

**UNIVERSITY OF SOUTH ALABAMA
BOARD OF TRUSTEES**

MINUTES

NOVEMBER 10, 2018

BUDGET AND FINANCE COMMITTEE

BOARD OF TRUSTEES

- 1 Approve: Executive Session
- 2 Approve: Authorization of the University President to Award and Executive Contracts for Phase II and Future Phases of Construction of an On-Campus Stadium

**UNIVERSITY OF SOUTH ALABAMA
BOARD OF TRUSTEES**

**November 10, 2018
11:00 a.m.**

A meeting of the University of South Alabama Board of Trustees was duly convened by Judge Ken Simon, Chair *pro tempore*, on Saturday, November 10, 2018, at 11:08 a.m. in the Board Room of the Frederick P. Whiddon Administration Building.

Members Present: Scott Charlton, Tom Corcoran, Lenus Perkins, Jimmy Shumock, Ken Simon and Jim Yance. Participating by phone were Steve Furr, Ron Graham, Ron Jenkins, Steve Stokes, Margie Tuckson and Mike Windom.

Members Absent: Alexis Atkins, Chandra Brown Stewart, Kay Ivey and Arlene Mitchell.

Administration and Others: Owen Bailey, Kristin Dukes, Joel Erdmann, Monica Ezell, Mike Haskins, John Marymont, Randy Moon, John Smith, Margaret Sullivan, Tony Waldrop and Scott Weldon.

Media: Jason Johnson (*Lagniappe*), Richard Narramore (*Vanguard*), Alyssa Newton (WPMI), Chad Pietri (WKRG), Asha Staples (WALA) and Creg Stephenson (*al.com*).

The meeting came to order and the attendance roll was called. Chairman Simon called for adoption of the revised agenda. On motion by Mr. Corcoran, seconded by Mr. Shumock, the Board voted unanimously to adopt the revised agenda.

In accordance with the provisions of the Alabama Open Meetings Act, Chairman Simon made a motion to hold an executive session for an approximate duration of 30 minutes for the purpose of discussing pending or imminent litigation with Associate University Attorney Ms. Kristin Dukes, as well as preliminary negotiations in trade competition, **ITEM 1**. He added Ms. Dukes had submitted the required written declaration for the minutes (for copies of policies and other authorized documentation, refer to **APPENDIX A**). Mr. Shumock seconded and the Board voted unanimously at 11:09 a.m. to convene an executive session as recorded below:

AYES:
Dr. Charlton
Mr. Corcoran
Dr. Furr
Mr. Graham
Capt. Jenkins
Mr. Perkins
Mr. Shumock
Chairman Simon
Dr. Stokes
Ms. Tuckson
Mr. Windom
Mr. Yance

Following the executive session, Chairman Simon called on President Waldrop for comments. President Waldrop talked about the benefits of an on-campus stadium. He credited Mr. Weldon and Dr. Smith for crafting a strong financial plan for funding of a stadium and he expressed appreciation to Mr. Corcoran, Mr. Shumock and Mr. Yance for the time and effort each had devoted to the process thus far.

Chairman Simon called for a report from the Budget and Finance Committee. Mr. Corcoran, Committee Chair, stated, at a meeting held earlier in the morning, the Committee voted unanimously to recommend Board approval of **ITEM 2** as follows, for which he moved for the approval of the Board of Trustees. Mr. Shumock seconded:

**AUTHORIZATION OF THE UNIVERSITY PRESIDENT TO AWARD AND EXECUTE CONTRACTS
FOR PHASE II AND FUTURE PHASES OF CONSTRUCTION OF AN ON-CAMPUS STADIUM**

WHEREAS, it is the desire of the University of South Alabama Board of Trustees and University Administration to carry out the construction of an on-campus football stadium to be completed in time for the Fall 2020 football season, and

WHEREAS, the University has committed that the funding for the construction of the stadium, and resulting debt service on bonded indebtedness, will come from a combination of Athletics Department, Auxiliary Services, and public/private funding, and

WHEREAS, the University has further committed that no funding for the construction of the stadium, and resulting debt service on bonded indebtedness, will be derived from student tuition, fees or other levies placed on students, and

WHEREAS, in June 2018, the University of South Alabama Board of Trustees authorized the University President to execute a contract for site work for the construction of an on-campus football stadium, with said site work ongoing, and

WHEREAS, in September 2018, the Executive Committee of the University of South Alabama Board of Trustees authorized the University President to solicit bids for Phase II of the construction of the stadium, and

WHEREAS, Phase II of the stadium construction consists of the fabrication of the concrete cast-in-place lower bowl seating area (Phase IIA), the construction of the press tower shell (Phase IIB), the construction of the administration building shell (Phase IIC), and the installation of the primary underground utilities to the stadium (Phase IID), and

WHEREAS, the stadium construction schedule required to meet the Fall 2020 football season will require the solicitation of additional bids and contracts in the near future, and

WHEREAS, the University has secured commitments for funding from certain public and private partners, including Mobile County, and

WHEREAS, the Athletics Department and Auxiliary Services have committed significant financial support to assist in funding annual debt service payments on bonds issued for the construction of the stadium, and

WHEREAS, the University is continuing to actively seek additional private partners to assist in the funding of the stadium,

THEREFORE, BE IT RESOLVED, the Board of Trustees of the University of South Alabama authorizes the University President to award and execute construction contracts with Jesco, Inc., for Phases IIA and IIC, Wharton-Smith, Inc., for Phase IIB, and Persons Services for Phase IID to complete construction of Phase II of the stadium, and

BE IT FURTHER RESOLVED, the Board of Trustees of the University of South Alabama authorizes the University President to award and execute additional contracts for future phases of construction of the stadium, contingent upon securing appropriate funding.


