

SPECIAL MEETING
BOARD OF REGENTS
NEVADA SYSTEM OF HIGHER EDUCATION

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

Friday, October 19, 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. Andrea Anderson
Dr. Patrick R. Carter
Mrs. Carol Del Carlo
Dr. Mark W. Doubrava
Mr. Trevor Hayes
Mr. Sam Lieberman
Mrs. Cathy McAdoo
Mr. John T. Moran
Ms. Allison Stephens
Mr. Rick Trachok
Mr. Anthony L. Williams

Others Present:

Dr. Thom Reilly, Chancellor
Ms. Crystal Abba, Vice Chancellor, Academic and Student Affairs
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. Nate Mackinnon, Vice Chancellor, Community Colleges
Mr. Joe Reynolds, Chief General Counsel
Mr. Michael Flores, Chief of Staff to the Chancellor
Dr. Federico Zaragoza, President, CSN
Dr. Kristen Averyt, President, DRI
Ms. Joyce M. Helens, President, GBC
Mr. Bart J. Patterson, President, NSC
Dr. Marta Meana, Acting President, UNLV
Dr. Marc A. Johnson, President, UNR
Dr. Vincent R. Solis, President, WNC

Faculty senate chairs in attendance were: Dr. Darin Dockstader, CSN; Dr. Abby Peters, NSC; Mr. Mike Holmes, TMCC; and Mr. Douglas Unger, UNLV. Student body presidents in attendance were: Mr. Andrew Sierra, ASCSN President, CSN; Ms. Becky Linville, SGA President, GBC; Mr. Christopher Roys, CSUN President, UNLV; and Ms. Hannah Jackson, ASUN President, UNR.

Chairman Page called the meeting to order at 9:00 a.m. with all members present. Regent Carter led the Pledge of Allegiance. Chairman Page welcomed Ms. Amanda Dimit, Special Assistant and Coordinator, to the Board of Regents office.

1. Information Only – Public Comment

Mr. Ken Furlong, Carson City Sheriff, expressed his enthusiasm for the police consolidation efforts.

Mr. Jerome Tushbant, Carson City Assistant Sherriff, stated it is a pleasure to work with Chief Adam Garcia and his staff and he looks forward to a seamless consolidation transition.

UNLV Faculty Senate Chair Douglas Unger stated based on consultation with faculty the general consensus supports the southern police consolidation with some significant reservations. Students and faculty have expressed the need for increased officer patrols. Given the deterioration and stability of nearby neighborhoods, an increase in transients and the open nature of public access institutions, police consolidation must include increased resources to hire more police officers. The consolidation must not be used as a pretense to cut budgets. Faculty leadership is recommending a region- or police-based precinct system staffed with a stable roster of local officers that maintain vigilance and security over each of the campuses.

UNLV CSUN President Christopher Roys stated he is in full support of the proposed use of the 4 percent fee increase. UNLV has dealt with an area stricken by stymied economic growth, a mental health crisis, as well as increased crime rates. He stated the consolidation must be a multilateral approach with Clark County and the Las Vegas Metropolitan Police Department. The long-term effects of an elevated expressway on the economic development of UNLV must be considered. He urged alternative methods of diverting traffic and/or expanding traffic capacity at Swenson Avenue.

Mr. Robert Manis, NFA Chapter President and CSN Professor, was hopeful that during an upcoming meeting the Chief General Counsel and the bargaining attorney will be able to come to a solution related to the CSN Collective Bargaining Agreement.

Mr. Adrian Havas, CSN NFA, reported market-hire language has been removed from all market-hire contracts by order of the CSN Vice President for Academic Affairs. He stated it is disingenuous to pretend CSN Counsel was unaware of the language's existence at the time CSN entered into the Collective Bargaining Agreement.

2. Approved – Minutes – The Board approved the following meeting minutes:

- July 20, 2018, Board of Regents' Special Meeting. (*Ref. BOR-2a on file in the Board Office.*)
- August 24, 2018, Board of Regents' Special Meeting. (*Ref. BOR-2b on file in the Board Office.*)

Vice Chairman Geddes moved approval of the meeting minutes. Regent Lieberman second. Motion carried.

