Director of Alumni Affairs**

   President Merwin introduced Dr. J. Robert Quatroche, Vice President for Advancement. Dr. Quatroche advised the trustees of the new Alumni Affairs Office recently established in the University Advancement area. Dr. Quatroche introduced Ms. Yovanovich who was the founding Director of Undergraduate Admissions at the university and how she has the distinction of being the founding Director of Alumni Relations. Ms. Yovanovich provided a PowerPoint presentation regarding the new Alumni Relation Office. (Appendix A) She introduced Brad Phelps, Vice President Student Alumni Association, who will graduate in May and then plans to stay at FGCU for his MBA. Also present in the audience were: Audrey Schafer- treasurer; Shirley Mann, secretary; and Ryan Frost, member of the Student Alumni Association.

7. **President’s Report – President Bill Merwin**

   President Merwin reported that on March 27, 2003 the UFF filed a
Recognition-Acknowledgement Petition with PERC seeking certification as collective bargaining representative for FGCU faculty. The petition is based upon this board’s voluntary recognition of the UFF at the February BOT meeting. PERC has assigned a hearing officer to review the petition, and we expect to have the certification by the May 29th meeting. Collective bargaining negotiations will begin thereafter. The FGCU BOT will hold part of its May 29th meeting in executive session in the President’s office.

President Merwin reported that FGCU recently completed the NCAA Self-Study under the leadership of Athletics Director Carl McAloose and Faculty Athletics Representative Cecil Carter. Henderson State President, Charles Dunn, assisted us with the report process.

President Merwin stated the Southern Association of Colleges and Schools (SACS) has changed their process since 1999, and we are required to have a SACS reaffirmation process every five years. This process begins for us on June 9th when a group from the university will be in Atlanta for a SACS workshop.

President Merwin reported that the President’s Performance Evaluation would be conducted at the May 29th BOT meeting. A self-analysis will be completed and shared with the trustees in advance of the May 29 meeting. Also, new measures for July 1, 2003- June 30, 2004 will be shared with trustees for approval.

President Merwin informed trustees that the Charlotte Center has changed leadership from Dr. Pam Seay who has chosen to go back to the classroom, to Mr. Steve Tull, a resident of Charlotte County. Mr. Tull will serve in an interim capacity and a permanent director will be named in the next few months. He referred to the list of Academic Advisory Boards which was distributed earlier. This list was provided at the request of Chairman Lutgert for board members’ referral. President Merwin also requested that board members attend commencements whenever possible. Spring commencement this year will be held on Saturday, May 3rd for the first time in the Alico Arena and former Governor Bob Martinez will be the speaker on that occasion. April 24th at 4:00 p.m. is the date of the ribbon cutting for the new student center and at 5:00 p.m. there is a reception for the Florida Research Consortium. The next day is the Research Poster Contest day and that afternoon April 25, 5:00 p.m. the Celebration of Excellence will be held in the Student Center Ballroom.

President Merwin updated trustees regarding the status of the legislative session. He stated there are six weeks remaining in the session and the Senate and House are miles apart regarding budgetary concerns. We have Senate Bill 680 and House Bill 757 which have passed all
appropriate committees. It is President Merwin’s understanding that our Development Research School has been taken out of this bill because of the financial implications. Academic VI was not considered in either the Governor’s budget or the House and Senate budgets. He reported that the House has repeatedly said no to any increase in taxes and most experts predict that there will be at least one special session if there is a stalemate. The Senate has no cuts in education and there is some growth money for FGCU for FTE. The House has no growth money and actually there is a cut of almost $2.3 million for FGCU in the existing House budget. The House and Senate budgets both have equipment funds for our new classroom building V. The library addition equipment is in both House and Senate. The Senate has $3.4 million for roads, parking, infrastructure and mitigation. President Merwin stated the Courtelis Gift Program is most important for matching money for the Sugden Resort and Hospitality Management Program. He reported that there are fairly substantial tuition increases in both the House and Senate budgets. He will be making a recommendation to the trustees at the May meeting regarding tuition.

President Merwin reported that while visiting with legislators the first week of April he was told that they had not heard enough from Presidents, trustees and community members regarding the current budget situation. President Merwin stated the staff has prepared a resolution at the request of board member Renee Lee, and it is his hope that we can send this to our legislators. He stated that he and Provost Bartel have instructed our Admissions staff to place accepted applications for fall 2003 beyond a certain number on a waiting list. He also stated that until the legislature adopts the new state budget, it would not be prudent for us to fill faculty and staff positions associated with previously anticipated growth funding.

