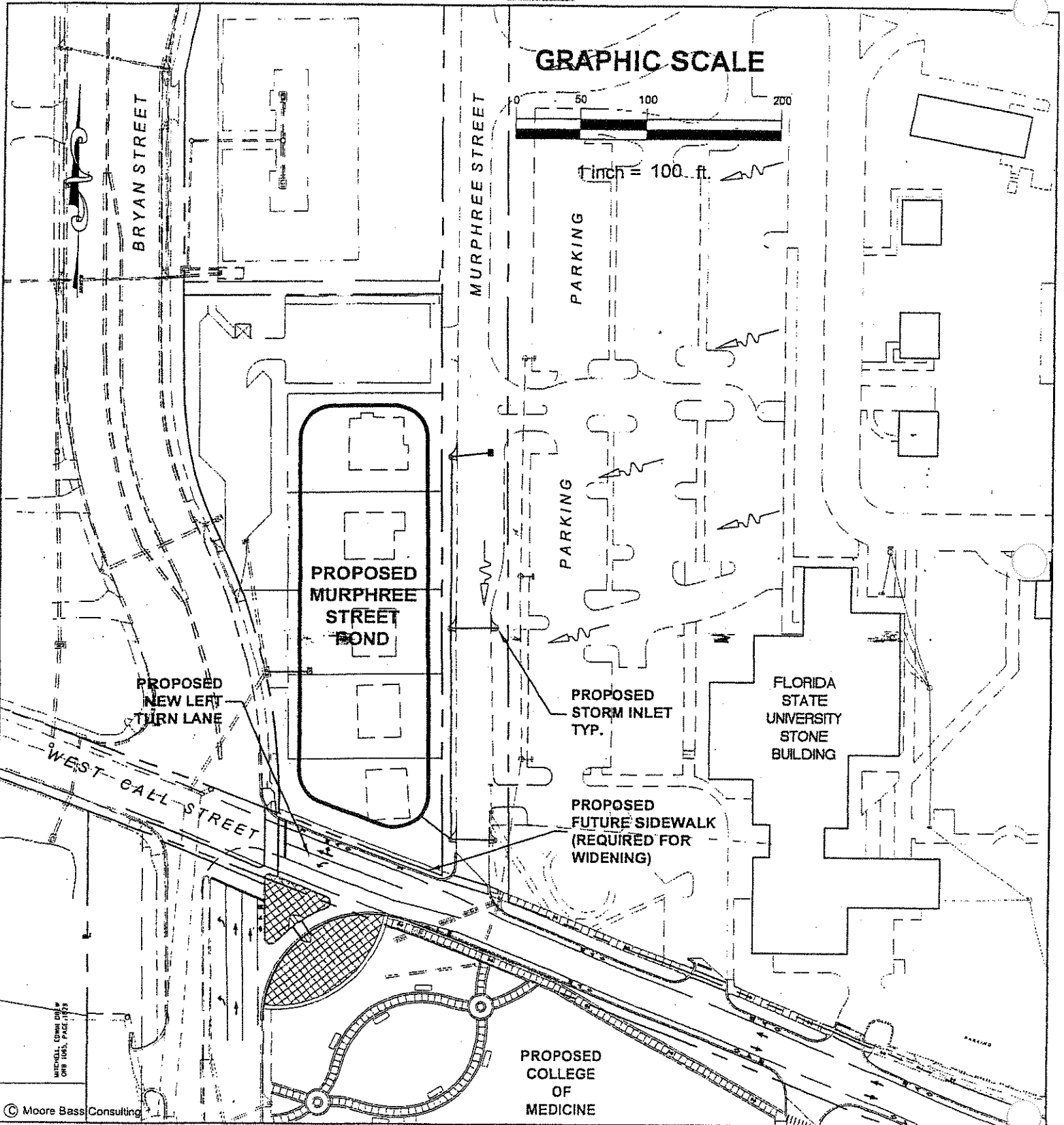


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CLIENT NAME	FLORIDA STATE UNIVERSITY	PROJECT NAME	FLORIDA STATE UNIVERSITY COLLEGE OF MEDICINE	FIELD.dwg	
		FILE #		ARCHIVE	
		CONTRACT #	900.001	DRAWN BY	SDS
		DATE	12/23/02	SHEET TITLE	129
				STORMWATER ALTERNATIVE	1.0

