AGENDA

COMMITTEE ON CAMPUS PLANNING, BUILDINGS AND GROUNDS

Meeting: 10:45 a.m., Tuesday, May 24, 2016 Glenn S. Dumke Auditorium

> J. Lawrence Norton, Chair Peter J. Taylor, Vice Chair Kelsey M. Brewer Adam Day Rebecca D. Eisen Steven G. Stepanek

Consent Items

Approval of Minutes of the Meeting of March 8, 2016

- 1. Amend the 2015-2016 Capital Outlay Program for the Steven G. Mihaylo Hall Financial Trading Center for California State University, Fullerton, *Action*
- 2. Categories and Criteria for the Five-Year Facilities Renewal and Capital Improvement Plan, 2017-2018 through 2021-2022, *Action*
- 3. California Environmental Quality Act Biennial Report, *Information*

Discussion Item

4. Status Update on Lanterman Developmental Center—California State Polytechnic University, Pomona, *Information*

MINUTES OF MEETING OF COMMITTEE ON CAMPUS PLANNING, BUILDINGS AND GROUNDS

Trustees of the California State University
Office of the Chancellor
Glenn S. Dumke Conference Center
401 Golden Shore
Long Beach, California

March 8, 2016

Members Present

J. Lawrence Norton, Chair
Peter J. Taylor, Vice Chair
Kelsey Brewer
Adam Day
Rebecca D. Eisen
Margaret Fortune
Lou Monville, Chair of the Board
Steven G. Stepanek
Timothy P. White, Chancellor

Trustee J. Lawrence Norton called the meeting to order.

Approval of Minutes

The minutes of January 26, 2016 were approved as submitted.

Amend the 2015-2016 Capital Outlay Program for the Parking Lot C Reconfiguration for California State Polytechnic University, Pomona

Trustee Norton presented agenda item 1 as a consent action item. The committee recommended approval of the proposed resolution (**RCPBG 03-16-03**).

Amend the 2015-2016 Capital Outlay Program for Parking Lot N for California State University, San Bernardino

Trustee Norton presented agenda item 2 as a consent action item. The committee recommended approval of the proposed resolution (**RCPBG 03-16-04**).

Amend the 2015-2016 Capital Outlay Program for the South Parking Facility Improvements for San José State University

Trustee Norton presented agenda item 3 as a consent action item. The committee recommended approval of the proposed resolution (**RCPBG 03-16-05**).

Trustee Norton adjourned the meeting.

Amend the 2015-2016 Capital Outlay Program for the Steven G. Mihaylo Hall Financial Trading Center for California State University, Fullerton

Presentation By

Elvyra F. San Juan Assistant Vice Chancellor Capital Planning, Design and Construction

Summary

The California State University Board of Trustees approved the 2015-2016 Capital Outlay Program at its November 2014 meeting. This item allows the board to consider the scope and budget of a project not included in the previously approved capital outlay program.

California State University, Fullerton Steven G. Mihaylo Hall Financial Trading Center

PWCE¹ \$1,044,000

California State University, Fullerton wishes to proceed with the design and construction of a financial trading center in an existing 2,035 gross square foot (GSF) office suite on the second floor of Steven G. Mihaylo Hall (#38²). The project will allow Mihaylo College of Business and Economics to double the number of students served in the applied security analysis program, and provide a dedicated center for student research and investment analysis. A trading lab, seminar room, reconfigured offices, and work space will be included in the project. The lab will resemble a stock market trading floor facility, providing experience with modern software programs and access to real time data.

This renovation project will be funded from donor funds and designated capital reserves.

Recommendation

The following resolution is presented for approval:

RESOLVED, by the Board of Trustees of the California State University, that the 2015-2016 Capital Outlay Program be amended to include \$1,044,000 for preliminary plans, working drawings, construction, and equipment for the California State University, Fullerton Steven G. Mihaylo Hall Financial Trading Center.

