

SPECIAL MEETING

BOARD OF REGENTS NEVADA SYSTEM OF HIGHER EDUCATION

System Administration, Las Vegas
4300 South Maryland Parkway, Board Room
Thursday, March 26, 2015

Video and Telephone Conference Connection from the Meeting Site to:

System Administration, Reno
2601 Enterprise Road, Conference Room
and
Great Basin College, Elko
1500 College Parkway, Berg Hall Conference Room

Members Present: Mr. Kevin J. Page, Chairman
Mr. Rick Trachok, Vice Chairman (*Reno*)
Dr. Andrea Anderson
Mr. Cedric Crear (*via telephone*)
Dr. Mark W. Doubrava (*via telephone*)
Dr. Jason Geddes (*Reno*)
Mr. Trevor Hayes (*Reno*)
Mr. James Dean Leavitt
Mr. Sam Lieberman (*via telephone*)
Mr. Kevin C. Melcher (*Reno*)
Ms. Allison Stephens
Mr. Michael B. Wixom

Members Absent: Mr. Robert Davidson

Others Present: Mr. Daniel J. Klaich, Chancellor
Ms. Catherine Cortez Masto, Executive Vice Chancellor
Ms. Brooke Nielsen, Vice Chancellor, Legal Affairs
Mr. Nicholas Vaskov, System Counsel and Director of Real Estate Planning
Mr. Scott G. Wasserman, Special Advisor
R. Scott Young, Acting Chief of Staff
Dr. Len Jessup, President, UNLV
Dr. Marc A. Johnson, President, UNR

For others present please see the attendance roster on file in the Board Office.

Chairman Kevin J. Page called the meeting to order at 3:00 p.m. with all members present except Regents Andrea Anderson, Cedric Crear, Robert Davidson, Sam Lieberman and Allison Stephens.

Vice Chairman Rick Trachok led the Pledge of Allegiance.

Regents Anderson and Crear (via telephone) entered the meeting.

A moment of silence was held to remember good friend and colleague Jack Lund Schofield, a lifelong educator and beloved community and state leader. Dr. Schofield served two six year terms as a Regent from 2003 through 2014. Dr. Schofield also served in the Clark County School District for more than four decades as a teacher, coach and school administrator. In 2001, Dr. Schofield was appropriately honored by the Clark County School District for his lifetime of service to education, with the naming of the Jack Lund Schofield Middle School. Earlier in his public service career, Dr. Schofield also served in the Nevada State Legislature as an assemblyman from 1970 to 1974, and as a senator from 1974 to 1978. Dr. Schofield served his country during World War II, as a fighter-bomber pilot in the 14th Air Force Flying Tigers. Dr. Schofield's contributions to Nevada's education system have positively affected the lives of several generations of Nevada students. He was a mentor to his fellow Regents and his insights and wisdom will be missed but never forgotten.

1. Information Only-Public Comment (Agenda Item #1) – Mr. Jim Bauserman, President, University of Nevada Alumni Association, thanked the Regents for their consideration of Mr. Eric Musselman as the new University of Nevada, Reno (UNR), men's basketball coach.

Mr. Rick Reviglio stated Coach David Carter, past UNR basketball coach, represented the University, students and community well and was a class act. Mr. Reviglio commended President Marc A. Johnson and Athletic Director Doug Knuth for bringing a person of the caliber of Eric Musselman to the search and one who has a reputation of a teacher of young men.

Regents Lieberman (via telephone) and Stephens entered the meeting.

2. Approved-Distinguished Nevadan Award (Agenda Item #2) – The Board approved Robert P. Ellis and Sandra D. Ellis (*Ref. BOR-2b*) as 2015 Distinguished Nevadan recipients (*Handbook Title 4, Chapter 1, Section 14 and Procedures and Guidelines Manual Chapter 8, Section 1(Ref. BOR-2a on file in the Board Office.)*).

Chairman Page stated Mr. and Mrs. Ellis have made charitable giving in education their priority with their target being the most vulnerable elementary school students in southern Nevada. They follow the under-served into higher education and provide much-needed financial support for programs in higher education. They have adopted several elementary schools in southern Nevada and provide thousands of dollars in food and clothing to the students. Mr. and Mrs. Ellis were recently honored by Nevada State College with the President's Medal for their extraordinary commitment to the mission of the college.

Regent James Dean Leavitt moved approval of Robert P. Ellis and Sandra D. Ellis as 2015 Distinguished Nevadan recipients. Regent Michael B. Wixom seconded. Motion carried. Regent Davidson was absent.

3. Approved-Mobilitie Wireless Network Agreement and Ground Lease, UNLV(Agenda Item #3) – The Board approved a Master Wireless Network Agreement and Ground Lease with Mobilitie Investments III, LLC, for the purpose of a campus wide cellular coverage plan. (*Ref. BOR-3 on file in the Board Office.*)

Mr. Gerry Bomotti, Vice President, Finance and Administration, University of Nevada, Las Vegas (UNLV), referenced *Ref. BOR-3* and highlighted the following:

- Fair and reasonable return with no out of pocket costs.
- UNLV will receive \$1.150 million upfront for a 10 year period.
- They will build, install and maintain the facilities and equipment for cellular activity on the campus.