EXHIBIT I

Parcel ID# 213545G0130 (526 Murphree Street -- 1436 sq. ft. single family residence)

Parcel ID# 213545G0140 (520 Murphree Street -- 850 sq. ft. single family residence)

Parcel ID# 213545G0150 (514 Murphree Street -- 836 sq. ft. single family residence)

Parcel ID# 213545G0160 (508 Murphree Street - 836 sq. ft. single family residence)

Parcel ID# 213545G0170 (504 Murphree Street - 836 sq. ft. single family residence)

EXHIBIT II

**Parcel ID# 213545G0130**

LOT 13 BLOCK G of COLLEGE VILLA SUBDIVISION  
OR 967/1602 PUBLIC RECORDS OF LEON COUNTY FLORIDA.

1436 sq. ft. wood frame single family residence on property. Written offers letters sent in September and October. Maximum offer not accepted by owner. Negotiations status, impasse.

**Parcel ID# 213545G0140**

LOT 14 BLOCK G of COLLEGE VILLA SUBDIVISION  
OR 131/445 PUBLIC RECORDS OF LEON COUNTY FLORIDA.

850 sq. ft. wood frame single family residence on property. Written offers letters sent in September and October. Maximum offer not accepted by owner. Negotiations status, impasse.

**Parcel ID# 213545G0150**

LOT 15 BLOCK G OF COLLEGE VILLA SUBDIVISION  
OR 269/446 PUBLIC RECORDS OF LEON COUNTY FLORIDA.

836 sq. ft. wood frame single family residence on property. Written offers letters sent in September and October. Maximum offer not accepted by owner. Negotiations status, impasse.

**Parcel ID# 213545G0160**

LOT 16 BLOCK G of COLLEGE VILLA SUBDIVISION  
OR 1038/14110 2187/549 PUBLIC RECORDS OF LEON COUNTY FLORIDA

836 sq. ft. wood frame single family residence on property. Written offers letters sent in April and MAY. Maximum offer not accepted by owner. Negotiations status, impasse.

EXHIBIT II PAGE 2

**Parcel ID# 213545G0170**

LOT 17 BLOCK G of COLLEGE VILLA SUBDIVISION

OR 1059/319.2187/549 PUBLIC RECORDS OF LEON COUNTY FLORIDA.

836 sq. ft. wood frame single family residence on property. Written offers letters sent in April and MAY. Maximum offer not accepted by owner. Negotiations status, impasse.

**The Florida State University Board of Trustees Meeting**  
**FSU Research Building**  
**November 12, 2003**  
**1:30 PM – 3:30 PM**

**SUMMARY MEETING MINUTES**

**Members Present:** Dr. Auzenne, Mrs. Duda, Mr. Ford, Dr. Furlow, Mr. Garcia, Mr. Haggard, Mr. Knowles, Dr. Marshall, Dr. McGee, Mr. Smith, and Mr. Sullivan,

**Members Excused:** Mr. Brooks (phoned in for the committee meeting) and Mr. Thrasher.

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**1. Call to Order and Welcome**

Vice Chairman Jim Smith chaired the meeting in Chairman Thrasher's absence. He convened the meeting of the Florida State University Board of Trustees at the FSU Research Building in Tallahassee, Florida, at 1:30 p.m., November 12, 2003. The following members were present: Dr. Auzenne, Dr. Furlow, Mr. Haggard, Mr. Knowles, Dr. Marshall, Dr. McGee, Mr. Smith, Mr. Sullivan, and Mr. Ford. Mrs. Duda and Mr. Garcia participated by conference call. Mr. Brooks (phoned in for the committee meeting) and Mr. Thrasher had an excused absence.

