Monday, 12 May 2008
1:00 pm
Florida International University
University Park Campus
MARC International Pavilion
Miami, FL

MEMBERSHIP

ALBERT E. DOTSON., SR., CHAIR JORGE L. ARRIZURIETA ALBERT MAURY

AGENDA

I.	CALL TO ORDER	ALBERT DOTSON		
II.	APPROVAL OF MINUTES	ALBERT DOTSON		
III.	CHAIR'S REMARKS	ALBERT DOTSON		
IV.	FOLLOW-UP TO ITEMS FROM PREVIOUS MEETINGS	ALBERT DOTSON		
V.	ITEMS FOR WORKGROUP REVIEW			
	A. ACTION ITEM			
	1. ALCOHOLIC BEVERAGES POLICY	ROSA JONES		
	B. Reports (For Discussion – No Action Required)			
	2. Stadium/Arena Naming Rights	SANDRA GONZALEZ-LEVY		
	3. MBNA UPDATE	SANDRA GONZALEZ-LEVY		
	4. COMPLIANCE UPDATE	CRISTINA MENDOZA		
	5. RFPs	STEVEN MILLSPAUGH		
	6. STADIUM SALES UPDATE	ALEX DUQUE		
	7. Operations Budget	ALEX DUQUE		
	8. FIELD HOUSE	JOHN CAL		

JOHN CAL

9. STADIUM CONSTRUCTION UPDATE

The Florida International University Board of Trustees Athletics Workgroup Agenda 12 May 2008 Page2

VI. OTHER BUSINESS (IF ANY)

ALBERT DOTSON

VII. ADJOURNMENT

ALBERT DOTSON

12 MAY 2008

SUBJECT: ATHLETICS WORKGROUP MEETING MINUTES, 29 JANUARY 2008	

PROPOSED WORKGROUP ACTION:

Adopt the following Resolution:

RESOLVED that the minutes of the meeting of the Florida International University Board of Trustees' Athletics Workgroup held on 29 January 2008, attached to this Resolution as Exhibit "A," are hereby approved.

EXHIBITS/SUPPORTING DOCUMENTS:

■ EXHIBIT "A": 29 JANUARY 2008 ATHLETICS WORKGROUP MEETING MINUTES.

FACILITATOR/PRESENTER:

 WORKGROUP CHAIR ALBERT DOTSON

THE FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES



ATHLETICS WORKGROUP MINUTES TUESDAY, 29 JANUARY 2008

I. CALL TO ORDER

The Florida International University Board of Trustees' Athletics Workgroup meeting was called to order on Tuesday, 29 January 2008 by Workgroup Chair Albert Dotson at 9:06 a.m., in the University Park Pharmed Arena Athletics Conference Room 201B, Miami, Florida.

The following attendance was recorded:

Present.

Albert Dotson, *Chairperson*Jorge Arrizurieta
Albert Maury

Trustee Bruce Hauptli was also in attendance.

II. CHAIRMAN'S REMARKS

Workgroup Chair Dotson welcomed everyone in attendance to the first meeting of the Athletics Workgroup. He also welcomed FIU Foundation Director Carlos de Céspedes.

III. ITEMS FOR WORKGROUP REVIEW

1. Athletics Update

Athletic Director Pete Garcia presented the athletics update, focusing on the academic achievements of the student athletes.

2. Marketing Plan

- a. Revenue Goals
- b. Marketing Strategies
 - Outline Implementation & Timeline
 - Athletics
 - Stadium

Exhibit "A"

The Florida International University Board of Trustees Athletics Workgroup Meeting Minutes 29 January 2008 Page 2 DRAFT

AD Garcia introduced the Marketing Plan for Workgroup review. Director of Sports Marketing John O'Meara presented the Marketing Plan for the Athletics department and for the Football Stadium, delineated priorities and strategic issues and provided an outline of implementation and timeline. Associate VP for Athletics Alex Duque provided a financial summary, focusing on the marketing plan revenue goals.

Trustee Arrizurieta noted that there was corporate interest in a banking Request for Proposal (RFP) and inquired as to the RFP process.

