



**BOARD OF TRUSTEES  
CLEVELAND STATE UNIVERSITY**

**MINUTES OF THE MEETING**

**BOARD OF TRUSTEES MEETING**

**DATE:** Monday, May 22, 2017, 7:30 a.m.  
**PLACE:** The Wolstein Center, Gerald H. Gordon Conference Pavilion  
Weinberg Board Room

**PRESENT:** Chairman Bernie Moreno, Trustees Thomas W. Adler, Stephen F. Kirk, Morton Q. Levin, Dan T. Moore III, David M. Reynolds, June E. Taylor, Deborah A. Vesny; Community Board Members Nancy W. McCann, Linda McHugh and Joseph D. Roman; Faculty Representatives Dr. Mark A. Holtzblatt and Dr. Nigamanth Sridhar; President Ronald M. Berkman and Secretary to the Board of Trustees William J. Napier. Others in attendance: Dr. Jianping Zhu, Provost and Senior Vice President for Academic Affairs; Dr. Ernest “Boyd” Yarbrough, Vice President for Student Affairs; Sonali B. Wilson, University General Counsel; and Stephanie McHenry, Senior Vice President of Business Affairs and Finance.

Chairman Moreno called the meeting to order at 7:30 a.m. and confirmed the presence of a quorum. He called for a motion to approve the minutes of the March 30, 2017 Board meeting; moved by Trustee Adler and seconded by Trustee Moore, the minutes were approved by voice vote.

**EXECUTIVE SESSION**

Trustee Reynolds moved, and Trustee Kirk seconded, the motion to adjourn into Executive Session for the purpose of discussing matters involving the long-term lease of property, perpetual easement, amendment to retirement benefits and the employment contract of a public employee, and imminent and pending litigation with General Counsel.

A roll call vote was taken by the Secretary to the Board; voting in the affirmative were Mr. Adler, Mr. Kirk, Mr. Levin, Mr. Moore, Mr. Reynolds, Ms. Taylor, Ms. Vesny, and Chairman Moreno.

Chairman Moreno stated that there were several executive session segments; Chairman Moreno excused everyone except the voting and community trustees present, President Berkman,

Board Secretary Napier, Provost Zhu, Senior Vice President McHenry, Vice President Yarbrough, Associate Vice President Long, Associate Vice President Rahm, Executive Director of Facilities Baumann, Director of Athletics Thomas, Director of Program Analysis & Assessment Rogers, and General Counsel Wilson. The Executive Session began at 7:35 a.m.

Chairman Moreno announced at 8:30 a.m. that the Board had finished its business in Executive Session and was returning to its regular meeting.

### **STUDENT AFFAIRS**

Committee Chair Taylor introduced the topic of CSU students participating in collaborative initiatives with external partners that the University has developed, and welcomed the student presenters: Shana Strunk, Sreedevi Danturti, and Nick Earl.

The student panel provided information about their experiences as students, their career aspirations, and how they have benefitted by participating in collaborative programs with the Northeast Ohio Medical University (Shana Strunk), the Lerner Research Institute (Sreedevi Danturti), and Playhouse Square (Nick Earl) (**Attachment A**). The students commented that these unique partnerships and programs attracted them to Cleveland State. In addition to marketing CSU's unique collaborative programs and opportunities, Ms. Strunk also suggested promoting the value of the NEOMED programs within the school.

Committee Chair Taylor thanked the group, on behalf of the Board, for their presentation.

### **REPORT OF THE CHAIRMAN**

Chairman Moreno announced that he has invited Heather Lennox, Partner-in-Charge, Jones Day, to become a Community Board Member, appointed to a two-year term. She will attend the June meeting.

The Chairman made two additional announcements: an Executive Committee meeting will be held prior to the regularly scheduled June meeting and he distributed a schedule of proposed dates for the 2017-2018 Board meetings (**Attachment B**).

Chairman Moreno noted that the commencement ceremonies for the University and the Cleveland-Marshall College of Law were notable because of the large numbers of graduating students and the noteworthy commencement speakers; the Chairman also reiterated a point made at the commencements regarding the impact of CSU alumni in the region—80% of CSU graduates remain in the Northeast Ohio area.

Chairman Moreno asked the Trustees to be aware that the State budget is being formulated and that resources for higher education will be reduced; he encouraged Board members to advocate for Cleveland State and higher education within their business and social spheres.