Vice Chairman Smith welcomed everyone to the meeting and made several announcements. First, on behalf of the Board he thanked the President and Mrs. Wetherell for the very generous gift that they gave to the University. Second, he said that the College of Medicine just launched the State's first program in Geriatric medicine. They also started their first Ph.D. program in bio-medical sciences that the board approved in June and was approved by the board of Governor's last month. Third, the FSU Center for Reading Research has been tapped for national role. The U.S. Department of Education recently designated the center to be one of three centers nationally that will provide technical assistance to all states for the National Reading First initiative. Fourth, FSU's athletic training/sports medicine major has achieved national accreditation by the Commission on Accreditation of Allied Health Education Programs. Finally, Mr. Smith encouraged everyone to participate in homecoming activities this week and to encourage the team to do whatever is necessary to beat N.C. State on Saturday.

**2. Approval of Minutes**

Dr. Marshall made a motion that the Board of Trustees' minutes from the minutes of September 19, 2003 meeting be approved. Mrs. Duda seconded the motion that passed unanimously.

### 3. **Comments, Faculty Senate**

Dr. Charles Connerly made a presentation on behalf of the Faculty Senate. He expressed appreciation to both the Board of Trustees and the administration of this University for supporting Faculty participation and University Governance. He said that it is in this spirit that the Faculty Senate unanimously adopted a resolution on October 15, 2003 that is being passed around reaffirming its position that academic issues are rightfully, legally, and appropriately the domain of the Faculty Senate while collective bargaining issues and rightfully, legally, and appropriately the domain of the United Faculty of Florida. Dr. Connerly said that the United Faculty of Florida and the Faculty Senate have co-existed on this campus for many years and each organization has different constituencies and different spheres of responsibility. He urged the Board to recognize these differences between the Faculty Senate and the UFF and to address each of the organizations on issues that are appropriate to their distinct jurisdictions. Dr. Connerly indicated that in this way we could continue the established tradition at Florida State of the Faculty Senate working with the administration and the Board of Trustees to assure that Florida State University continues to be an outstanding Institution of higher education.

### 4. **Comments, Student Government Association**

Mr. Cordy A. Richardson, Vice President for the Student Government Association, thanked the Board for inviting him to speak. Mr. Richardson listed student activities being conducted during homecoming week. He also said that Student Government is looking for a new way of implementing a ticket distribution system to erase any problems that we've had in the past. The intramural fields are still a concern. He said that students, administration, and Boosters are trying to find a very quick and sound solution to the problem of the parking on the IM fields when there is bad weather and those facilities are destroyed. Mr. Richardson said that the Integration Statue would be unveiled in January. This is the first such statue celebrating the integration of a University in the nation. The ROTC announced that they are planning a statue to honor all e FSU Alumni killed in Military service. He concluded by saying that there are some very nice things going on at campus and the students of Florida State doing some very remarkable things.

### 5. **Consent Items**

Mr. Carnaghi indicated that the Finance and Business Committee approved all of the consent items unanimously. Dr. McGee made a motion to approve the consent items. Dr. Furlow seconded the motion, which was approved unanimously. The following items were approved in this motion:

1. Request for Bond Approval – Classroom Building
2. Request for Bond Approval – New Residence Hall
3. Request for Approval for Affirmative Action Report/  
EEO Statement

- 4. Request for Approval of FSU Transition Plan for Accounting System
- 5. Request for Extension of Campus Development Agreements/Extension of Campus Master Plan
- 6. Acquisition of Murphree Street Property/ Request for Eminent Domain Authority
- 7. Approval of Collegiate License Plate Distribution
- 8. Approval of Sub-Sublease Agreement Form and Partial Assignment of leasehold Interest for Ocala Road Project