¹ Project phases: P – Preliminary Plans, W – Working Drawings, C – Construction, E – Equipment

² Facility number shown on master plan map and recorded in Space and Facilities Database

Categories and Criteria for the Five-Year Facilities Renewal and Capital Improvement Plan, 2017-2018 through 2021-2022

Presentation By

Elvyra F. San Juan Assistant Vice Chancellor Capital Planning, Design and Construction

Summary

The California State University Board of Trustees annually adopts categories and criteria used to set priorities for academic project requests in the Capital Outlay Program. Minor changes are proposed to the categories and criteria approved by the board last year for the 2016-2017 through 2020-2021 program development as shown in Attachment A using *italics* and strikethrough to denote changes.

General

Priorities will be determined based upon the strategic needs of the system in consideration of existing deficiencies in the type, amount and/or condition of campus space to serve the academic master plan. In particular, priority will be given to projects that address critical seismic and infrastructure deficiencies, including fire and life safety, utilities infrastructure critical to campuswide operations, capital renewal, and minor capital outlay in existing facilities. Projects to modernize existing facilities or construct new replacement buildings in response to academic needs or enrollment demand will be considered on a case-by-case basis. Campuses are encouraged to identify funding sources for projects to receive priority consideration, however, such funding will not guarantee a higher prioritization for the project based on the strategic needs of the system.

Proposed Change

The proposed change to the criteria for priority setting clarifies the one project limit for the budget year, and the budget year plus one (2018-2019). This one project limit does not apply to the smaller dollar value projects that comprise the Systemwide Infrastructure Improvement and Minor Capital Outlay Programs, projects funded from reserves, or public-private partnerships.

Attachment A contains the proposed categories and criteria for the budget year 2017-2018 Capital Outlay Program and the Five-Year Facilities Renewal and Capital Improvement Plan for 2017-2018 through 2021-2022.

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Recommendation

The following resolution is presented for approval:

RESOLVED, by the Board of Trustees of the California State University, that:

- 1. The Categories and Criteria for the Five-Year Facilities Renewal and Capital Improvement Plan 2017-2018 through 2021-2022 in Attachment A of Agenda Item 2 of the May 23-25, 2016 meeting of the Committee on Campus Planning, Buildings and Grounds be approved; and
- 2. The chancellor is directed to use these categories and criteria to prepare the Five-Year Facilities Renewal and Capital Improvement Plan for 2017-2018 through 2021-2022.

Attachment A
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Categories and Criteria to Set Capital Program Priorities

General Criteria

Capital priorities will be determined based upon the strategic needs of the system in consideration of existing deficiencies in the type, amount and/or condition of campus space to serve the academic master plan. In particular, priority will be given to projects that address critical seismic and infrastructure deficiencies, including life/fire safety, utilities infrastructure critical to campuswide operations, capital renewal and minor capital outlay in existing facilities. Projects programmed for to modernizing modernize existing facilities or constructing new replacement buildings in response to academic needs or enrollment demand will be considered on a case-by-case basis. Campuses are encouraged to identify funding sources for projects to that reduce total project financing costs and to identify the degree to which the proposed project expands debt capacity to receive priority consideration; however, such elements will additional funding does not guarantee a higher prioritization for the project based on the strategic needs of the system.

Self-support projects (student housing, parking, student unions, etc.) proposed for any given year will be categorized according to the criteria discussed below.

A campus may submit a maximum of one major debt financed academic facility or academic support project and one debt financed self-support project each year for the 2017-2018 action year and the 2018-2019 planning year. *Exceptions may occur if there are significant synergies between two submitted projects*. Up to three academic projects and three self-support projects per year can be accommodated *proposed* for the 2019-2020 through 2021-2022 planning years, including health and safety projects. This approach aims to encourage campuses to identify their facility needs and not impose a one project limit across all five-years that may inadvertently misrepresent *understate* the true funding level needed for academic and self-support project funding.

Projects submitted for inclusion in the Systemwide Infrastructure Improvement and Minor Capital Outlay programs, equipment, seismic strengthening, donor, certain public-private and reserve funded projects are excluded from these the project limits. Exceptions to these limits will also be considered on an individual project basis. Seismic strengthening projects will be prioritized according to recommendations from the CSU Seismic Review Board.

Approval of multi-phase projects may require the project funding to be allocated over more than one year. Campuses are encouraged to use designated capital reserves to co-fund projects. Campus requests for preliminary plans, working drawings and construction (PWC) lump sum funding will be considered on an individual project basis based on its complexity, scope, schedule, and the availability of campus funds to co-fund the project.