3. Athletics Workgroup Meetings Schedule

Workgroup Chair Dotson led the discussion in the Athletics Workgroup Meetings Schedule, recommending that the Workgroup's schedule should consist of meetings to be held approximately every two (2) months.

IV. OTHER BUSINESS

AD Garcia advised the workgroup of his concern that Athletics has lost \$200,000.00 a year for the past two (2) years from Coca-Cola as part of the vending pouring rights agreement that has expired because renegotiation has been delayed.

V. ADJOURNMENT

With no other business, the meeting of the Florida International University Board of Trustees' Athletics Workgroup was adjourned on Tuesday, 29 January 2008, at 11:08 a.m.

T	rustee Requests	Follow-up	Completion Date
1.	Workgroup Chair Dotson requested that moving forward, all agenda items and reports submitted to the Workgroup include an Executive Summary.	Athletic Director Pete Garcia	April 2008
2.	Workgroup Chair Dotson requested that the University's Athletics Department evaluate and analyze the possible production of a weekly publication notifying the University community of upcoming athletics events.	Athletic Director Pete Garcia	March 2008
3.	Workgroup Chair Dotson requested that the Athletics Director provide regular reports/updates to all of the Workgroup members.	Athletic Director Pete Garcia	Feb. 2008
4.	Workgroup Chair Dotson requested that the University's senior management evaluate and analyze the current Request for Proposal (RFP) process to see how Athletics can benefit from the purchasing power of the University. Examples would be current Office Max and Beverage Pouring rights.	CFO Vivian Sanchez	

12 MAY 2008

SUBJECT: ADOPTION OF ALCOHOLIC BEVERAGES REGULATION

PROPOSED WORKGROUP ACTION:

Recommend Board Adoption of the following Resolution:

WHEREAS, the Florida International University Board of Trustees ("the BOT") has adopted a regulation on alcoholic beverages, codified as Regulation 6C8-11.005 of the Florida Administrative Code (the "Alcoholic Beverages Regulation"), to govern the sale and service of alcoholic beverages on University premises or at University-sponsored events; and

WHEREAS, subject to all legal and other requirements outlined in the Alcoholic Beverages Regulation, the University permits the sale and service of alcoholic beverages at specified locations at the University Park campus, Biscayne Bay Campus, and The Wolfsonian-FIU; and

WHEREAS, the Alcoholic Beverages Regulation currently prohibits the sale and service of alcoholic beverages during any inter-collegiate athletic events, including any FIU athletic events at the FIU Stadium; and

WHEREAS, on September 29, 2006, the BOT approved the Football Stadium Expansion Project, to permit the University to significantly expand stadium seating and related infrastructure, including club seating and luxury suites; and

WHEREAS, the proposed regulation, attached hereto as Exhibit "B," amends Regulation 6C8-11.005 for the purpose of (1) permitting the limited sale and service of alcoholic beverages during athletic events at the FIU Stadium Donor Club and Stadium Suites only, in accordance with all legal and other requirements set forth in the regulation; and (2) clarifying that as to other (non-intercollegiate athletic) events at the FIU Stadium, the sale and service of alcoholic beverages shall be considered on a case-by-case basis, in accordance with the same approval process otherwise applicable to the sale and service of alcoholic beverages on University premises or University-sponsored events.

THEREFORE, BE IT RESOLVED THAT, the BOT hereby adopts the University Alcoholic Beverages Regulation attached hereto as Exhibit "B."

The Florida International University Board of Trustees Athletics Workgroup 12 May 2008 Agenda Item 1 Page 2

BACKGROUND INFORMATION

A. Legal Authority

This Resolution is adopted pursuant to and in accordance with the Florida Board of Governors Regulation Development Procedure for State University Boards of Trustees, adopted July 21, 2005, and Section 1001.74(6) of the Florida Statutes, which authorizes the Board to enact policies relating to the use, maintenance, protection and control of University premises, including authority which "may include placing restrictions on activities and on access to facilities, firearms, food, tobacco, [and] alcohol beverages," among other matters.

EXHIBITS/SUPPORTING DOCUMENTS:

■ EXHIBIT "B": PROPOSED ALCOHOLIC BEVERAGES REGULATION

FACILITATOR/PRESENTER:

Rosa Jones

6C8-11.005 Alcoholic Beverages.

