



EXECUTIVE COMMITTEE MEETING (REGULAR)  
ASC CONFERENCE ROOM (CP 250)  
MAY 5, 2009 · 4:00 PM

**Present:** Bill Barrett, Ted Bremner, Bill Dickerson, Bob Hall, Frank Mumford, Barry Pasternack, Ron Rangel.

**Excused:** Pat Carroll, Steve Murray.

**Staff:** Pearl Cheng, Ann Ehl, Omar Iftikhar, John Jay, Tony Lynch.

1. CALL TO ORDER

Chair Bremner called the meeting to order at 4:10 p.m.

2. APPROVAL OF MINUTES

Prof. Pasternack moved, Mr. Rangel seconded and motion carried to approve the minutes of the 03/03/09 Executive Committee meeting.

3. TREASURER'S REPORT

Mr. Mumford reported that the Bookstore, Food & Vending, Grants/Contracts, Other Commercial Operations and Administrative divisions' combined activities generated a net income of \$648,000 through March 31, 2009. The ASC is \$25,000 above budget for the fiscal year. He further reported that the net income actuals are \$1,310,000 for Titan Shops; \$222,000 for Food/Vending; \$279,000 for Grants and Contracts; and \$477,000 for College Park. Administrative net expenditures were \$1,163,000.

A preview of year-end figures show that budget for next year would begin with a balance of \$268,000. Unfortunately, investment loss thru the third quarter of the fiscal year is \$1.07M. Titan Shops has experienced a negative budget variance for the first time, down by \$125,000. Campus Dining is also down \$168,000

4. EXECUTIVE DIRECTOR'S REPORT

Mr. Dickerson reported that IRVC amendment extends the current term to August 2009. Prof. Pasternack urged that the campus continue to look for other locations so that we aren't in a similar situation next year. AVP Barrett said that Willie Hagan has asked President Gordon and President's Advisory Board (PAB) to provide over-reaching goals to avoid a similar situation when the extension terms out next year.

On the matter with Valeo, Mr. Dickerson reported that we just received a response to our complaint and are now a month away from the summary judgment hearing. Legal fees are being paid by our insurance company. Prof. Pasternack asked whether Valeo is a corporation, LLP or other; Mr. Jay replied that Valeo is comprised of multiple entities.

At University Gables, there were ten homes available for sale on 04/01/08. Since then, one withdrew their home from sale and four are in escrow, as Bob Clark Jr continues to show the remaining five homes. To increase occupancy, the Housing Authority extended the market to include local educational and workforce housing communities (which includes employees of the elementary and high school districts, neighboring colleges, St. Judes and the City of Fullerton). At Creekside, the final two of 20 units are in escrow; within the next month or two, the Housing Authority hopes to be completely out of Creekside. And at University Heights, nine homes have been recently leased; the remainder of these homes will be marketed to the general public.

There have been recent discussions on Titan Coffee, located on the second floor of Titan Shops. When originally constructed over 10 years ago, it filled a niche with so few other coffee locations on campus. However, Titan Shops now believes that there is better use for this space and are considering other options. With that in mind, place holders are in the capital budget for such a change. Additional discussions with Amir Dabirian have resulted in a possibility of a coffee operation within the library.

Chuck Kissel recently informed Mr. Dickerson about the possibility of sponsorship in Omaha during NCAA College World Series. This would be directly tied to the Titan's appearance at the regionals.

Lastly, there have been a number of requests for air conditioning in the College Park. College Park is a building of two wings, 10 floors and two separate air-conditioning systems covering 200,000 sf. Currently, it is not possible to cool one particular floor and too costly to cool an entire wing. Contractors are in the process of determining cost estimates to install controls based on wing and floor.

5. RESOLUTION: POSSIBLE PATENT BY MARCELO TOLMASKY

Mr. Dickerson introduced Prof. Marcelo Tolmasky from Biology and reported that Prof. Tolmasky may have a product deemed suitable for a provisional patent.