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Current trustee-approved campus physical master plan enrollment ceilings apply to on-campus seat enrollment only. These numbers are to be used as the basis of comparison for justifying capital projects that address enrollment demand to be accommodated on campus. Enrollment estimates that exceed these figures should be accommodated through distributed learning and other off-campus instructional means. Campus utilization of space, along with relative deficits of space, demand for space, and/or deficiencies of space will also be considered.

Individual Categories and Criteria

Projects will be placed within each category based on the established criteria and predominant purpose of the project. Total capital funding available, both from financing and cash reserves, will be *targeted to address existing facilities as well as available to support campus growth*. distributed among the categories IA, IB, and II and allocated to projects within each category.

I. Existing Facilities/Infrastructure

A. Critical Infrastructure Deficiencies – CD (Critical Deficiencies)

These projects correct structural $and_{\overline{\tau}}$ health and safety code deficiencies by addressing fire and life safety problems and promoting code compliance in existing facilities. Projects include seismic strengthening, correcting building code deficiencies and failing infrastructure, and addressing regulatory changes which impact campus facilities or equipment. This category also includes the systemwide Infrastructure Improvements and Minor Capital Outlay programs.

B. Modernization/Renovation – FIM (Facilities Infrastructure/Modernization)

This category makes new and remodeled facilities operable by providing group II equipment (furnishings) and replacing utility services/building systems to improve facilities and the campus infrastructure. Projects in this category includes: modernizing existing facilities or constructing new replacement buildings in response to academic and support program needs. as well as enrollment demand.

II. Growth Facilities – ECP (Enrollment/Caseload/Population)

These funds eliminate instructional and support deficiencies to support campus growth, including new buildings and their group II equipment, additions, land acquisitions, and site/infrastructure development.

California Environmental Quality Act Biennial Report

Presentation By

Elvyra F. San Juan Assistant Vice Chancellor Capital Planning, Design and Construction

Summary

Pursuant to the California State University Board of Trustees' policy, this item provides a report of the CSU's California Environmental Quality Act (CEQA) certification actions for environmental impact reports (EIR) and related documentation. The report identifies the compliance actions that have been acted upon by the board for the period from July 2013 through June 2015, consistent with its responsibility as the "Lead Agency" under CEQA.

Background

The goal of CEQA is to inform governmental decision-makers and the public about the potential significant environmental effects of proposed projects and efforts to prevent significant damage to the environment through the use of feasible alternatives or mitigation measures. Under CEQA, a "project" can be either a specific building or facility planned for construction, or it can be a programmatic action such as approval of an updated campus master plan that is prepared to guide long-range campus development. CEQA compliance is required for activities directly implemented or financed by a governmental agency as well as for private activities requiring approval from a governmental agency. Per State CEQA guidelines, the type of CEQA action depends on the environmental impact of the project and primarily includes the following:

- Categorical Exemptions apply to classes of projects which have been determined not to have a significant effect on the environment (e.g., interior renovations).
- Negative Declarations apply to projects which will not have a significant effect on the environment.
- Mitigated Negative Declarations include projects with potentially significant effects, but revisions in the project or mitigation measures will avoid or reduce effects to a point where no significant effects would occur.
- EIRs are completed for projects that could result in unavoidable significant environmental impacts.

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> An Addendum to an EIR may be prepared if there are minor technical changes or additions to a project which were included in a previously certified EIR. An Addendum to an EIR cannot be used if there are substantial changes in the project, substantial changes in the circumstances under which the project is being undertaken, or new information of substantial importance to the environmental analysis has become available.

Role of the CSU

A "Lead Agency" is defined in CEQA as the public agency which has the principal responsibility for carrying out or approving a project. Therefore, the Board of Trustees of the California State University is the Lead Agency for CSU projects and typically considers CEQA documentation at the time of a project's schematic design approval or approval of a significant change to a long-range physical master plan. The board is responsible to ensure that draft EIRs and other CEQA documents are circulated for required public review. In addition, the board makes findings prior to the approval of a project along with a statement of fact supporting each finding, referred to as the Findings of Fact. The board adopts the Mitigation Monitoring and Reporting Program which includes the measures to lessen environmental impacts and identifies the responsible party to perform the mitigation. In cases of unavoidable significant impacts, the board adopts specific Overriding Considerations that identify the factors and benefits of the project that outweigh the potential unavoidable significant impacts.