Chairman Moreno asked for a report of the Nominating Committee, comprised of Trustees Adler, Levin and Vesny. Trustee Adler, as Chair, stated that the Committee had met and are presenting the following slate of Board Officers for 2017-2018, to be voted on at the June meeting for one-year terms: Bernie Moreno as Chair, Dan T. Moore III as Vice Chair, David H. Gunning II as Treasurer, and Thomas W. Adler as Trustee Development Officer. He noted that the officers would assume their respective roles immediately after the June meeting.

### **REPORT OF THE PRESIDENT**

President Berkman announced several new appointments at CSU following national searches, including an emerging leader from within the University: current President of the Faculty Senate and Professor of Electrical Engineering and Computer Science, Dr. Nigamanth Sridhar will serve as the Dean of the College of Graduate Studies, effective August 1, 2017. Mr. Lee Fisher, who served as Interim Dean, was introduced as the new Dean of the Cleveland-Marshall College of Law. In addition, President Berkman announced the appointments of Dr. Sanjay Putrevu as Dean of the Monte Ahuja College of Business, and Mr. Frederic Lahey as the inaugural director of CSU's School of Film, Television and Interactive Media.

President Berkman introduced Dr. Kristy Tokarczyk, Assistant Dean for Student Services, College of Science and Health Professions. Dr. Tokarczyk was named the 2017 STEM Leader of the Year; the honor recognizes leading educators in the field who have made a major impact on the quality of Science, Technology, Engineering and Mathematics (STEM) education at the post-secondary level. Dr. Tokarczyk provided information on the importance of student support services for students in STEM programs, to shepherd them successfully through the rigorous curriculum.

Dr. Berkman introduced Ms. Kay W. Shames, Director, Center for Arts and Innovation. Ms. Shames reported on the upcoming inaugural CSU Arts and Humanities Alive festival (AHA!), a collaborative effort, led by CSU, with Playhouse Square and other community partners. Ms. Shames noted that the three-day schedule includes an array of events, guest speakers, and presenters, and will highlight the importance of the arts for education, economic development and civic engagement. Trustee Adler and his wife Joanie Adler are serving as honorary co-chairs for the festival.

President Berkman provided an overview of the 2018-2019 biennial budget bill (House Bill 49) that was passed by the House and is currently pending in the Senate, where at least \$400

million more in cuts are expected. Dr. Berkman reported that the House-passed budget is recommending no increase for the Student Share of Instruction and a continued freeze on tuition.

President Berkman provided a snapshot of items currently in discussion in Columbus, but acknowledged that many budget issues will change or be revised before final adoption on June 30. Among the items noted were the Tuition Guarantee Program, new authority for the Chancellor, 3+1 programs, need-based financial assistance, a review of tenure policy, and the role of Western Governors University.

Chairman Moreno requested that a Financial Affairs Committee meeting be scheduled between now and the June 20 Board meeting to review the University's operating budget for FY18.

### **PARTNERSHIPS AND COMMUNITY COLLABORATIONS**

Chairman Moreno asked Provost Jianping Zhu to introduce the topic of CSU's partnerships and community collaborations. Dr. Zhu noted that CSU is among the less than 10% of institutions that have been awarded the new Carnegie Foundation higher education classification of community engagement. He added that new partnerships were formed last week with Case Western Reserve University and Cuyahoga Community College.

Dr. Zhu introduced three guest presenters currently engaged in significant CSU partnerships: Ms. Christine Fowler-Mack, Chief Portfolio Officer, Cleveland Municipal School District (CMSD); Mr. Thom Olmstead, Director of University Partner Collaborations, St. Vincent Charity Medical Center; and Ms. Gina Vernaci, Executive Producer, Playhouse Square.

Ms. Fowler-Mack spoke about the success of the CSU/CMSD schools, the Campus International School and the MC2STEM High School at CSU, both have waiting lists to enroll. She announced that on August 26, CMSD and CSU will launch the first cohort of the Teaching Fellows, funded by the Cleveland Foundation to enhance the pipeline of teacher candidates. She noted that another partnership in the near future to offer full tuition scholarship support, may be "Say YES to Education."

