

SPECIAL MEETING
BOARD OF REGENTS
NEVADA SYSTEM OF HIGHER EDUCATION

System Administration, Las Vegas
4300 South Maryland Parkway, Board Room

Monday, June 4, 2018

Video 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
Dr. Jason Geddes, Vice Chairman
Dr. Patrick R. Carter
Mrs. Carol Del Carlo
Dr. Mark W. Doubrava (*via telephone*)
Mr. Trevor Hayes
Mr. Sam Lieberman
Mrs. Cathy McAdoo
Mr. John T. Moran
Ms. Allison Stephens
Mr. Rick Trachok (*via telephone*)
Mr. Anthony L. Williams

Members Absent:

Dr. Andrea Anderson

Others Present:

Dr. Thom Reilly, Chancellor
Dr. Constance Brooks, Vice Chancellor, Government and Community Affairs
Mr. Chet O. Burton, Chief Financial Officer
Mr. Dean J. Gould, Chief of Staff and Special Counsel to the Board
Mr. Nicholas Vaskov, System General Counsel
Dr. Margo Martin, Acting President, CSN
Mr. Mark Ghan, Acting President, WNC

Faculty senate chair in attendance was Mr. Douglas Unger, UNLV. Student body president in attendance was Ms. Hannah Jackson, ASUN President, UNR.

UNLV Executive Vice President and Provost Diane Chase was in attendance to represent the UNLV.

Chairman Page called the meeting to order at 9:00 a.m. with all members present except Regents Anderson and Stephens. Regent Williams led the Pledge of Allegiance.

1. Information Only – Public Comment – The following people spoke in favor of Dr. Marta Meana's appointment as the Acting President of UNLV: Honorable Robert J. Miller; Mr. Dan Tafoya, Chairman, Latin Chamber of Commerce; Mr. Nathaniel Waugh, Chief of Staff, Consolidated Students of the University of Nevada, Las Vegas; Dr. Chris Heavey, Dean, UNLV Liberal Arts; Mr. Douglas Unger, Chair, UNLV Faculty Senate; Ms. Sonia Joya, Latin Chamber of Commerce; Ms. Stacey Wedding, UNLV Honors College Advisory Board; Ms. Gina Bongiovi, UNLV Honors College Advisory Board; Ms. Judy Jenner, UNLV Honors College Advisory Board; Mr. Theo Small, Clark County Education Association; Mr. Mark Wiley, President, UNLV Alumni Association Board of Directors; Mr. Tom Rodriguez, Latin Chamber of Commerce; Mr. Antioco Carrillo, Director, Aid for Aids of Nevada; Ms. Diana Bennett, Community Member; and Mr. Greg McKinley, UNLV Alumni.

Former Regent Mark Alden thanked the Board of Regents and Chancellor Thom Reilly for their hard work in support of the System. Mr. Alden stated a better way to conduct searches must be found.

Regent Stephens entered the meeting.

2. Approved – Acting President and Presidential Transition, UNLV – The Board approved the appointment of Dr. Marta Meana as the Acting President of the University of Nevada, Las Vegas (UNLV) and the contract and terms. (*Refs. BOR-2a, BOR-2b, BOR-2c, BOR-2d and supplemental material on file in the Board Office.*)

Chancellor Reilly reported on the open forum held at UNLV. He recommended Dr. Marta Meana as Acting President of UNLV along with her employment contract and terms.

Chancellor Reilly noted that Board leadership will meet with the UNLV community in the fall to discuss how a national search will proceed.

Chancellor Reilly stated that Dr. Meana's focus on the healing process, student success, and her excellent relationships with stakeholders will serve the System well.

Regent Lieberman moved approval of the appointment of Dr. Marta Meana as the Acting President of the University of Nevada, Las Vegas (UNLV). Regent Hayes seconded.

Regent Moran thanked Dr. Meana for her contributions to UNLV, more specifically the Honors College. Regent Moran stated he had received a copy her curriculum vitae and found her work over the past two decades interesting. Regent Moran understood she had provided a plan to the Chancellor, Chair or both but he had not been provided a copy and hadn't had an opportunity to review it. He stated he would have enjoyed the opportunity to review it prior to the meeting; nevertheless, she appears to be a good candidate. He

2. Approved – Acting President and Presidential Transition, UNLV – (Continued)

stated he would, unfortunately, vote against any motion to approve the item as agendized and asked Dr. Meana to not take it personally. His vote is against the process. He appreciated the Chair, Vice Chair and the Chancellor for hosting the open campus forum. He stated he attended but no names were discussed on that day. It is his understanding that several names emerged from that forum but only one name has been brought forward for consideration. Regent Moran stated this is a 13-member elected board, at least for now, but he did not have an opportunity to weigh in on the candidates vetted by the Chancellor, Chair or both. He believed it would make much more sense, and a much more transparent process if a few names were recommended to the entire Board and then the Board could engage in a meaningful conversation as to which candidate is best suited for the task. Regent Moran stated that if he was Chair he would want his colleagues to weigh in on several candidates, if for nothing else to share in the risk of selecting the wrong person, but even more in sharing the success of selecting the right candidate. Essentially, several candidates would be vetted in an open and public forum for the position of President of UNLV and then a vote would have followed, and the best person would have earned the position. He said what could have been a transparent process has yet again been diverted and this is precisely the reason this Board has been so heavily scrutinized. Having sat on other boards and commissions, he believed this is truly amazing and unacceptable.