Prof. Tolmasky gave a privileged explanation that he may have found a way to correct a flaw in reproducing a product. Mr. Dickerson disclosed that patent attorney Leonard Tachner believes that there is a high chance that this product may be commercially viable since it's an improvement of an existing product. This provisional patent would provide a one-year protection at a cost not-to-exceed \$6,000; normal patent applications run \$15,000.

Prof. Pasternack asked whether these rights would be protected overseas; Mr. Dickerson replied that international rights are usually separate and would confirm this with Leonard Tachner.

Mr. Bremner asked whether this is a new patent or an update on an existing one; Mr. Dickerson said that this would update someone else's existing patent.

**Prof. Pasternack moved, Mr. Rangel seconded and motion carried to adopt the following resolution.**

**Patent Application – Prof. Marcelo Tolmasky**

WHEREAS, the CSU Fullerton Auxiliary Services Corporation (“ASC”) has been designated by the University as the responsible entity to oversee the coordination of University-related patents; and

WHEREAS, the ASC, in carrying out this responsibility may elect to seek a patent to protect some aspect of University-related research; and

WHEREAS, research efforts of Professor Marcelo Tolmasky in the field of Biochemistry, have already produced one patent application that is currently proceeding through the Patent Review Process and should receive a determination by the end of the year; and

WHEREAS, Professor Tolmasky’s efforts have produced additional results that appear to be both patentable, and perhaps valuable; therefore

BE IT RESOLVED, that the Executive Committee of the Board of Directors of the CSU Fullerton Auxiliary Services Corporation authorizes Patent Attorney Leonard Tachner, to provide legal assistance in the filing of a provisional patent application at a cost that is not expected to exceed \$6,000.

BE IT FURTHER RESOLVED that this authorization is contingent upon execution of a satisfactory Intellectual Property Assignment Agreement assigning Professor Tolmasky’s patent rights to the CSU Fullerton Auxiliary Services Corporation

The approval was unanimous.

6. RESOLUTIONS

Prof. Pasternack moved to accept the following three recurring fiscal resolutions, Mr. Rangel seconded and motion carried to adopt the following resolutions.

A. FISCAL ACCOUNT AUTHORIZATION

RESOLVED, that Executive Director William M. Dickerson, Treasurer Frank A. Mumford or Vice President for Administration & Finance Willie J. Hagan, or any one of them acting individually, are hereby authorized to open the necessary accounts on behalf of the CSU Fullerton Auxiliary Services Corporation (ASC) with financial institutions for the purposes of (1) investing ASC funds; (2) transferring funds from one financial institution to another; and (3) opening accounts with financial institutions, in order to effect banking relationships.

B. SALE OF STOCK AUTHORIZATION

RESOLVED, that Executive Director William M. Dickerson, Treasurer Frank A. Mumford, or Vice President for Administration & Finance Willie J. Hagan are hereby authorized to sell, assign and endorse for transfer, certificates representing stocks, bonds or other securities now registered or hereafter registered in the name of this Corporation, when any two of the named act together or any one of the named acts upon approval from the Executive Committee.

C. WIRE TRANSFER AUTHORIZATION

RESOLVED, that Executive Director William M. Dickerson, Treasurer Frank A. Mumford or Vice President for Administration & Finance Willie J. Hagan, or any one of them acting individually, are hereby authorized to enter into agreement with Citizens Business Bank, Wells Fargo Bank, Local Agency Investment Fund or The Common Fund for the transfer of funds from the account or accounts of this Corporation by wire, as shall be mutually agreeable, and, to appoint persons who shall be authorized to order such transfers, in accordance with such agreements or to otherwise act in accordance with such agreement. The authority conferred herein shall continue in full force and effect until written notice of its revocation shall be received by said Banks.

The approval was unanimous.

7. REMINDERS

Executive Committee: Tue 06/02/09 @ 4:00 p.m.

Board of Directors: Thu 06/11/09.

8. ADJOURNMENT

The meeting was adjourned at 5:15 p.m.

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*Approved by the Executive Committee, June 2, 2009.*

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Robert C. Hall, Secretary