



**STUDENT UNION, INC. BOARD OF DIRECTORS**

**Meeting Minutes for  
Thursday, May 27, 2021  
9:00 am - 10:30 am**

**This was a telecommute meeting by Zoom Video Conference.**

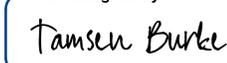
*This meeting was facilitated through an online Zoom format, consistent with the Governor's Executive Order N25-20, suspending certain open meeting law restrictions.*

**Members Present:** Zachary Birrer, Cynthia Fernandez-Rios, Sonja Daniels, Charlie Faas, Ishan Gupta, Ellen Middaugh, Joshua Reyes, Emily Wughalter

**Members Absent:** Nicholas Ayala, Zobeid Delgadillo

**Non-Voting Member Present:** Tamsen Burke

**Guests Present:** Amy Guerra-Smith, Jerry Darrell, Debbie Ganaud, Ryan Fetzer, Kristine Kirkendall, Donna Teutimez, Kevin Kish, Yavik Kapadia, Larry Aldama, Kelsey Snook, Kristina Hunt, Leanne LoBue, Matt Lee

DocuSigned by:  
 Tamsen Burke 6/16/2021  
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**I. CALL TO ORDER**

Zachary Birrer chaired the meeting. Zachary Birrer called the meeting to order at 9:05 am.

**II. ROLL CALL**

Zachary Birrer asked Amy Guerra-Smith to take roll call. Amy Guerra-Smith completed a verbal roll call.

**III. APPROVAL OF MAY 27, 2021 AGENDA**

Zachary Birrer asked for any changes needed to the MAY 27, 2021 STUDENT UNION BOARD OF DIRECTORS MEETING AGENDA. Seeing no changes, Mr. Birrer asked for a motion to approve the agenda as presented.

**Emily Wughalter motioned to approve the agenda as presented; Ishan Gupta seconded the motion.**

**Vote on the Motion: 8-0-0 Motion Passed.**

**IV. APPROVAL OF MAY 7, 2021 SPECIAL MEETING MINUTES**

This item was tabled to the next meeting.

**Emily Wughalter motioned to table this item until the next meeting; Joshua Reyes seconded the motion.**

**Vote on the Motion: 8-0-0 Motion Passed.**

**Sonja Daniels motioned to move the meeting to closed session; Joshua Reyes seconded the motion.**

**Vote on the Motion: 8-0-0 Motion Passed.**

**V. CLOSED SESSION****A. Presentation and Approval of the 2020-2021 Annual Evaluation of the SUI Executive Director (Voting Member only)**

Zachary Birrer reported back the Personnel Committee presented the 2020-2021 Annual Performance Evaluation of the SUI Executive Director which the Board members discussed. Mr. Birrer noted that the **2020-2021 Annual Performance Evaluation of the SUI Executive Director was approved by unanimous consensus.**

**Joshua Reyes motioned to return the meeting to regular session; Charlie Faas seconded the motion.**

**Vote on the Motion:**

**8-0-0**

**Motion Passed.**

**VI. DISCUSSION ITEMS****A. Dedicated \$1.8M Student Union Project for Fire Alarm and HVAC Systems at Event Center from SU Student Fee Trust - Maintenance and Repair (37000)**

Tamsen Burke informed the Board about the history of the \$1.8M noting in 2019 the Board approved the money be put towards the Event Center renovations. After arriving at the SUI in September 2019, the need for the project was re-evaluated and the Board made the decision to stop those renovation plans to address building system requirements for its operations. Ms. Burke informed the Board that the SUI received notice that the Event Center will no longer be part of the SUI portfolio, the SUI felt it was important for the Board to re-visit this and make a decision to move forward with the contribution or to realign the money towards other SU facility projects. Tamsen Burke asked Jerry Darrell, Director of IT and Facilities, to give the Board a description of the alternative SU facility projects needed for Student Union and the Spartan Recreation and Aquatic Center.

Jerry Darrell presented to the Board the major projects included in the plan for the realignment of the \$1.8M to the SU facility. Charlie Faas inquired about University IT and FD&O coordination of these projects.

Sonja Daniels commented there isn't enough clarity of where the how the money or the student fees will be reviewed, divided, or re appropriated for the Event Center and need further information about the university taking over of the facility. Tamsen Burke responded that based on the vice president's response, there are still further conversations about student fees but the oversight of that facility would be centrally managed with the university. Any events or services that would be provided in the facility would be managed by a third party vendor. In terms of student fees I don't think based on the response, there is any further information on student fees, specifically at this time to make that determination of how that would affect that facility.

Emily Wughalter asked where the \$1.8M came from? Charlie Faas commented that the \$1.8M originated from the Student Union Student Fee (37000) Trust account designated for projects for any student fee based account. Mr. Faas went on to explain that the Student Union, the Event Center, and SRAC are student fee-based buildings and those buildings are owned by the University.

Mr. Faas noted that the process for working on those buildings and fixing those buildings come from various funds that the University held student fee accounts. Mr. Faas explained that there will be no change in the programming for the Event Center, and students are going to continue to get the services and be able to use all of these facilities across the campus. Charlie Faas explained the change is the central management of the facility. The university will put these maintenance projects through its master plan process, then decide what the needs and priorities are identified. At this time, the university would go back to various entities with reserve funds to request funding approval.

**B. VPSA Response to Board of Directors questions regarding Operating Agreement areas of concern**

Tamsen Burke thanked Patrick Day for taking the time to providing thoughtful answers to the questions. Ms. Burke noted that VPSA Day indicated that there are some things that are still undetermined and will need further discussions throughout the year. Ms. Burke noted this comment provided additional guidance as to what goes in the operating agreement, what will be the required MOUs that will need to be discussed moving forward on all of the various

items.