Regent Moran asked Dr. Meana the following questions:

1. Are you more qualified than Len Jessup to hold this position?
Chief of Staff and Special Counsel to the Board Dean J. Gould stated the Board does not have a signed waiver from President Jessup and the Board is not permitted under the Open Meeting Law to discuss President Jessup or his qualities. No response was provided by Dr. Meana.
2. Will you retain Len Jessup's leadership team? Dr. Meana stated she has no plans not to but will assess what is needed to continue the momentum toward the top tier. This is a strong leadership team and she looks forward to working with them.
3. Do you think UNLV needs a COO? Dr. Meana anticipated conversations on many topics regarding the best management of all the issues before UNLV, but that is something that would have to be reviewed with the management team.
4. Should UNLV be a Carnegie R1 institution? Dr. Meana responded, "absolutely."
5. Is UNLV a land-grant institution? Dr. Meana responded, "yes."
6. Do you think the medical education building should be built solely from public funds or should it also include a large share of private donor thought and money? Dr. Meana stated it should be a project that involves the university leadership, the System and the community.

2. Approved – Acting President and Presidential Transition, UNLV – (Continued)

Regent Liberman stated Dr. Meana is the most real and genuine person he has met in a long time. Her commitment to UNLV and to her students is as honorable as the students she mentors prior to graduation and after. The System is lucky she is willing to make this temporary commitment and a lifetime commitment to the personal and professional well-being of the UNLV campus, students, faculty, staff and alumni.

The motion carried via a roll call vote. Chairman Page, Vice Chairman Geddes and Regents Carter, Del Carlo, Doubrava, Hayes, Liberman, McAdoo, Stephens, Trachok and Williams voted yes. Regent Moran voted no. Regent Anderson was absent.

Regent Stephens moved approval of Dr. Marta Meana's contract and terms. Regent Liberman seconded. Motion carried. Regent Moran voted no. Regent Anderson was absent.

Dr. Meana stated she was honored and humbled by the trust that has been placed in her. In her capacity as acting president, she will give everything she has to facilitate student success, to increase their access to opportunities, to create conditions that foster faculty and staff productivity and well-being and to enrich and serve this community.

3. Approved – University Park Apartments, UNLV – The Board: 1) approved the Amendment to Lease Agreement for University Park Phase One; and 2) authorized the Chancellor to take any actions necessary to administer and enforce the provisions of the Amendment. *(Ref. BOR-3 on file in the Board Office.)*

System General Counsel Nicholas Vaskov introduced Ms. Cynthia Alexander, Outside Litigation Counsel, and Mr. Michael B. Wixom, Special Counsel to the Board of Regents.

Regent Moran left the meeting.

Special Counsel Wixom recommended an amendment to the Lease Agreement for the University Park Apartments project. In January, a working group was formed to address the alleged defaults and the rights extended to the Board of Regents and UNLV under the Ground Lease. The UNLV Working Group has met regularly since January in an effort to address issues related to the Ground Lease. The Group's position is that the recording of mechanics liens against the project and later the action to foreclose the lien was a default under the Ground Lease. A notice of default was sent to the tenant and lender. After several months of unsuccessful negotiations and discussions, the UNLV Working Group sent a Ground Lease Termination Notice to the tenant and lender. Further settlement discussions ensued which led to an Amendment to the Lease Agreement which is in front of the Board of Regents. Special Counsel Wixom provided the basic terms of the Amendment.

3. Approved – University Park Apartments, UNLV – (Continued)

Regent Lieberman moved to: 1) approve the Amendment to Lease Agreement for University Park Phase One; and 2) authorize the Chancellor to take any actions necessary to administer and enforce the provisions of the Amendment. Regent Stephens seconded. Motion carried. Regents Anderson and Moran were absent.

4. Information Only – New Business – None.

5. Information Only – Public Comment – Mr. Douglas Unger, Chair, UNLV Faculty Senate, asked the Board of Regents to keep in mind during the June Board of Regents meeting that educators and skilled academic professionals of the System are the only class of state employees who have no process in place for in-rank raises in pay other than cost-of-living increases that have not kept up with inflation. He strongly urged the Board of Regents to request a solid sustainable state-funded amount, added to the base budget, for salaries. More urgently, he asked that the Board of Regents ask for additional funding so the institution can address compression and equity issues that mainly hurt women professors and the much sought-after diversity hires.

The meeting adjourned at 9:58 a.m.

Prepared by:

Angela R. Palmer
Special Assistant and Coordinator
to the Board of Regents

Submitted for approval by:

Dean J. Gould
Chief of Staff and Special Counsel
to the Board of Regents

Approved by the Board of Regents at its July 20, 2018, meeting.