**6. Committee Reports:**

**Finance and Business Committee**

Mr. Smith recognized Mr. Carnaghi, Senior Vice President for Finance and Administration, for a committee report and discussion of the Action Items. Mr. Carnaghi began by explaining the first item. He said it is a request for approval for holiday observance schedule to approve closing the campus between Christmas and New Year's, including the following Friday. He said that particular time is probably the least productive time in terms of what's happening on campus because students and faculty are gone. Also, seventy to eighty percent of our employees take vacation during this period. It recognizes that this is an important time of the year for people to be with family and in light of the fact the raises have been less than desirable. He said that there would still be a lot of people on campus. Essential employees such as police, technicians and others taking care of problems in classrooms and laboratories who would then have the opportunity to take time between this point and June 30 to use the days that they had to work. Dr. Auzenne made a motion to approve the Holiday Observance schedule for 2003-2004. Mrs. Duda seconded the motion, which passed without objection.

Mr. Carnaghi said that the next item is a compensation proposal. The legislature provided employees of the universities and state government a 2% raise effective the first of December. The proposal also addresses three other areas: First, FSU has 84 current employees and 39 openings, 123 positions for which that pay is \$13,900-\$15,460. The federal poverty level guideline for a family of three is \$15,460. The proposal is to raise the bottom pay scale because it is a revolving door. The positions are in the libraries, residence halls, and custodial areas. The proposal is provide a minimum of \$15,460 as the first phase. The cost of the first proposal, bring up that minimum is about \$73,000 for all these 123 people. He said the second part of the proposal is to provide employees who are making \$35,000/year or less with a one-time \$200 supplement. The second group cost is about \$550,000. Mr. Carnaghi said the third part of the proposal is to provide special funds to for small merit increases within structured guidelines for faculty and staff. Dr. McGee made a motion to approve the compensation proposal. Mr. Ford seconded the motion, which passed unanimously.

Mr. Carnaghi indicated that Ralph Alvarez would discuss the fee increases proposals. Mr. Alvarez explained that committees have met the public hearings have been held on the fee increases. First, there is a proposal to increase the Health Fee by 75 cents per credit hour (from \$6.60 to \$7.35) and the Activity and Service fee by 20 cents per credit hour (from \$7.50 to \$7.70). Second, the Educational Research Center for Child Development is requesting a five percent increase (from \$81 a week for those that use the center to \$85 a week). Dr. Furlow made a motion to approve the health and activity fee increases. Dr. McGee seconded the motion, which passed unanimously. Dr. Marshall made a motion to approve the fee increase for the Educational Research Center for Child Development. Dr. McGee seconded the motion, which passed unanimously.

Mr. Carnaghi indicated that the Clery Report on Campus Crime Statistics is included in the Trustees' packets. He also provided an update and Power Point presentation on the Enterprise Resource Planning Project.

### **Academic Affairs Committee**

Mr. Smith recognized Dr. Lawrence G. Abele, Executive Vice President for Academic Affairs and Provost, for a committee report and discussion of the Action Items. Dr. Abele said the first item is the process by which we will deal with negotiating contracts with the three unions on campus: the American Federation of State, County and Municipal Employees Union, the Police Benevolent Association Union, and the United Faculty of Florida Union. He said the University proposes to establish a negotiating team containing content experts and other experts where necessary. That group would negotiate a contract that would come to the Vice Presidents for review, to the President, and then to a Sub-Committee of the Board of Trustees who would then make a recommendation to the full Board. He said that is the proposed process, and legal staff and others believe that this is a reasonable and cost effective approach. Mr. Smith indicated that Chairman Thrasher asked him to announce that he has appointed a subcommittee of the Board to deal with these Union issues with Trustees Marshall, Haggard, and himself, with Dr. Marshall serving as chair. He asked the Board for approval of this process. Mr. Haggard made a motion to approve the process for addressing union issues. Mr. Knowles seconded the motion, which passed unanimously.