Trustee Lee stated that she is the board member who requested the resolution. Ms. Evans read the resolution into the record. A motion was made by Trustee Lee to approve the resolution. Motion was seconded by Trustee Gray-Vickrey. Trustee Starkey recommended and Trustee Lee accepted as an amendment a statement of “whereas we have 3,000 FTE and we are only funded at 2,711, and we are expected to grow to 3,300 FTE… as well as a statement regarding the past three-year growth percentage amounts. Motion carried unanimously. The final resolution reads as follows:

A Resolution of the
Florida Gulf Coast University Board of Trustees

WHEREAS, the State of Florida and the Florida Legislature created Florida Gulf Coast University to provide much-needed additional access to higher education for the citizens of Florida and beyond; and
WHEREAS, Florida Gulf Coast University opened its doors for undergraduate and graduate students in 1997 to fulfill the mandate of the State of Florida and the Florida Legislature; and

WHEREAS, Florida Gulf Coast University has experienced phenomenal growth in the six years since its opening, with student enrollment increases of 12.6%, 25.9% and 27.6% for the past three years, while over this same time period, the average enrollment growth for Florida’s state universities was 5.3%; and

WHEREAS, Florida Gulf Coast University was front-end funded by the Florida Legislature with specific enrollment targets that were achieved and surpassed during the 2002-03 academic year; and

WHEREAS, Florida Gulf Coast University currently has 3,000 Full-Time-Equivalent (FTE) students and expects this number to grow to 3,300 Full-Time-Equivalent students for the 2003-04 academic year – yet is only funded for 2,700 Full-Time-Equivalent students; and

WHEREAS, Florida Gulf Coast University critically needs enrollment growth funding from the State of Florida in order to meet its current and 2003-04 student demand for access to higher education;

NOW, THEREFORE BE IT RESOLVED that the Florida Gulf Coast University Board of Trustees urges the Florida Legislature and Governor Jeb Bush to support Florida’s significant investment in creating a new state university, by granting critically needed enrollment growth funding in an amount commensurate with 600 Full-Time-Equivalent students in the 2003-04 state budget.

FURTHER, BE IT RESOLVED that the Florida Legislature and Governor Jeb Bush support matching funds through the Courtelis State University System Facility Enhancement Challenge Grant Program in the amount of $4.2 million for the Sugden Resort & Hospitality Management Classroom Building at Florida Gulf Coast University to meet the educational demands associated with Southwest Florida’s significant tourism-based economy.

The State’s support in the continued development and growth of Florida Gulf Coast University determines its ability to educate and serve the citizens of the State of Florida.

DULY ADOPTED THIS 10th DAY OF APRIL IN THE YEAR 2003.
SIGNED:

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Scott F. Lutgert, Chair
8. **Presentation on One Florida Equity in Contracting Initiative – Mr. Windell Paige, Director of Office of Supplier Diversity**

   Chairman Lutgert introduced Mr. Windell Paige, Director of Office Diversity who presented a PowerPoint program to trustees. (Appendix B).

9. **FGCU College Presentation – Dr. Richard Pegnetter, Dean of College of Business**

   President Merwin introduced Dr. Richard Pegnetter, Dean of the College of Business who updated trustees regarding College of Business activities and programs. Dean Pegnetter presented a PowerPoint program. (Appendix C)

10. **FGCU Athletics Presentation – Mr. Carl McAloose, Director of Athletics**

    Chairman Lutgert introduced Mr. Carl McAloose, Director of Athletics. Mr. McAloose presented an update regarding FGCU’s athletic programs and progress for the past year to include the NCAA Self Study Report. Mr. McAloose introduced student Marcus Parker, who gave the board an overview from the student athlete’s point of view.

11. **Consent Agenda**

    Chairman Lutgert presented the minutes from February 6, 2003 and March 6, 2003 for approval. Motion was made by Trustee Lee to approve the minutes. Motion was seconded by Trustee Lester. Motion carried unanimously.

12. **Academic/Student/Faculty Affairs Committee Meeting (Includes Public Input) – Committee Chair Renee Lee**

    Chairman Lutgert convened the Academic/Student/Faculty Affairs Committee and turned the meeting over to Trustee Lee, Chair. Trustee Lee introduced Provost Bartel who outlined the action item:

    - Faculty Emeriti (Appendix D) Motion was made by Trustee Gray-Vickrey to approve the recommended list of Faculty Emeriti. Motion was seconded by Trustee Villalobos. Motion carried unanimously. Professor Roy Mumme thanked the trustees for this honor.
The meeting recessed for lunch from 11:45 a.m. until 12:40 p.m.