Mr. Olmstead stated that St. Vincent Charity Medical Center is pleased to be partnering with CSU on 38 different projects in several colleges across the University. He distributed a handout, addressing the opiate epidemic (**Attachment C**), which would include creating a multi-institutional Center for Behavioral Health Sciences in partnership with Cleveland State, focusing on the development of new treatments, technologies and strategies, new education models, informing policy and community engagement. He also distributed a project master plan, "Addressing the Opiate Epidemic: Care beyond Medicine" (**Attachment D**), building a residential center, a sober living facility, and Center for Behavioral Health Sciences and Addiction.

Ms. Vernaci noted that the Playhouse Square and Cleveland State have an enduring relationship through successful collaborative efforts, including the CSU Fine Arts campus for theatre and dance and the Cleveland Play House, making it the second largest performing arts center in the nation. She noted that CSU's new School of Film, Television and Interactive Media, located in Playhouse Square, will deepen that strategic relationship. In closing, Ms. Vernaci noted that the inaugural Arts and Humanities Alive festival (AHA! Festival) is one of the most important events in the region and will attract visitors and potential students to Cleveland State and Playhouse Square.

Vice President of Research, Jerzy T. Sawicki presented, "Research-Driven Partnerships at CSU" (**Attachment E**). Dr. Sawicki noted that CSU is nationally respected as an urban research university by the Carnegie Foundation. He spoke of the University's growth in research funding and rankings to 5<sup>th</sup> nationally and 7<sup>th</sup> in Ohio. Dr. Sawicki highlighted research-driven partnerships, including the joint doctoral program with the Cleveland Clinic Lerner Research Institute; the Institute has graduated 280 doctoral students, many of whom are leaders in their fields. He spoke of the new multi-disciplinary partnership with St. Vincent Charity Medical Center involving faculty participation from five CSU colleges; industrial and community collaborations (i.e. Parker Hannifin Corporation, Invacare, Lubrizol, NASA Glenn Research Center, BioEnterprise, Louis Stokes VA Medical Center); and the Gene Regulation in Health and Disease research cluster center and a new cluster center—The Center for Behavioral Sciences with St. Vincent Charity Medical Center, to address substance abuse and drug addiction.

Due to time restraints, Chairman Moreno asked Dr. Sawicki about the possibility of continuing his presentation with the CWRU partnership at the June meeting.

### **REPORT OF THE CSU FOUNDATION CHAIR**

Trustee Nancy McCann reported on the fundraising activity as of April 30, 2017 (**Attachment F**), and recent CSU Advancement activities. She noted that the Radiance scholarship event raised \$1.325 million this year; the CSU Engaged Campaign has reached over \$107 million, exceeding its \$100 million goal (ahead of schedule) and that current funds managed by the CSU Foundation total \$81 million.

Trustee McCann thanked the entire Board for their support of fundraising activities. She noted that this will be her last Board meeting as her term as Chair of the CSU Foundation is ending, and, therefore, her role as Community Trustee is as well. She announced that Tim Cosgrove will become the next Chair of the Foundation and will assume her position at upcoming meetings.

### **FINANCIAL AFFAIRS**

Committee Chair Kirk announced that the Financial Affairs Committee will meet prior to the June Board meeting, with all Board members invited to attend. He requested that parameters for use of reserves for operating funds be developed for the Board.

Senior Vice President McHenry was asked to provide background information on the financial items on the agenda that the Board is being asked to approve.

Regarding the proposed approval of license agreement with Cyclehop, LLC, Vice President McHenry was asked to clarify if the CSU logo can be included on the bicycles and the bicycle sharing station.

Trustee Levin moved, and Trustee Moreno seconded, the motion to approve the following financial affairs agenda items: Approval of Changes to the Disposal of University Property Policy (**Attachment G**), Acquisition of CSU Wireless Network Equipment (**Attachment H**), Acquisition of CSU Server and Storage Equipment/Data Center Hardware Replacement (**Attachment I**), Authorization to Contract for Architectural and Engineering Services for the Fenn Hall addition, Phase 2 (**Attachment J**), Authorization to Contract for Construction Manager at Risk Services for the School of Film Television and Interactive Media (**Attachment K**), Authorizing Cleveland State University to Enter into a Lease Agreement with the Inter-University Council of Ohio (IUC) for Office Space at the Mather Mansion (**Attachment L**), Approving License Agreement with Cyclehop, LLC (**Attachment M**), and Approval of Advertising Budget (**Attachment N**).

A chart was distributed showing the proportion for each institution of the total spent on advertising, including for-profit and national advertisers, with Northeast Ohio universities (**Attachment O**). CSU was shown to receive 2% of total spent by higher education institutions.