Dr. Abele discussed out-of-state differential tuition. He said there is a rule allowing Florida Universities to offer In-State tuition to adjacent counties. Only the University of West Florida has chosen to implement this policy and at the request of Chipola Community College and FSU would like to make that same suggestion for the Panama City Campus. Dr. Abele said that since Troy State, South Alabama, West Florida, and Chipola Community College all offer in-state tuition, the Dean of our Panama City campus and I concur that we should offer the same program that the University of West Florida does, which is in-state tuition plus twenty dollars. He said that there should not be a significant financial or academic impact. It is more to cooperate with our colleagues at Chipola who are integrating different degree programs and would like equity among the



students. Dr. McGee made a motion to approve the out-of-state differential tuition proposal. Mr. Haggard seconded the motion, which passed unanimously.

Dr. Abele said that the departments of History, Biology, Philosophy, and the Department of Medical Humanities in the College of Medicine have been offering courses together over the past few years. They would now like to formalize this course program for a master's degree for the history and philosophy of science. Within the Southeast and Southern states, Arizona State and Duke are the two closest programs. There are programs in the Northeast. He said no new resources are requested for this program. They would like to formalize this as a Master's Degree program that would be offered, interdisciplinary but within the College of Arts and Sciences as the Administrative home. Dr. Marshall made a motion to approve the M.A. in the History and Philosophy of Science. Dr. Auzenne seconded the motion, which passed unanimously.

Dr. Abele provided a brief update on the Appleton Museum. That property was donated to Central Florida Community College and Florida State University in 1990 and 1991. At that time, unfortunately no resources came with it and Central Florida Community College and the Florida State University Foundation and Florida State University were together funding this property between 1990 and 1998. When Florida International wished to acquire the Wolfson Museum on Miami Beach, they had Legislative language that provided some support for museums and we added the Appleton. At that time FSU collected \$938,000 in General Revenue. It cost another \$10,000 in plant operation and maintenance that FSU subsidized, and the community college has continued their subsidy of almost \$200,000 a year. We have continued subsidies of another \$200,000. In addition there is almost \$10 million in endowment. The museum has run in the red the last three years. There were three budget cuts in a row to FSU, beginning in December 2001. Recommended budget cuts were brought to this Board, the philosophy to only cut programs that do not directly serve students first, so the Appleton Museum was part of FSU's budget cuts. The University submitted the proposed budget reduction to the Governor's office and it was accepted. This was not done unilaterally, we had numerous discussions with the Appleton family and President Dassance of Central Florida Community College and have agreed to work with them during a transition year, which would be the current year, the current fiscal year, and then July 1<sup>st</sup> or June 30<sup>th</sup> 2004. Dr. Abele said that FSU has continued the plant operation and maintenance funding and provided some additional dollars to allow them to continue. President Wetherell said that he believes the delegation will ask the Legislature for a million dollars. He said the University would support the request as long as it is not taken from FSU's base.

Dr. Abele said that the Board of Governors new powers and duties add to their powers and duties. He said one thing they added was an enrollment plan for each University. In the past if a university enrolled more students than in the plan the university lost the money. That was fair enough. He said that the Board of Governors has required that if a university enrolls more students than the plan, the new higher number becomes the new plan. So the university not only loses money on those students, but you lose money in the future. He said that

President Wetherell directed the University enrollment management committee to stay tightly connected to the enrollment plan, and to enroll no more students than the Board of Governors has set as the upper limit. He said that the University was always flexible in terms of summer enrollment and transfers from other Universities, but not Community Colleges. However, as of last week FSU turned down 223 students for the Summer Term that would have normally been admitted and almost 800 for the Spring Semester that would have normally been admitted in the Spring or in the Summer. Dr. Abele said that he is convinced that the Trustees will be getting calls and need the background on enrollment and why the University has to limit to the number students admitted to what has been approved by the Board of Governors and this Board of Trustees. He said the penalty for over-enrolling is just too high and last year was the first year ever that the Legislature failed to fund any additional enrollment. Most importantly, it has become a real issue in terms of fairly and adequately serving students who are already on the campus.