Under authority delegated to the chancellor, the assistant vice chancellor for capital planning, design and construction is authorized to approve minor changes to a campus master plan and to approve specified CEQA documents (i.e., Categorical Exemptions, Negative Declarations, and Mitigated Negative Declarations) for certain capital projects with standard mitigation measures, e.g., utility/infrastructure projects that are non-controversial.

CSU Compliance Actions

Attachment A lists CSU CEQA actions for major projects during the reporting period July 1, 2013 through June 30, 2015.

CEQA Judicial Action Updates

The below updates include recent actions that have occurred beyond the Attachment A reporting period in order to capture court decisions that will impact campus long range planning and development.

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City of San Diego et al. v. CSU

In 2007, the San Diego State University campus revised its long range physical Master Plan to increase the master plan enrollment ceiling from 25,000 full time equivalent students (FTE) to 35,000 FTE, and prepared an EIR. Several local agencies, including the City of San Diego and the San Diego Association of Governments challenged the 2007 EIR, and argued that CSU must fund all off-site infrastructure mitigation costs, irrespective of legislative funding. The trial court ruled in CSU's favor.

In December 2011, the Court of Appeal reversed the trial court's decision. The decision was appealed by CSU to the California Supreme Court. In August 2015, the California Supreme Court ruled that the CSU could not discharge its CEQA obligations with respect to off-site environmental mitigation by seeking funding from the legislature for such mitigation costs. As a result, in January 2016, the CSU Board of Trustees set aside and vacated its approval of the San Diego State University Master Plan Revision and partially decertified the EIR with respect to three areas. Before reapproving the Master Plan EIR, the areas of traffic, transit, and transportation demand management (TDM) must be revisited to address fair-share traffic mitigation costs, potential impacts to transit, and re-evaluation of the TDM mitigation measures.

City of Hayward v. CSU

The City of Hayward sued, claiming that a 2009 CSU East Bay Master Plan Revision EIR failed to adequately analyze impacts on public services, including police, fire, and emergency services. The City argued that the University should provide funding for additional fire personnel and facilities. Two local residential homeowners' associations also sued. The trial court ruled in favor of the City and homeowners' association. In May 2012, the Court of Appeal reversed the trial court's decision on all issues except one related to parklands. In particular, the Court held that CSU was not required to fund the construction and staffing of an additional fire station to mitigate "impacts" of an increased demand on fire protection or delayed response time because "the obligation to provide adequate fire and emergency services is the responsibility of the City." The Court of Appeal decision was appealed to the California Supreme Court. The Supreme Court accepted review, but declined to hear argument until the City of San Diego matter had been considered. Following its ruling in the City of San Diego matter, the Supreme Court remanded the City of Hayward matter back to the Court of Appeal. The Court of Appeal reaffirmed its prior determination regarding the City's obligation to provide essential services, but the decision does still require the CSU to revise the 2009 East Bay Master Plan Revision EIR to address parkland analysis deficiencies and to reconsider its feasibility findings related to funding off-site mitigation measures (in compliance with the City of San Diego). The City and homeowners' associations petitioned the California Supreme Court for review of the Court of Appeal's most recent decision, but this petition was denied in March 2016.

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Alliance of SLO Neighborhoods ("ASLON") v. CSU

An organized group of San Luis Obispo residents filed suit to challenge the May 2014 certification of an EIR for a student housing complex with associated parking structure at the southeastern edge of the Cal Poly San Luis Obispo campus based upon their concerns relating to the proximity of freshman housing, traffic and noise issues, and evaluation of alternative sites for the project.

The CSU prevailed in the trial court's decision in May 2015. The court confirmed in its decision that Cal Poly San Luis Obispo's project objective of co-locating freshman housing was reasonable, amply supported by the record, and, therefore, met all CEQA requirements. The court also found that substantial evidence supported the fact that alternative project sites were economically infeasible due to additional costs related to need to construct a bridge, taller buildings, and new dining facility at the alternative sites.

