



Item: VII. a.

**Tuesday, November 14, 2017**

**SUBJECT:** EXTENSION OF 2017-18 HARBOR BRANCH OCEANOGRAPHIC INSTITUTE FOUNDATION, INC. OPERATING BUDGET LIMITED APPROVAL

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**PROPOSED BOARD ACTION**

Extend a limited approval of the Harbor Branch Oceanographic Institute Foundation, Inc. (HBOIF) Operating Budget for sixty (60) days, until January 31, 2018, and delegate authority to the President to further extend the limited approval if warranted.

**BACKGROUND INFORMATION**

The HBOIF Board of Directors previously submitted to this Board a proposed 2017-18 operating budget that deviated substantially from HBOIF's 2016-17 budget largely due to expenditures designated for legal fees associated with a lawsuit filed by HBOIF against FAU. In order to give HBOIF and FAU time to mediate the pending lawsuit, this Board approved a continuation of the 2016-17 HBOIF Operating Budget for one quarter, through September 30, 2017.

Due to Hurricane Irma and other disruptions, mediation was not able to occur by September 30. This Board therefore approved a limited extension of the 2016-17 continuation budget through November 30, 2017. Additional scheduling challenges delayed the mediation conference until December. To continue operations through the mediation, the Administration requests that this Board approve a limited extension of the 2016-17 continuation budget through January 31, 2018, and, further, that it authorize the President to approve additional 30-day extensions of the limited approval, under the same terms and conditions, if the President determines that it is in the best interests of the University. The President would provide written notice to the Board of any such extensions.

**IMPLEMENTATION PLAN/DATE**

December 1, 2017 – January 31, 2018.

**FISCAL IMPLICATIONS**

N/A

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Supporting Documentation: None

Presented by: Mr. David Kian, Vice President & General Counsel