Chairman Simon called for discussion and several questions concerning Phase II specifics were answered. Mr. Yance noted that Phase II bids totaled \$1 million less than anticipated, and added the University would save about 15 percent in costs by Mr. Randy Moon serving as in-house general contractor. Mr. Weldon estimated bids for future phases of construction at between \$12 to \$15 million. Mr. Moon gave information on the bid process. Dr. Erdmann conveyed thanks for the numerous individuals who had input and spent many hours advancing the project. He and Chairman Simon shared gratitude for the hospitality of Ladd-Peebles Stadium, acknowledging its place as an integral component of the evolution of South's football program. President Waldrop talked about USA vs. ULM halftime plans later in the day, which would include a virtual tour of the new stadium and an announcement on the Board's approval of Phase II and future phases of construction if passed. Mr. Perkins requested regular reports to the Board on contracts awarded going forward and Chairman Simon suggested that the Budget and Finance Committee be the contact point for such reports. Mr. Corcoran and Mr. Weldon noted the next step would be preparations for a bond issue, which would be introduced at the December regular meeting. Chairman Simon called for a vote and the Board voted unanimously to approve the resolution as recorded below:

AYES:
Dr. Charlton
Mr. Corcoran
Dr. Furr
Mr. Graham
Capt. Jenkins
Mr. Perkins
Mr. Shumock
Chairman Simon
Ms. Tuckson
Mr. Windom
Mr. Yance

There being no further business, the meeting was adjourned at 12:04 p.m.

Attest to:

Respectfully submitted:



James H. Shumock, Vice Chair



Kenneth O. Simon, Chair *pro tempore*

APPENDIX A

Executive Session

University of South Alabama Board of Trustees meeting November 10, 2018.

The purpose of the executive session for the above-referenced meeting is to discuss pending or imminent litigation with its attorney, Kristin Daniels Dukes, as well as to discuss preliminary negotiations in trade competition, and good name and character.

This declaration is submitted pursuant to the requirements of the Alabama Open Meetings Act by Kristin Daniels Dukes, ASB number 6408o61k.



Kristin Daniels Dukes

COMMITTEE MINUTES

**UNIVERSITY OF SOUTH ALABAMA
BOARD OF TRUSTEES**

BUDGET AND FINANCE COMMITTEE

November 10, 2018

10:30 a.m.

A meeting of the Budget and Finance Committee of the University of South Alabama Board of Trustees was duly convened by Mr. Tom Corcoran, Chair, on Saturday, November 10, 2018, at 10:36 a.m. in the Board Room of the Frederick P. Whiddon Administration Building.

Members Present: Tom Corcoran, Lenus Perkins and Jim Yance. Participating by phone were Ron Graham (joined late) and Steve Stokes.

Member Absent: Arlene Mitchell.

Other Trustees: Jimmy Shumock and Ken Simon.

Administration and Others: Owen Bailey, Kristin Dukes, Joel Erdmann, Monica Ezell, Mike Haskins, John Marymont, Randy Moon, John Smith, Margaret Sullivan, Tony Waldrop and Scott Weldon.

Media: Jason Johnson (*Lagniappe*), Richard Narramore (*Vanguard*), Alyssa Newton (WPMI), Chad Pietri (WKRG), Asha Staples (WALA) and Creg Stephenson (*al.com*).

The meeting came to order and the attendance roll was called. Mr. Corcoran called for adoption of the revised agenda. On motion by Mr. Yance, seconded by Mr. Perkins, the Committee voted unanimously to adopt the revised agenda.

Pursuant with the provisions of the Alabama Open Meetings Act, Mr. Corcoran made a motion to hold an executive session for an approximate duration of 20 minutes for the purpose of discussing preliminary negotiations in trade competition, **ITEM 1**. He added Associate University Attorney Ms. Kristin Dukes had submitted the required written declaration for the minutes (for copies of resolutions, policies and other authorized documents, refer to the minutes of the special meeting of the Board of Trustees held on November 10, 2018). Mr. Yance seconded and the committee voted unanimously at 10:37 a.m. to convene an executive session as recorded below:

AYES:
Mr. Corcoran
Mr. Perkins
Dr. Stokes
Mr. Yance

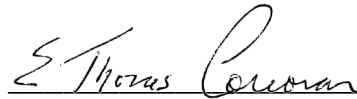
Following the executive session, Mr. Corcoran presented **ITEM 2**, a resolution authorizing the University President to award and execute contracts for Phase II construction of an on-campus stadium with Jesco, Inc., for Phases IIA and IIC, Wharton-Smith, Inc., for Phase IIB and Persons Services for Phase IID, and further authorizing the University President to award and execute

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additional contracts for future phases of construction of the stadium, contingent upon securing of appropriate funding. Mr. Yance seconded and the Committee voted unanimously to recommend approval of the resolution by the Board of Trustees.

There being no further business, the meeting was adjourned at 11:08 a.m.

Respectfully submitted:

A handwritten signature in cursive script, reading "E. Thomas Corcoran", written over a horizontal line.

E. Thomas Corcoran, Chair

APPENDIX A

Executive Session

University of South Alabama Board of Trustees Budget and Finance Committee meeting on November 10, 2018.

The purpose of the executive session for the above-referenced meeting is to discuss preliminary negotiations in trade competition.

This declaration is submitted pursuant to the requirements of the Alabama Open Meetings Act by Kristin Daniels Dukes, ASB number 6408o61k.

Kristin Daniels Dukes