THE CALIFORNIA STATE UNIVERSITY CALIFORNIA ENVIRONMENTAL QUALITY ACT BIENNIAL REPORT **Board Considered Projects** July 2013 through June 2015

CAMPUS/Project	CEQA Action Prepared					
	Exempt	M.N.D	N.D.	EIR	BOT Action	NOD Filed
CALIFORNIA STATE UNIVERSITY, BAKERSFIELD Office Park-Campus Master Plan Revision Approval Hotel and Conference Center-Campus Master Plan Revision Approval	LXempt	√ √	N.D.	LIK	9/10/2014 9/10/2014	
CALIFORNIA STATE UNIVERSITY CHANNEL ISLANDS Student Housing, Phase III-Schematic Plan Approval				V	11/13/2014	N/A
CALIFORNIA STATE UNIVERSITY, FULLERTON Titan Student Union Expansion-Schematic Plan Approval	V				3/25/2015	N/A
CALIFORNIA STATE UNIVERSITY, NORTHRIDGE Extended Learning Building-Schematic Plan Approval				V	9/25/2013	N/A
CALIFORNIA STATE POLYTECHNIC UNIVERSITY, POMONA Administration Replacement Facility-Campus Master Plan Revision Approval Innovation Village, Phase V-Schematic Plan Approval Parking Structure II-Campus Master Plan Revision and Schematic Plan Approval Administration Replacement Building-Schematic Plan Approval		√ √ √		V	11/6/2013 11/13/2014 1/28/2015 3/25/2015	11/6/2013 11/13/2014 1/28/2015 N/A
CALIFORNIA STATE UNIVERSITY, SACRAMENTO Student Residence Hall-Minor Master Plan Revision Approval Campus Master Plan Revision Approval				√	(1) 5/20/2015	1/16/2015 5/20/2015
SAN DIEGO STATE UNIVERSITY Basketball Performance Center-Schematic Plan Approval Plaza Linda Verde-Schematic Plan Approval Engineering and Interdisciplinary Sciences Complex-Campus Master Plan Revision Approval	V	√		V	1/29/2014 5/21/2014 5/20/2015	N/A 5/21/2014 5/20/2015
SAN FRANCISCO STATE UNIVERSITY Recreation Wellness Center-Campus Master Plan Revision and Schematic Plan Approval		V			5/21/2014	5/21/2014
SAN JOSÉ STATE UNIVERSITY Campus Village 2-Minor Master Plan Revision Approval		V			(1)	4/2/2014
CALIFORNIA POLYTECHNIC STATE UNIVERSITY, SAN LUIS OBISPO Student Housing South-Campus Master Plan Revision Approval				V	5/21/2014	5/21/2014
CALIFORNIA STATE UNIVERSITY SAN MARCOS Field House Expansion-Schematic Plans Mangrum Track Field Lighting and Cell Tower-Schematic Plan Approval		√ √			5/21/2014 7/22/2014	5/22/2014 7/22/2014

Delegated Administrative Approval

(1) Exempt M.N.D. Categorical Exemption Mitigated Negative Declaration N.D. **Negative Declaration**

EIR **Environmental Impact Report BOT Action Meeting Date Action Taken**

NOD Filed Date Notice of Determination Filed with State Clearinghouse Office of Planning and Research

Status Update on Lanterman Developmental Center—California State Polytechnic University, Pomona

Presentation By

Elvyra F. San Juan Assistant Vice Chancellor Capital Planning, Design, and Construction

Summary

The State of California has proposed to transfer the possession and control of a 287-acre parcel, the Lanterman Developmental Center (Center), previously operated by the California Department of Developmental Services, to California State Polytechnic University, Pomona. The property is located approximately one mile from the campus core, adjacent to the southern end of campus near Spadra Farm. This item provides an update to the information previously provided at the May 2015 board meeting.

Recent Developments

A memorandum of understanding (MOU) was executed between the state and the California State University regarding the transfer of jurisdiction of the Center to the CSU on July 1, 2015. The MOU addresses in broad terms the transfer including funding and the accommodation of state entities located on the site, along with the completion of the historic analysis and inventory as required by the State Office of Historic Preservation (SHPO). Additionally, the MOU provided an opportunity for the CSU to return the Center back to the state pending further diligence by informing the State Department of Finance no later than February 1, 2016.