- (1) GENERAL REQUIREMENTS.
- (a) This rule shall govern the possession, service, sale, consumption and distribution of alcohol at all Florida International University sponsored events and activities; at all facilities operated under the jurisdiction of the University; to any, and all faculty, staff and students of the University, and their guests attending such events and activities.
- (b) All activities, locations and individuals, referenced above, shall be governed by, and held accountable to the most stringent requirements of the appropriate state and federal laws, local county ordinances regarding alcohol, and/or this University rule.
 - (c) Definitions:
- 1. The term "alcohol" or "alcoholic beverage", as used in this rule, includes beer, wine, hard liquor, distilled spirits, mixed drinks, and other beverages containing ethyl alcohol.
- 2. The term "sponsored by", as used in this rule, includes all events and activities, on or off campus University premises, supported wholly or in part through funding, services or resources of any University budget entity.
- 3. The term "individual", as used in this rule, includes any employee, student, volunteer or agent of the University, and their invited guests.
- 4. The term "University premises", as used in this rule, includes any facility, vessel, vehicle or real estate, whether owned, leased, rented or temporarily assigned, which is managed and operated under the authority of the University or an authorized agent of the University.
- (d) No individual under the legal drinking age (minimum of 21 years of age) may possess, serve, sell, consume, or distribute alcohol on University premises, unless specifically engaged in an approved and supervised academic program, which does not involve the actual ingestion of alcohol by an individual under the legal drinking age.
- (e) No individual may serve or otherwise provide alcohol, for consumption, to individuals under the legal drinking age of 21 years.
 - (2) SERVICE, SALE AND DISTRIBUTION.
- (a) Where all other rule requirements have been satisfied, the approval process for the service, sale or distribution of alcohol on University premises shall be as follows:
- 1. A written document, contract or agreement, facility reservation form, memo or letter describing the type of event, number of attendees, and appropriate event controls shall be submitted to the Vice President of Student Affairs or his/her designee for approval, at least two weeks prior to the scheduled date. Approval shall be granted based on demonstrated intent to comply with the requirements set forth in paragraphs (2)(b) and (2)(c) of this rule. The sale or service of alcohol on University premises in the absence of this approval is a direct violation of this rule.
- 2. Alcoholic beverages may be sold or served only by trained and service providers with appropriate permits.
- 3. Any sale of alcohol on University premises shall be in accordance with the requirements of the University's terms of agreement with the contracted food service provider for the University.
- NOTE: Although the Vice President of Student Affairs or his/her designee may approve the sale of alcohol on University premises, only the Division of Alcoholic Beverages and Tobacco can issue the required legal permit to sell alcohol in the State of Florida.
- 4. Upon satisfaction of all legal and rule requirements, the service and sale of alcoholic beverages on University premises are limited to the locations identified below, or those otherwise authorized in writing under terms specified within said authorization by the Vice President of Student Affairs or his/her designee:

- a. All locations specified on the alcoholic beverage license of the University's food service contractor.
- b. University Park: Graham Center (GC) including the Ballrooms; The Faculty Club; The Rathskellar (Gracie's Grill); The Panther Suite; The Cafeteria & Food Court; The GC Forum & The Pit; The Golden Panther Arena & The Athletic fields/facilities and the FIU Stadium.; The Betty Chapman Student Plaza (Fountain area bordered on the North by the GC on the West by the PC building and on the Southeast by Parking Garage #1), The Art Museum (and adjacent areas in PC); The Wertheim Performing Arts Center; The University House, Cejas School of Architecture Building, and Green Library.
- c. Biscayne Bay Campus: Wolfe University Center (WUC) Ballrooms, Cafeteria, Panther Square, Hospitality Management Building, Southern Wine and Spirits Management Center, Koven's Conference Center, Library.
- d. University Housing and Greek Housing: As authorized in writing by the Vice President for Student Affairs or designee under terms specified within said authorization.
 - e. Other areas: The Wolfsonian-FIU Museums and The Women's Club.
- f. Future locations to be determined upon completion of construction or execution of lease agreements.
- (b) When the service and sale of alcohol has been approved by the duly authorized University official, the following conditions shall apply:
- 1. Any individual to whom alcohol is sold or served, or who attempts to purchase or consume alcohol on University premises must satisfy the legal age requirement of 21 years, and demonstrate this by showing valid photo identification when asked to do so. Such identification includes: valid photo identification issued by the State of Florida or any other state of the United States, a passport or a United States armed services identification card, when asked to do so.
- 2. Event servers/bartenders and attendants may exercise prudent judgment, consistent with their training, with regard to the appearance of an individual in determining whether they satisfy the minimum age requirement.
- 3. Servers/bartenders and event attendants shall be properly trained regarding Florida's underage person laws. Such training shall meet the minimum standards of programs such as TIPS® (*Training for Intervention Procedures*).
 - 4. Servers/bartenders and attendants shall be at least 21 years old.
- 5. Individuals shall not bring alcoholic beverages to any University sponsored event. Individuals mayshall not leave a University event or event area while carrying or holding any type of container of alcoholic beverage.
- 6. Non-alcoholic beverages and food must be provided in sufficient quantities at all events, and shall be made available for the duration of the event, while alcohol is also available.
- 7. Non-alcoholic beverages must be available at a price equal to or less than the price of the alcohol being served.
- 8. At least two printed signs shall be prominently displayed at each event, each of which must display the following information:

NO ALCOHOL SOLD OR SERVED TO MINORS PROOF OF AGE IS REQUIRED NON-ALCOHOLIC BEVERAGES AVAILABLE MANAGEMENT RESERVES THE RIGHT TO DENY SERVICE ASK AN ATTENDANT FOR ASSISTANCE, IF NECESSARY

Signs shall meet the following, minimum specifications: size shall be at least 11 inches by 14 inches; no other message shall be included on these signs, however, a single sign may be used to display this information in languages other than English.

- 9. Alcoholic beverages shall not be used as prizes or awards for any event.
- 10. "Alcohol tasting" events are subject to all the conditions of this rule.
- 11. Competitions or contests that involve alcoholic beverages are strictly prohibited.
- 12. At least one uniformed member of the University Police Department, or a substitute approved by the Chief of the University Police Department shall be present at all events on University premises at which alcohol is sold or served.
- 13. The service and sale of alcohol must cease at least one hour before the scheduled and advertised end of the event.
- 14. The service or sale of alcohol shall not continue at any event on University premises after 1:00 a.m.
- 15. Reasonable conditions intended to encourage and facilitate the responsible consumption of alcohol imposed by the FIU Executive Committeeuncil, the Chief of Police, or the Departmentirector of Risk Management and Environmental Health and Safety-and Risk Management Services, on an event-by-event basis.
- (c) Applicable Laws and Regulations: Individuals shall adhere to all applicable state and local laws related to the sale or consumption of alcohol. These include, but are not limited to the following:
- 1. It is unlawful for any person to assist an underage person to purchase or attempt to obtain alcoholic beverages.
- 2. It is unlawful for any underage person to falsify a driver's license or other identification document in order to obtain or attempt to obtain alcoholic beverages.
- 3. It is unlawful for any person to permit use of his/her driver's license or any other identification document, by an underage person, to purchase or attempt to purchase alcoholic beverages.
- 4. The burden of proof to demonstrate satisfaction of the legal drinking age requirement is the responsibility of the person desiring alcohol service.
- 5. It is the responsibility of the server, at the time that an alcoholic beverage is requested to check the photo ID or wristband of persons to be served, or otherwise verify the age of the person to whom alcohol is to be served. Servers reserve the right to deny service.
- 6. Transportation of any alcoholic beverages on University premises shall be in unopened containers.
 - (3) DISTRIBUTION, ADVERTISING AND PROMOTION.
- (a) Advertisement and promotion of the use or consumption of alcohol at any event or activity is prohibited, unless written approval of the content of the advertisement, the size, location and method of distribution of the promotional material are, each and all, specifically reviewed and approved by the Vice President of Student Affairs or his/her designee. Approval shall be granted based on conformance with the requirements set forth in paragraph (3)(c) of this rule.
 - (b) The following conditions shall also apply:

- 1. Event sponsors, who are also producers, sellers or distributors of alcoholic beverages shall not be recognized on printed or promotional materials unless authorized by the Vice President of Student Affairs or his/her designee pursuant to paragraph (3)(a) of this rule.
- 2. Event sponsors, their subsidiaries, partners, or affiliated companies, which are recognized distributors or marketers of alcohol shall not be recognized on promotional materials for specific events where their products are sold or served, or at concurrent events on University premises, unless authorized by the Vice President of Student Affairs pursuant to paragraph (3)(a) of this rule.
- (c) Event planners or University administrators seeking approval for advertising or promotion of the use or consumption of alcohol on University premises shall assure that advertisements and promotional materials satisfy the following minimum requirements prior to requesting approval:
 - 1. Advertisement for alcohol shall not promote the irresponsible use of alcohol.
- 2. Advertisement shall not encourage any behaviors or activities that directly conflict with the requirements of this rule.
- 3. Advertisement shall not use alcohol as an inducement to participate in a University event and shall not offer alcohol as a prize or gift in any form of contest, raffle, game, or competition.
- 4. Social events that encourage drinking, drinking contests, or alcoholic intoxication, and the advertisement of any such events are strictly prohibited.
- 5. General promotional materials, including advertising for any University sponsored event shall not make reference to the availability of alcoholic beverages unless the event is sponsored by the School of Hospitality Management in association with the FIU Beverage Management Program.
- 6. Advertising for any event sponsored by the FIU School of Hospitality Management where alcoholic beverages will be served and its availability is identified in the promotional material, shall specifically mention the availability of non-alcoholic beverages as prominently as the availability of alcoholic beverages.
- (4) TAILGATING AND ATHLETIC EVENTS. In addition to all other requirements stated in this rule, the following requirements shall apply to the service, purchase, use, possession, distribution or consumption of alcohol and alcoholic beverages on University premises at events occurring in conjunction with FIU athletic events and competitions either before, during or after the games.
- (a) Alcoholic beverages may be sold, served and consumed within the Stadium Club and Suites at the FIU Stadium, subject to all legal and rule requirements. Except as to these specified locations or as otherwise approved in accordance with this rule, Aalcohol shall not be sold, or served or consumed in the FIU Community Stadium or within the confines of any facility on University premises in connection with FIU inter-collegiate athletic events, where an athletic event is being held, if the sale or service of alcohol is in any way associated with the scheduled athletic event. Individuals with access to the Stadium Club or Suites at the FIU Stadium shall be prohibited from carrying alcoholic beverages to any other locations within the FIU Stadium. The sale or serve of alcoholic beverages at non-intercollegiate athletic events shall be considered on an event-by-event basis in accordance with Section 2 above.
- (b) Individuals and members of the public attending any football game on University premises shall not leave and subsequently re-enter the football FIU sStadium at any time before or during the game. Response to inclement weather conditions or emergency evacuations shall be handled on a case by case basis.

- (c) Individuals and members of the public are strictly prohibited from entering the football stadium while carrying or bearing any type of container, open or closed, which contains any type of beverage.
- (d) Event managers and University police reserve the right to deny access, to athletic events, to individuals and members of the public who exhibit behaviors consistent with alcohol intoxication, or who behave in any manner inconsistent with the requirements of this rule.
- (e) Tailgating activities on University premises that involve the <u>service</u>, <u>sale or</u> consumption of alcohol shall be restricted to specifically designated locations monitored by the FIU Public Safety Department.
- (f) The sale—and, service and consumption of alcohol shall be restricted to specific locations authorized in writing under terms specified within said authorization by the Vice President of Student Affairs or his or her designee.
- (g) The FIU Chief of Police shall prepare and submit an *Event Evaluation Summary & Recommendation Report* to the Vice President of Student Affairs within 72 hours of each athletic event and shall specifically address findings related to the use or abuse of alcohol at each event on each report.

Specific Authority 1001.74(4) FS. Law Implemented 1001.74(6), (10), (19) FS. History—New 8-12-85, Formerly 6C8-11.05, Amended 4-16-91, 9-3-03, 8-22-04.