The following resolutions were approved by voice vote.

#### **RESOLUTION 2017-34**

##### **APPROVAL OF CHANGES TO THE DISPOSAL OF UNIVERSITY PROPERTY POLICY**

**WHEREAS**, Cleveland State University needs an efficient process to dispose of property and equipment that is no longer of continuing value to the University; and

**WHEREAS**, an appropriate option for disposal includes the ability to donate property and equipment to a non-profit organization when it is in the best interest of the University to do so; and

**WHEREAS**, the University must be careful to dispose of property and equipment purchased through research grants and other sponsored programs in a manner consistent with the requirements of the sponsor; and

**WHEREAS**, changes to the Disposal of University Property policy have been proposed to address these important considerations;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees hereby adopts, as its policy governing disposal of University property, policy 3344-78-01, attached hereto.

**BE IT FURTHER RESOLVED** that the Administration, in carrying out this Resolution, is hereby authorized and empowered to make any necessary changes to the Disposal of University Property Policy as may be required to ensure compliance with the applicable and effective provisions of federal and state laws, or otherwise deemed appropriate.

#### **RESOLUTION 2017-35**

##### **ACQUISITION OF CSU WIRELESS NETWORK EQUIPMENT**

**WHEREAS** the upgrade of the University's Wireless Network is essential to the on-going operations, growing user base and expanding on-line services of the institution, present and future; and

**WHEREAS**, the University has identified and participates in an existing State contract for pricing on Cisco wireless network equipment and equipment warranty; and

**WHEREAS**, the University is eligible to purchase under this agreement through Cisco certified resellers; and

**WHEREAS** the University has solicited bids for the lease/purchase of the required network equipment costing in the aggregate not more than \$ 1,846,710.

**NOW, THEREFORE, BE IT RESOLVED** that the SVP for Business Affairs and Finance is hereby authorized to do all things necessary to negotiate, and execute a lease purchase contract with the bidder providing the lowest interest rate, for the purchase of the wireless network equipment, for an aggregate cost not to exceed \$1,846,710 plus interest.

#### **RESOLUTION 2017-36**

##### **ACQUISITION OF CSU SERVER AND STORAGE EQUIPMENT**

**WHEREAS**, the upgrade of the University's server and storage equipment is essential to the on-going operations of the institution; and,

**WHEREAS**, the University has solicited bids for the lease/purchase of the required server and storage equipment including 4 years maintenance costing in the aggregate not more than \$1,030,560; and,

**WHEREAS**, MRK Technologies, LTD, has submitted the successful bid to provide the necessary equipment and services;

**NOW, THEREFORE, BE IT RESOLVED** that the Senior Vice President for Business Affairs and Finance is hereby authorized to do all things necessary to negotiate terms, and execute a lease purchase contract with the bidder providing the lowest interest rate, for the purchase and installation of the University's server and storage equipment, for an aggregate cost not to exceed \$1,030,560 plus interest, subject to the review and approval of the University's General Counsel as to legal form.

#### **RESOLUTION 2017-37**

##### **AUTHORIZATION TO CONTRACT FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR THE FENN HALL ADDITION, PHASE 2**

**WHEREAS**, the University solicited qualifications for architectural and engineering services for the Fenn Hall Addition, Phase 2; and

**WHEREAS**, 13 responses were received and reviewed by a select review panel comprised of University representatives; and

**WHEREAS**, four (4) firms were chosen for interviews consisting of a one-hour presentation of qualifications, including a fifteen minute question and answer period; and

**WHEREAS**, the selection committee selected Bialosky Cleveland as the architectural team for the project during the interview phase; and

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees hereby authorizes the University Administration to enter into contract negotiations with Bialosky Cleveland's team selected pursuant to a competitive process, and further that the Administration may award a contract not to exceed \$1,120,000, which includes a 10% contingency for unforeseen additional design services that may be needed at a later date, subject to review and approval of the Office of General Counsel.