Dr. Kemper provided an update on the National High Magnetic Field Laboratory. He said that the National High Magnetic Field Laboratory is funded by a block grant in five-year increments. The next five-year renewal will be submitted at the end of December 2004. During the five-year time period of the proposal an annual committee evaluates the science that's been done and reviews the budget for the next operating year. Dr. Kemper said that this year the site visit took place around the beginning of October, and eleven scientists from around the U.S. and France were brought in, as well as five members of the National Science Foundation staff. Since the laboratory will have been in operation for fifteen years, it is possible that the National Science Foundation will ask for a recompute of the Mag Lab's siting and move it to another location within the US. In August the University prepared a \$10 million budget request, \$7.5 million to go to Florida State University and \$2.5 million to go to the University of Florida designed to bring the laboratory so far ahead of the worldwide competition that there would be no danger of the National Science Foundation and the National Science Board, which runs the National Science Foundation, of asking to see if there were other bidders out there who would like to develop their own laboratory. At the same time that Governor Bush announced a Special Session of the Florida Legislature, President Wetherell advocated requesting \$10 million from them so that by the time the Lab submits the proposal at the end of December everything would be in place, including all of the new digital electronics and upgrades that would make a strong proposal for the next five year period. Dr. Kemper said that FSU and UF did not succeed in receiving the \$10 million, but Governor Bush pledged that he would put \$10 million in his budget recommendations for the next Legislative session. He said that opportunities to partner with Scripps are also being explored.

### Student Affairs Committee

Dr. Mary Coburn, Vice President for Student Affairs, said that she did not have a specific report but wanted to call the Trustees' attention to a Student Affairs document that was in their packets.

Mr. Mark Meleney made a presentation on NCAA Athletic Eligibility. He said that the new scale actually creates an easier opportunity for student athletes with lower test scores to become athletically eligible in their freshman year. So there is concern that with new sliding scale of the NCAA, more student athletes at risk academically, will meet NCAA rules and therefore become part of the pool of recruits that Division I institution will be recruiting every year. Mr. Meleney said that FSU has an admissions committee that reviews every applicant who tests below 900 and is below a 2.5 GPA. So the University is recruiting against schools that will recruit the lesser student under the new scales. He explained the continuing eligibility rules for student athletes. The rules that are in affect for the freshman population that have just entered Florida State this fall require a student athlete to take 24 semester credits, 18 of which have to be in the Fall/Spring Semester. There is a grade point average now at the end of the first year that is 90% grade point average, 1.8 at the end of the freshman year. He gave examples of how the rules applied in certain situations. He said that there are going to be some real challenges to help these young people transition to FSU, find a major that will meet their needs academically, and then allow them to pursue the education that they want to pursue while the are at Florida State.

Dr. Marshall asked whether the principle problem of students who did not meet the requirements was a low G.P.A. Mr. Meleney said that G.P.A was not the problem. There are nine of 500 student athletes in the program below 2.0 G.P.A. He said the challenge is transitioning students from one major to another under the new NCAA rules. Dr. Marshall said that this is a significant change and asked if the NCAA would monitor implementation to determine the efficacy of these changes. Mr. Meleney indicated that the NCAA is monitoring the rule implementation. He said that the second step in academic reform is monitoring or measuring the ARRP, which is the annual retention rate. The freshman class, and the next three freshman classes, will be the basis for determination of an incentives/disincentives package with the NCAA. Schools who meet incentives by retaining these students throughout the process are going to be eligible for post-season play, and are going to be eligible for additional incentives through their program, additional recruiting visits, and other incentives. And programs that do not meet these standards would receive disincentives that will be limited recruiting visits, and would not be eligible for post-season play. The next four years will establish a benchmark that Division I schools will go by in determining whether they can participate in post-season. There is a push towards the incentives/disincentives package to reward those programs that are graduating their population and allowing them to compete nationally in post-season. Dr. Marshall commended Mr. Meleney for monitoring the rule changes closely and doing it well. Mr. Meleney said that they are working with a good population of students. Forty percent of the student athletes have over 3.0 G.P.A.