12 MAY 2008

SUBJECT: STADIUM/ARENA NAMING RIGHTS			
PROPOSED WORKGROUP ACTION:			
None. Discussion item.			
EXHIBITS/SUPPORTING DOCUMENTS:	 None 		
FACILITATOR/PRESENTER:	 Sandra Gonzalez-Levy 		

SUBJECT: MBNA UPDATE			
PROPOSED WORKGROUP ACTION:			
None. Discussion item.			
EXHIBITS/SUPPORTING DOCUMENTS:	None		
FACILITATOR/PRESENTER:	 Sandra Gonzalez-Levy 		

SUBJECT: COMPLIANCE UPDATE		
PROPOSED WORKGROUP ACTION:		
None. Discussion item.		
EXHIBITS/SUPPORTING DOCUMENTS:	None	
FACILITATOR/PRESENTER:	 Cristina Mendoza 	

12 MAY 2008

SUBJECT: REQUESTS FOR PROPOSALS (RFPS)			
PROPOSED WORKGROUP ACTION:			
None. Discussion item.			
EXHIBITS/SUPPORTING DOCUMENTS:	 None 		
FACILITATOR/PRESENTER:	■ STEVEN MILLSPAUGH		

SUBJECT: STADIUM SALES UPDATE		
PROPOSED WORKGROUP ACTION:		
None. Discussion item.		
EXHIBITS/SUPPORTING DOCUMENTS:	 SUMMARY: STADIUM FINANCE CORP. FOR FISCAL YEAR ENDING JUNE 30, 2009 	
FACILITATOR/PRESENTER:	 ALEX DUQUE 	

Stadium Finance Corp. For the 12 months ending June 30, 2009

	Forecast	YTD Actual
Operating Revenue	731,535	96,062
Premium Seating	583,500	276,600
Sponsorship	384,500	-
Naming Rights - Net	857,500	-
Conference Revenue	300,000	300,000
Fundraising - Contracted Commitments	580,600	456,200
Athletic Support	655,000	655,000
Total Revenues	4,092,635	1,783,862
Operating Expenses	649,538	-
Net Income before Debt Service	3,443,098	1,783,862
Debt Service - Bond payment	435,000	435,000
Debt Service - to FIU	500,000	500,000
Total Expenses	1,584,538	935,000
Net Income	2,508,098	848,862

SUBJECT: OPERATIONS BUDGET			
PROPOSED WORKGROUP ACTION: None. Discussion item.			
EXHIBITS/SUPPORTING DOCUMENTS:	 ATHLETICS BUDGET – PENDING BOARD OF TRUSTEES APPROVAL 		
FACILITATOR/PRESENTER:	 ALEX DUQUE 		

Athletics - Budget Pending BOT Approval

	2008-09 Budget
Revenues	
Student Fees	14,526,056
Allowance for bad debt	(145,261)
Ticket Revenues	37,383
Game Guarantees	1,000,000
NCAA Distributions	525,000
Contributions - Foundation	280,000
Corporate Sponsorship	148,000
Scholarship Fin Aid Support	585,000
Title IX and Teaching Gym(E&G)	699,077
Concession Fund	10,000
Other	10,000
Total Revenues	17,675,256
<u>Expenses</u>	
Salary	6,572,362
OPS	609,269
Postage	31,600
Phones	183,700
Travel	155,200
Team Travel	1,440,399
Recruiting Travel	330,318
Insurance	410,000
Guarantees	451,000
Professional Services, Officials & Advertising	1,912,500
Materials & Supplies	485,885
Athletic Clothing and Uniforms	274,600
Athletic Equipment	377,000
Other Expenses	1,230,000
Overhead	693,809
Concession Fund	10,000
Scholarships	5,320,851
OCO	35,000
Total Expense	20,523,493
Net Income/ (Loss) before transfers	(2,848,237)
Operational transfers	(955,000)
Net Income after operational transfers	(3,803,237)

SUBJECT: FIELD HOUSE			
PROPOSED WORKGROUP ACTION:			
None. Discussion item.			
EXHIBITS/SUPPORTING DOCUMENTS:	None		
FACILITATOR/PRESENTER:	JOHN CAL		

12 MAY 2008

SUBJECT: STADIUM CONSTRUCTION UPDATE	
PROPOSED WORKGROUP ACTION:	
None. Discussion item.	
EXHIBITS/SUPPORTING DOCUMENTS:	 None
FACILITATOR/PRESENTER:	 JOHN CAL