Tamsen Burke asked for the Board Members to discuss additional questions and concerns that the SUI should be prepared to ask to have a better understanding of what has been communicated. Ms. Burke also noted that she would like the Board's recommendations to move forward in regards to the operating agreement.

Cynthia Fernandez-Rios commented that she felt there were still a lot of unanswered questions throughout the document, there was the constant phrase of 'have to be discussed' or 'will be discussed', 'that needs to be discussed further', but noted there was actually no direction and no timeline. Ms. Fernandez-Rios noted that the only solid piece of information gained from the responses that the University is going to take over the management of the Event Center without much of an explanation of why. Ms. Fernandez-Rios indicated that she asked to meet with Vice President for Student Affairs, Patrick Day. Cynthia indicated her priorities for the Board is timing and the need to know when these discussions are going to be and how can students be involved in these discussions, as well as the Board Members.

Ellen Middaugh suggested having the Vice President attend a meeting to speak with the Board. Dr. Middaugh agrees with Cynthia that there are a lot of unanswered questions and ambiguity regarding timelines.

Dr. Daniels noted the questions that resulted from reading the response are what exactly does 'additional resources' mean for student programming, for IMs and our Club Sport teams, in particular, around the use of space and prioritization and then in the time.

Dr. Daniels noted where clarity is needed is figuring out where there can be an effective partnership with all of the various entities of the campus whether that's university events, like commencement and orientations, will SU able to have student concerts, the timing of athletics, and the facility versus the use of YUH and SPX. Dr. Daniels went on to explain that the Student Union assumed IMs and Clubs Sport at a time that the State side did not want to support them and so the Student Union has been supporting those for a number of years now trying to grow those programs, like eSports and thousands of our students participate in those programs and that's a valuable part of building that co-curricular experience. Who is going to be at the table to negotiate? Are there going to be students in the conversation? Because students absolutely need to be a part of this conversation.

Ellen Middaugh commented on the lack of details and how the student input and balancing of the needs of different populations is going to be specified

Tamsen Burke noted that Nicholas Ayala was unable to attend the meeting but wanted to express his concern that students potentially will have to rent the space. Charlie Faas commented that students will not have to pay anything to use any of the facilities because they are already paying student fees.

Ms. Burke noted again, University has clearly made a statement that the Event Center will not be in the operating agreement, but what will be in the operating agreement will be negotiated. Ms. Burke asked the Board what they are willing to negotiate on as there are a number of areas around leases and lease revenue that will no longer be returned to the Student Union in order to offset some of the operating expenses.

Charlie Faas commented that all that lease money will go into the Student Union Student Fee (37000) Trust account. Whatever the budget needs are of the Student Union will be requested by the Student Union will go to the Student Union.

Emily Wughalter inquired directly to Charlie Faas, "is there ever any evidence of the Student Union, Inc. mismanaging operationally or financially?" Charlie Faas responded 'I have serious concerns about the forecasting process, but other than that no. Looking at the forecast SU, Inc. will have \$1M at year end and it has not changed since January'.

Tamsen Burke, shared with the Board of Directors there are outstanding POs and expenses to be paid and incurred in May/June, and the University traditionally continues to bill after June for the previous fiscal year expenses until August. While we were approved and planned to rehire 11 positions, those were decisions that were being made by the President and Vice President, not to hire those positions until late March, which accounts for a significant amount of funds. In addition, the university cost allocation needs to be paid. Ms. Burke noted there could be money remaining specifically in wages, but anticipates spending based on budget needs.

**C. Changes to SU, Inc. FY 21/22 Operating Budget Request to the President**

Tamsen Burke informed the Board Members the budget request was approved with the Event Center operating budget included. The Student Union will need to adjust the approved budget request based on learning about the University's intention regarding the Event Center and asked for flexibility of Board member schedules to approve the updated FY 21/22 budget by June 30, 2021.

**VII. ACTION ITEMS**

**A. Approval to Commit Funds to Event Center Project or Reallocation of \$1.8M Student Union Maintenance and Repair Funds to SU Priorities**

Emily Wughalter commented that on behalf of the Board of Directors, we hope that the university will see this as continued support of the Event Center from the Student Union.

**Sonja Daniels moved to approve to commit funds of \$1.8M to the Event Center Projects; Emily Wughalter seconded the motion.**

**Vote on the Motion: 6-0-2 Motion Passed.**

**B. Recommendations and Action Board of Directors and Executive Director to take on the Operating Agreement**

**Emily Wughalter motioned to approve another meeting to discuss these responses with the VPSA in attendance, have the Executive Director, Tamsen Burke to seek legal consultation for recommendations, prepare a response to the University regarding the timing, conversations, and inclusion and clarity regarding the items in the operating agreement; Ishan Gupta seconded the motion.**

**Vote on the Motion: 8-0-0 Motion Passed.**

**C. Approval of Changes to SU, Inc. FY 21/22 Operating Budget Request to the President**

Tamsen Burke inquired from Charlie Faas if his expectation was that this needs to go back to Finance and then to the Board? Charlie Faas commented that the Finance Committee needs to review the changes.

Several board members commented that due to the high number of Board members leaving at the end of June, it would be more efficient for the Board to review as soon as possible as the Student Union does not want to be in a similar position like last year, and operate with no approved budget.

**Emily Wughalter motioned to table this item until the next meeting; Ishan Gupta seconded the motion.**

**Vote on the Motion: 8-0-0 Motion Tabled.**

**VIII. MEETING ADJOURNMENT**

**Joshua Reyes motioned to approve to adjourn the meeting at 10:43 am; Sonja Daniels seconded the motion.**

**Vote on the Motion: 8-0-0 Motion Passed.**