## 7. President's Report

Mr. Smith recognized Dr. Wetherell for the President's report. First, Dr. Wetherell thanked the Board on behalf of the faculty and staff, for the compensation

package. Second, thanks to the hard work of dedicated staff, the Fall Semester was very successful. Third, on December 10, he will be meeting with the City Commission starting talk about Gaines Street and other cooperative issues. One of the issues will be the intramural fields. It may be possible to move toward the golf course. So that opens up opportunities on Gaines St, that whole redevelopment process that the city is interested in addressing. He thanked the Student Government Association for their efforts. Fourth, the Q&A campaign is moving ahead. Fifth, the Mag Lab is very important to this institution. There are about 330 high tech employees, and \$250 million in federal grants. Dr. Wetherell said that the University would be meeting with Scripps about a presence at FSU. Sixth, he said that Homecoming is this weekend and encouraged everyone to attend the activities. Seventh, President Wetherell said that the FSUConnect Campaign is well on schedule. He said that over \$430 million has been raised. Eighth, Dr. Harrison, Dr. Proctor, and he met with the athletic director and all of the MGT recommendations have either implemented or are in the process of being implemented. He said that the athletic department is moving ahead and he is very pleased with where they are going. He said that with the new NCAA standards it is a different world out there. The transfer issue and changing majors is of particular concern. A student athlete really cannot change a major under the new NCAA rule. The most important thing athletics can do is focus on endowing scholarships and building scholarship money. Ninth, he said he talked to Mr. Thrasher and he is doing well. Everything is going to work out pretty good for him and we will keep him in our prayers. Finally, Florida State is third in the nation and first in the state of Florida, not counting historically black institutions, in the awarding of degrees to African Americans.

President Wetherell called the Board's attention to copies of the letter received from the Board of Governors. He told the Board that their responsibilities as a Board of Trustees are taken very seriously. One of the things the Governor and the Legislature did in the creation of the Boards of Trustees was to shift the governance authority to the Trustees. He said that what the Board of Governors is interpreting the Constitutional Amendment to grant them certain authority. They have a broad interpretation of what they can do. President Wetherell said he felt that was not the intent of the Legislature when it comes to the approval of this budget. He indicated that he had spoken to Chairman Thrasher and he asked that a letter to the Board of Governors be drafted citing the Constitution and statutory authority, which was accepted with all the transfers about a year ago, and to suggest that maybe they are overstepping their bounds. Dr. Wetherell indicated that when the Board approves the budget within state law that is the final budget. He said that the letter would be sent and Board members would receive copies, along with other University Presidents. He indicated that there is great concern about the Board of Governors throwing a very broad net of authority, which transcends some of Trustee authority in terms of budget, programs, etc. He said he and Mr. Thrasher would talk to the Governor and his people about it. Dr. Wetherell told the Board that he believes that when it comes to running the institution, the goal was for the Board of Trustees to have that authority, not recreate the Board of Regents in some other format.

After some discussion of unrelated matters, Dr. Marshall said that he believed that the letter from Carolyn Roberts to the President imposes some very significant changes in what the Board of Trustees does and does not do. He said that the letter from the Chairman to the Board of Governors should be the first step. He said that the Board of Trustees should follow this very closely and do whatever might be required to get the Board of Governors to explain why they are initiating changes of this kind.

Chairman Smith said that he agreed with Dr. Marshall. He said that he is certain all the other University Presidents and Boards will have the same opinion. He said that as this new system is getting out of the box, we need to make sure that we stay on track and thanked the President for his leadership.

Patrick Sullivan indicated that he would like the Board of Trustees to approve the Student Government Constitution and Statutes at the next meeting.

The meeting adjourned at 3:17 p.m.

The Florida State University Board of Trustees approved the minutes on January 30, 2004.

1/21/04 2:38 PM