13. Finance & Administration Committee Meeting (includes Public Input) – Committee Chair Bernie Lester

Chairman Lutgert convened the Finance & Administration Committee Meeting and turned the meeting over to Trustee Lester, Chair. Trustee Lester indicated there were two information items Mr. Bullock would address. Mr. Bullock reported on the following:

- Auditor General: Fixed Capital Outlay Appropriations (Appendix E) and
- Quarterly Financial Statement (Appendix F)

Mr. Bullock reviewed the following action items:

- Certification of New Direct Support Organization (DSO) (Appendix G) Trustee Taylor asked for the information regarding the university’s Foundation Board’s response to this request. Dr. Quatroche stated that the Finance Committee, Executive Committee and full Foundation Board unanimously endorsed this proposal for a new DSO.

Public comment was received from Professor Charles Lindsey who stated that while he supports the creation of the DSO he has a concern regarding the revenue streams that are included, specifically auxiliary services such as telephone and copier charges. He stated that he does not believe these charge backs enhance the university’s ability to pay back obligation bonds. He is also concerned about the fact that these charge backs do not have a public oversight mechanism in place, but are set by personnel in Auxiliary Services.

A motion was made by Trustee Lee to approve the Direct Support Organization. Motion was seconded by Trustee Villalobos. Motion carried unanimously.

- Operating Budget Authority (Appendix H) Mr. Bullock explained the university is requesting that the Board of Trustees approve the 2002-2003 operating budget as presented and delegate to the President the authority to amend these budgets as appropriate during the operating year. Motion was made by Chairman Lutgert to approve the request for operating budget authority. Motion was seconded by Trustee Starkey. Motion carried unanimously.
• Lease Modification Agreement (Appendix I) Mr. Bullock explained that the Modification Agreement provides for the transfer of the existing lease between the State of Florida Board of Trustees of the Internal Improvement Trust Fund and the non-existent BOR/FLBOE to the Florida Gulf Coast University Board of Trustees. Motion was made by Trustee Lee to approve the Modification Agreement. Motion was seconded by Trustee Taylor. Motion carried unanimously.

• Section 125 Cafeteria Plan for Employees (Appendix J) Mr. Bullock explained that due to the change in employers the Department of Management Services has requested that each university board of trustees adopt the Cafeteria Plan, retroactive to January 7, 2003, and forward an executed copy of the adoption agreement. He stated that adopting this plan will ensure that the university employees will continue to participate in the Cafeteria Plan and to receive these benefits without interruption. Motion was made to approve the Cafeteria Plan by Trustee Lucas. Motion was seconded by Trustee Cobb. Motion carried unanimously.

• FGCU Board of Trustees Bylaws (Appendix K) Trustee Lester introduced Ms. Morris, General Counsel, who presented the revised FGCU Board of Trustee Bylaws. Ms. Morris stated that the document has been changed to “bylaws” to conform to the university’s corporate governance model. She summarized the changes for trustees and noted that an ethics code has been added. Motion was made by Trustee Taylor to approve the FGCU Board of Trustee Bylaws. Motion was approved by Trustee Hart. Motion carried unanimously.

14. Old Business – Chair Scott Lutgert
   There was no old business to come before the board.

15. New Business – Chair Scott Lutgert
   Chairman Lutgert stated that the university rule on Direct Support Organizations, approved by this board at the February meeting, and the revised bylaws, require the Board chair to appoint a trustee to each direct support organization board and its executive committee. Chairman Lutgert asked Trustee Hart, and Trustee Hart agreed to serve as the appointment to the FGCU Foundation Board of Directors.
Trustee Ricciardiello stated that he felt it would be important for him to make a presentation to the board at the next meeting regarding the student finance code and an outline of the student government budget process. Chairman Lutgert agreed that this would be an important presentation and will be placed on the May 29th agenda.

16. **Chair’s Closing Remarks – Chair Scott Lutgert**

Chairman Lutgert reminded the board that the next meeting would be on Thursday, May 29th. He asked that board members talk with their legislative representatives regarding the growth money our university needs to provide for our current student enrollment demands. Chairman Lutgert stated that there would be an executive session related to collective bargaining prior to the beginning of the May 29 meeting. He stated we would also cover the President’s Annual Performance Evaluation at that time.

Meeting adjourned at 1:25 p.m.
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