#### **RESOLUTION 2017-38**

##### **AUTHORIZATION TO CONTRACT FOR CONSTRUCTION MANAGER AT RISK SERVICES FOR THE SCHOOL OF FILM TELEVISION AND INTERACTIVE MEDIA**

**WHEREAS**, the University solicited best value qualifications and proposals for Construction Manager at Risk (CMR) services for the School of Film, Television and Interactive Media; and

**WHEREAS**, responses have been received and are under evaluation by a select review panel comprised of University representatives; and

**WHEREAS**, three (3) firms will be chosen to submit proposals and interview with the final selection determined by the best value rating selection criteria.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees hereby authorizes the University Administration to enter into contract negotiations with the construction manager at risk selected pursuant to a competitive process, and further that the Administration may award a contract not to exceed \$4,996,890 for the total combined costs of CMR pre-construction services, construction stage fees, general conditions, reimbursable expenses and construction contingencies, subject to review and approval of terms and conditions by the Office of General Counsel.

#### **RESOLUTION 2017-39**

##### **AUTHORIZING CLEVELAND STATE UNIVERSITY TO ENTER INTO A LEASE AGREEMENT WITH THE INTER-UNIVERSITY COUNCIL OF OHIO (IUC) FOR OFFICE SPACE AT THE MATHER MANSION**

**WHEREAS**, the Cleveland State University (“CSU”) has negotiated a Lease Agreement with the Inter-University Council of Ohio (“IUC”) for a forty-eight (48) month lease of approximately 1,174 square feet of space in the Mather Mansion; and,

**WHEREAS**, the Lease Agreement will advance the purposes of both CSU and IUC;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees authorizes the Cleveland State University administration to enter into a lease agreement with The Inter-University Council of Ohio in a form substantially similar to that attached hereto, subject to any modifications deemed necessary by University General Counsel.

#### **RESOLUTION 2017-40**

##### **APPROVING LICENSE AGREEMENT WITH CYCLEHOP LLC**

**WHEREAS**, CYCLEHOP LLC, a Florida Limited Liability Company (hereinafter called the “User”), and CLEVELAND STATE UNIVERSITY (hereinafter called “CSU”) wish to enter into a License Agreement, whereby CSU will provide User access and use of outdoor campus space located in front of Fenn Tower on East 24<sup>th</sup> Street in Cleveland, Ohio for use as a bicycle share station; and

**WHEREAS**, CSU and User mutually desire to enter into an agreement for use of the space by User for a period of three (3) years commencing June 1, 2017.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees hereby approves the agreement between CycleHop LLC and Cleveland State University, in the form substantially attached hereto, subject to any modifications deemed necessary by University General Counsel.

**RESOLUTION 2017-41**

**REQUESTING APPROVAL OF ADVERTISING BUDGET OF  
\$1,370,000 FOR FISCAL YEAR 2018 FOR ADVERTISING MEDIA, PRODUCTION AND  
RELATED SERVICES**

**WHEREAS**, the University is involved in paid advertising campaigns to promote student recruitment, retention and institutional image; and

**WHEREAS**, the request for Fiscal Year 2018 funding of \$1,370,000 for the purchase of media and related expenses for recruitment and brand advertising.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees hereby approves an advertising budget totaling \$1,370,000 for advertising purchases for FY 2018.

Next, Vice President McHenry provided an overview of financial reporting as of March 31, 2017 for CSU's operating budget, general fee budget, auxiliary enterprises, and selected balance sheet items (**Attachment P**).

Chair Kirk asked Senior Vice President McHenry and Vice President Tim Long to preview the FY2018 university budget (**Attachment Q**). Mr. Long provided current and projected information on the State higher education budget, and described how possible outcomes may impact Cleveland State's budget.

Mr. Long noted that the University's financial foundation is strong, but there are significant challenges to balancing the FY18 budget, including a freeze on tuition, enrollment variability, labor costs, and state subsidy funding.

Chair Kirk noted that the projections were very conservative. He encouraged the Board to look at worst-case scenarios. He also asked that the University's final report, "Recommended Strategic Direction for CSU: Report of the Path to 2020 Program Team," be included on the June agenda for discussion and approval.

**ACADEMIC AFFAIRS**

Committee Chair Moore noted three items on the academic affairs agenda. Trustee Kirk moved, and Trustee Levin seconded, the motion to approve the following items: Cleveland-Marshall Trust Fund Allocation, FY 2018 (**Attachment R**), Approval of Rank and Tenure for Monte Ahuja College of Business Dean Sanjay Putrevu (**Attachment S**), and Approval of Rank and Tenure for Cleveland-Marshall College of Law Dean Lee Fisher (**Attachment T**). The following resolutions were approved by voice vote.