Regent Leavitt moved approval of a Master Wireless Network Agreement and Ground Lease with Mobilitie Investments III, LLC, for the purpose of a campus wide cellular coverage plan. Regent Anderson seconded.

Regent Wixom asked Mr. Bomotti to describe the procurement process so the Board can take comfort in knowing they are receiving the best deal. Mr. Bomotti reported there was a public solicitation outlining UNLV was trying to accomplish cellular upgrades for the campus at no cost. A number of proposals were received and the agreement in front of you was chosen.

Regent Wixom asked in the future they clearly explain in the supporting materials they have gone through the proper procurement process.

Mr. Nicholas Vaskov, System Counsel and Director of Real Estate Planning, said he had reviewed the contract and made very few comments, mostly editorial in nature. He resubmitted the contract to UNLV and all his comments are addressed in this version.

Motion carried. Regent Davidson was absent.

4. Approved- Employment Contract Men's Head Basketball Coach, UNR (Agenda Item #4) – The Board approved a multi-year employment agreement for Mr. Eric Musselman, as the UNR men's head basketball coach. (*Ref. BOR-4a, Ref. BOR-4b, Ref. BOR-4c and Handouts on file in the Board Office.*)

President Johnson thanked Athletic Director Knuth for running a thorough and fair selection process.

Athletic Director Knuth stated he had worked diligently to produce a contract that met requirements, while balancing the need to recruit high caliber coaches. The contract is based on language derived from the contract standards developed by UNR and UNLV during the last three hiring processes.

Athletic Director Knuth explained he looked at criteria such as candidates having ties to the west coast, those with similar University values, a recruiting reputation, and the ability to get Nevada excited about Wolf Pack basketball. Through the process they were always mindful of diversity and providing opportunities to those with diverse backgrounds. The University built a contract they believed protected the University

4. Approved- Employment Contract Men's Head Basketball Coach, UNR (Agenda Item #4)
– (Continued)

and System, but also gives them a fighting chance to recruit and hire a quality candidate. A five year contract has been proposed and provides enough time for the coach to prove himself and be competitive. The compensation package has been built in a fair and balanced manner and has a number of built in protections. Compensation for media and public appearances is earned, not guaranteed within the package. The academic gate built into the contract prohibits the coach from earning any athletic related bonuses if the academic house is not in order. A minimum academic progress rate (APR) has been instituted. Performances rewards are standard. A revenue share provision has been included in the contract. As revenue grows within the program, a portion will be shared with the coach. Significant buyout and termination terms have also been included.

Regent Jason Geddes moved approval of a multi-year employment agreement for Eric Musselman as UNR's men's head basketball coach. Regent Leavitt seconded.

After discussion, the Regents believed the University did a very good job creating an incentive based favorable contract based on past Regent feedback.

Chairman Page asked what the current APR is and whether it was a double bonus to win the Mountain West and then advance to the National Collegiate Athletic Association (NCAA) tournament. Athletic Director Knuth reported the current APR, which is a four year rolling average, is 966. The UNR threshold is set at 940 and the NCAA is set at 930. The largest and heaviest penalty for being under the NCAA APR is no post season play. Winning the Mountain West tournament does lead to the NCAA tournament.

Regent Trevor Hayes was concerned bonuses were due mid-April but the APR was not known until later. Athletic Director Knuth noted it is a trailing APR over a four year period. Regent Hayes suggested in the future bonuses be held until a later date to make sure the coach stays with the University in the event they had a great season the spring before and are being sought out by other teams.

Vice Chairman Trachok requested the following changes be considered in future contracts:

- The coach is required to act in a sportsman like manner but there is no remedy if the coach does not.
- There should be no interest in a minimal APR of 930.
- Applaud the metrics for the periodic personal evaluations, but there is no enforcement mechanism.
- Requirements for appearances should be included.
- Sharing in the success of the program is needed in all programs.
- Believe it is wrong to pay a coach a bonus to win, when it is what they were hired to do.
- Sends wrong message to receive a bonus if the APR decreases, but stays above the minimum.
- Rework the termination for cause section.

4. Approved- Employment Contract Men's Head Basketball Coach, UNR (Agenda Item #4)
– (Continued)

Regent Cedric Crear also was concerned with a bonus being provided if the APR drops but stays above the minimum. Athletic Director Knuth clarified the APR was adjusted since the last major coaching contract was presented to include being above the APR threshold to earn any other bonuses.

Regent Kevin Melcher encouraged the Board to get the contract template and process complete, so policy and procedures are not being discussed during the hire of a coach.

Motion carried via a unanimous roll call vote.
Regent Davidson was absent.

Mr. Musselman stated he was excited and honored to be the next basketball coach at Nevada and he looked forward to working with the Board.

5. Information Only- New Business (Agenda Item #5) – None.

6. Information Only-Public Comment (Agenda Item #6) – None.

The meeting adjourned at 4:11 p.m.

Prepared by:

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Submitted for approval by:

R. Scott Young
Acting Chief of Staff
to the Board of Regents

Approved by the Board of Regents at the June 11-12, 2015, meeting