As part of the transfer of the Center, the State Department of Developmental Services remained responsible to complete a new Historical Resource Assessment Report. On February 12, 2016, the State Department of General Services submitted a letter on behalf of the State Department of Developmental Services to SHPO confirming completion of the report and compliance for the disposition of the Center.

In a letter dated February 29, 2016, SHPO informed the State Department of General Services that SHPO concurred with the report that identified the Center as a historic district. "Historic district" refers to a definable unified geographic entity that possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan

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or physical development. The historical district is identified as the "Pacific State Hospital Historic District" with 93 contributing buildings, 40 non-contributing buildings, and associated landscape. In addition, SHPO determined that four buildings are individually eligible for listing in the National Register of Historic Places:

- Superintendent's Residence (R-1) for its association as the home of Dr. George Tarjan and as an example of Spanish Colonial Revival style.
- Administration Building (A-1) for its association as the office of Dr. George Tarjan.
- Acute Hospital (55-59), in its entirety, for the Spanish Colonial Revival design of the original hospital and the Modern architecture of its 1957 wing.
- Research Center (60) for its association with Dr. George Tarjan and for its Modern architecture.

According to the Historical Resource Assessment Report, the Pacific State Hospital Historic District located within the Center meets the criteria for a California Historic Landmark, and is significant for its role in the California state mental health system as the first state home for the developmentally disabled in Southern California. It is also significant for its cottage plan layout for a state mental hospital facility and for the application of Spanish Colonial Revival and Modern styles to the property. The Report established the period of significance for the district as 1927, from the reopening of the Pacific Colony at the subject site, to 1969 with the passage of the Lanterman Mental Retardation Service Act that expanded regional service centers for the mentally disabled.

Preliminary site visits and a condition assessment report also has revealed that many of the existing buildings and infrastructure will require significant upgrades or demolition. Most of the buildings, which were constructed between the 1920s and 1960s, would require addressing code deficiencies and hazardous material mitigation, such as asbestos remediation, if renovated or demolished.

On March 4, 2016, the CSU received the Historic Resource Assessment Report and determined more time was needed to review and assess the opportunities that may exist for future development given the Historic District designation of the Center, as well as infrastructure and hazardous material mitigation requirements.

Therefore, the CSU re-engaged with the Department of Finance and requested an extension of the decision time frame. The Department of Finance agreed to the time extension with the following conditions:

• The CSU will undertake development planning in the context of the now known historical parameters. The main purpose is to determine whether the CSU can productively develop the site for its purposes within the constraints associated with the historical nature of the property. It is expected that this planning effort will take approximately one year to complete.

- If the CSU decides that it cannot productively develop the site, it will let the Department of Finance know no later than September 1, 2017. This will give the Department of Finance time to plan and budget for managing and disposing of the property.
- Should CSU decide that it cannot productively develop the site, transfer of jurisdiction of the property to another state department will occur no earlier than July 1, 2018. The CSU will continue to be responsible for maintenance and security of the site until the transfer of jurisdiction is completed.

Next Steps

The CSU continues to hold temporary jurisdiction of the site and assumes responsibility for security, utilities, maintenance, and repair. On July 1, 2015, the campus entered into an Operating Agreement and Facility Lease with the Cal Poly Pomona Foundation (Foundation) through June 30, 2016. The Agreement authorized the Foundation to perform professional management and real estate services as required by the university and set forth in the Agreement. The Agreement is being reviewed and may be extended for another year.

Projected expenditures for this fiscal year are anticipated to be approximately \$1,700,000. The funding sources identified to address the annual expenditures include: \$500,000 from the Foundation, \$550,000 in rental revenues, and approximately \$650,000 in support from the campus. Going forward until a decision is made, the campus will continue to make efforts to minimize expenditures and maximize revenues from the Center.

In the coming months, Cal Poly Pomona anticipates soliciting interest in the site and determining development parameters to support the educational mission given the limitations of the historic district in addition to the condition and age of the buildings and infrastructure. The result will confirm how the campus can support the long-term development of the site. If it is determined these parameters prove to be too restrictive for the campus vision, the CSU may return the Center to the state. If the decision is to keep the Center, the campus will continue to pursue funding opportunities to enable development of the site.