**RESOLUTION 2017-42**

**PROPOSED ALLOCATION OF  
CLEVELAND-MARSHALL FUND INCOME  
FY 2018**

**WHEREAS**, the value of the Cleveland-Marshall Fund as of December 31, 2015 was \$4,768,155, and it is projected that \$234,544 in spendable income will become available in FY 2018; and

**WHEREAS**, the proposed commitment of this accumulated income will contribute to the general enrichment of legal education at Cleveland-Marshall College of Law and provide scholarships; and

**WHEREAS**, the Financial Affairs Committee of the Board of Trustees has reviewed this matter and recommends full Board approval.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees of Cleveland State University hereby directs Key Bank, as Trustee of the Cleveland-Marshall Fund, to remit the sum of \$234,544 to Cleveland State University to be used for the purpose of education and program enrichment at the Cleveland-Marshall College of Law in FY 2018 as proposed.

**RESOLUTION 2017-43**

**AWARD OF TENURE TO DR. SANJAY PUTREVU**

**WHEREAS**, an external search was conducted to fill the position of Dean, Monte Ahuja College of Business; and

**WHEREAS**, the search attracted a substantial pool of well-qualified candidates, including Dr. Sanjay Putrevu, Dean, College of Business, University of Wyoming; and

**WHEREAS**, the credentials of Dr. Putrevu have been reviewed by the appropriate faculty peer review committee in the Department of Marketing, the Chair, the Interim Dean, the Provost and the President; and

**WHEREAS**, Dr. Putrevu has fulfilled the requirements for tenure at the rank of Professor as set forth in Article 12.10 of the Faculty Collective Bargaining Agreement;

**NOW, THEREFORE, BE IT RESOLVED** that the Cleveland State University Board of Trustees hereby approves the award of tenure at the rank of Professor to Dr. Sanjay Putrevu in the Department of Marketing, effective the first day of July 1, 2017 full-time employment at Cleveland State University.

#### **RESOLUTION 2017-44**

##### **AWARD OF TENURE TO LEE FISHER J.D.**

**WHEREAS**, an external search was conducted to fill the position of Dean, Cleveland-Marshall College of Law; and

**WHEREAS**, the search attracted a substantial pool of well-qualified candidates, including Lee Fisher J.D., Interim Dean, Cleveland-Marshall College of Law; and

**WHEREAS**, the credentials of Mr. Fisher have been reviewed by the appropriate faculty peer review committee in the Cleveland-Marshall College of Law, the Provost and the President; and

**WHEREAS**, Mr. Fisher has fulfilled the requirements for tenure at the rank of Professor as set forth in Article 12.10 of the Faculty Collective Bargaining Agreement;

**NOW, THEREFORE, BE IT RESOLVED** that the Cleveland State University Board of Trustees hereby approves the award of tenure at the rank of Professor to Mr. Lee Fisher J.D. in the Cleveland-Marshall College of Law, effective the first day of July 1, 2017 full-time employment at Cleveland State University.

#### **CONSENT AGENDA**

Chairman Moreno explained that routine matters, or those discussed previously, are considered on the consent agenda. He asked if there were consent agenda items that Board members wished to remove and discuss individually. There were none.

Trustee Kirk moved, and Trustee Levin seconded, the motion to approve the following consent agenda items: FY17 Third Quarter Gift Report (**Attachment U**), Report of Sponsored Programs (**Attachment V**), and Amendments to Supplemental Retirement 415(m) Plan (**Attachment W**).

#### **RESOLUTION 2017-45**

##### **ACCEPTING GIFTS AND PLEDGE PAYMENTS**

**3RD QUARTER, FY 2017  
JANUARY 1, 2017 TO MARCH 31, 2017**

**RESOLVED**, that the gifts and pledge payments totaling \$4,547,740 received by the Cleveland State University Foundation during the period January 1, 2017 to March 31, 2017 are hereby accepted with thanks, and

**BE IT FURTHER RESOLVED**, that the President is hereby directed to use these gifts subject to their terms and conditions.

**RESOLUTION 2017-46**

**ACCEPTANCE OF SPONSORED PROGRAMS FUNDS  
FOR FY 2017 THIRD QUARTER  
JANUARY 1, 2017 TO MARCH 31, 2017**

**RESOLVED**, that the Sponsored Programs funds totaling \$4,055,171 received by the Cleveland State University during the period January 1, 2017 to March 31, 2017, are hereby accepted with thanks; and

**BE IT FURTHER RESOLVED**, that the President is hereby directed to use these Sponsored Programs funds subject to their terms and conditions.

**RESOLUTION 2017-47**

**APPROVING AMENDMENT OF SUPPLEMENTAL 415(m)  
RETIREMENT PLAN AND AMENDMENT TO EMPLOYMENT  
AGREEMENT OF INTERCOLLEGIATE ATHLETIC DIRECTOR  
MICHAEL J. THOMAS**

**WHEREAS**, Cleveland State University (the "University") previously adopted and currently maintains the Cleveland State University Supplemental 415(m) Retirement Plan, as effective on January 1, 2009 (the "Plan"), to provide retirement benefits to certain eligible employees; and

**WHEREAS**, the Board of Trustees of the University desires to amend the Plan, effective January 1, 2017, to change the eligibility and participation requirements of the Plan; and

**WHEREAS**, Section 10.1 of the Plan gives the Board the authority to amend the Plan; and

**WHEREAS**, the University previously entered into an employment agreement with Michael J. Thomas, effective March 1, 2017 (the "Agreement"); and

**WHEREAS**, the University and Thomas desire to amend the Agreement to clarify that he will be eligible to participate in the Plan.

**NOW, THEREFORE, BE IT RESOLVED** that the University hereby adopts the First Amendment to the Cleveland State University Supplemental 415(m) Retirement Plan in substantially the form attached hereto to change the eligibility and participation requirements in the Plan; and

**BE IT RESOLVED FURTHER**, that the appropriate officers of the University are hereby authorized and empowered to make any changes to the Plan as may be required to ensure compliance with the provisions of the Internal Revenue Code of 1986, as amended, the Ohio Revised Code, and any related rules and regulations now in effect or as hereafter amended; and

**BE IT RESOLVED FURTHER**, that the Board authorizes the Amendment to the Employment Agreement with Michael J. Thomas in substantially the form attached hereto to clarify his eligibility to participate in the Plan, subject to any changes deemed necessary by University General Counsel, and instructs the appropriate officers of the University to execute the First Amendment to the Plan, the Amendment to the Employment Agreement with Michael J. Thomas, and any other instruments, documents, or conveyances necessary to effectuate these resolutions.

### **NEW BUSINESS**

Chairman Moreno read and moved the following resolution authorizing the University to pursue a perpetual easement agreement; the motion was seconded by Trustee Kirk, and passed by voice vote.

#### **RESOLUTION 2017-48**

##### **AUTHORIZATION FOR UNIVERSITY TO SIGN LETTER OF INTENT TO PURSUE PERPETUAL EASEMENT AGREEMENT**

**WHEREAS**, WEWS NewsChannel 5, owned by Scripps Media, Inc., entered into a land exchange agreement with the University to exchange similarly sized parcels of land located at East 30<sup>th</sup> Street and Chester Avenue, which was approved by the University Board of Trustees Executive Committee on February 27, 2014; and

**WHEREAS**, the parcel of property received in the exchange by WEWS from the University was subject to a previously existing easement agreement which provided for an entry and exit, from a privately owned garage abutting the exchanged property, to and from East 30<sup>th</sup> Street; and

**WHEREAS**, the University agreed as part of the land exchange to work with WEWS/Scripps to provide an alternate easement from the garage to East 30<sup>th</sup> Street on its property; and

**WHEREAS**, the easement agreement must be granted by the state of Ohio on behalf of the University; and

**WHEREAS**, the Department of Administrative Services can only grant an easement for a term of 25 (Twenty five) years without Ohio legislative action; and

**WHEREAS**, the University, Scripps and the grantee of the easement have mutually agreed to work together with the Department of Administrative Services to secure a perpetual easement and sign a mutual letter of intent; and

**WHEREAS**, the authority for signing the letter of intent requires Board of Trustee approval;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees hereby authorizes the University Administration to execute a letter of intent agreeing to pursue the establishment of a perpetual easement agreement to be prepared by the State of Ohio Department of Administrative Services on behalf of Cleveland State University, and further authorizes the Administration to take any and all actions, including the execution of any and all documents, deemed necessary or required by law to finalize and file the perpetual easement if approved by the Ohio legislature.

There being no further business, the meeting was adjourned at 12:35 p.m.

Respectfully submitted,

**APPROVED JUNE 20, 2017**

William J. Napier

Secretary to the Board of Trustees

**APPROVED JUNE 20, 2017**

Bernie Moreno

Chair, Board of Trustees