3. Action Taken – Consolidation of Police Services

3.1 Information Only-IACLEA Police Consolidation Report – Chancellor Thom Reilly and Vice Chancellor Nate Mackinnon provided an overview of the work that has taken place since the September 2017 Board meeting on consolidating police services at the southern Nevada institutions. (*Refs. BOR-3.1a, BOR-3.1b and BOR-3.1c on file in the Board Office.*)

Chancellor Reilly reported that at the instruction of the Board of Regents, NSHE embarked on a comprehensive review of police services. NSHE engaged the International Association of Campus Law Enforcement Administrators (IACLEA), to conduct the review on the feasibility of a southern consolidation, as well as a statewide model that may fit Nevada. The safety of faculty, staff, students and the community are of primary concern. In April IACLEA's report was disseminated to the Board of Regents, Presidents, faculty and student leaders. The Presidents were asked to begin working on the recommendations pertaining to their particular institution. The possible expansion of the northern police consolidation to WNC was also recommended. The IACLEA report identified issues that had to be addressed before a southern consolidation could occur.

Chancellor Reilly stated the Board is asked to approve a plan for moving forward toward a full consolidation of police services in the south. Any potential cost savings, while important, can in no way jeopardize the safety of the institutions. The hope is to increase the level of services and safety to all Nevada institutions.

Vice Chancellor Mackinnon stated a Request for Proposal was issued to five expert consulting firms with four responses received. IACLEA, the leading authority for campus public safety professionals, was chosen. Vice Chancellor Mackinnon provided an overview of the IACLEA review team.

Ms. Barbara O'Connor and Mr. Bruce McBride from IACLEA presented a PowerPoint titled, "Consolidation of Police Services (IACLEA Presentation to the Nevada System of Higher Education Board of Regents, October 19, 2018)."

3. Action Taken – Consolidation of Police Services – (Continued)

3.1 Information Only-IACLEA Police Consolidation Report – (Continued)

In response to a question from Vice Chairman Geddes, Ms. O'Connor stated that if an annual security report is coordinated under one professional umbrella it will provide consistent compliance matters. Consistent training programs can also be shared amongst the institutions.

Chairman Page thanked Director Adam Garcia, University Police Services, and Regent Trachok. People had concerns, but it has been a successful process.

In response to a question from Regent Stephens, Ms. O'Connor stated for purposes of the report CSN officers are distinguished as sworn police officers and the outside contract officers are distinguished as non-sworn security officers.

Ms. O'Connor added contract officers are not trained in and do not carry weapons. The contract officers carry a different skill set and, in an emergency, will call the sworn police officers.

In response to a question from Regent Trachok, Ms. O'Connor stated a consolidation will provide a coordination of police resources and response on all northern campuses operating under one distinct set of policies.

Ms. O'Connor stated Director Garcia took a collaborative approach and the success of the consolidation was due to his leadership as well as the services that were in place.

In response to a question from Regent McAdoo, Ms. O'Connor stated DRI north is pleased with its current services. DRI south has concerns and wants to be assured it is appropriately staffed and the needs of the campus are being met. NSC is contracted through UNLV. The NSC students would like to see an increased presence.

Regent Carter thought the services at DRI were lacking.

Regent Lieberman believed UNLV and NSC have an effective relationship and work well together.

In response to a question from Regent Trachok, Chancellor Reilly stated an agreement to include WNC will be brought back to the Board. There is a memorandum of understanding to begin the implementation in the south.

Regent Hayes left the meeting.

3. Action Taken – Consolidation of Police Services – (Continued)

- 3.2 Information Only – Analysis of Northern Nevada Police Services and WNC – UNR Assistant Vice President and Director of University Police Services Adam Garcia presented an analysis and update for merging the public safety functions between WNC and University Police Services. (Refs. BOR-3.2a, BOR-3.2b and BOR-3.2c on file in the Board Office.)

Chairman Page asked how much in grants had been seen in southern Nevada. UNLV Assistant Chief of Police Jeff Green stated the UNLV department had not received any grants. President Zaragoza reported CSN had received approximately \$2.5 million five years ago to enhance emergency operations preparedness.

Vice Chairman Geddes commended Director Garcia and the northern presidents for their collaboration. Those involved are happy with the services provided. The south should utilize Director Garcia and the lessons learned from the report.

Regent Hayes entered the meeting.

In response to a question from Regent McAdoo, Director Garcia stated he had visited all the GBC facilities in an effort to determine how the facilities will be best served.

WNC President Vincent R. Solis thanked UNR President Marc A. Johnson and Director Garcia for their support through this process. President Solis stated that being able to provide armed services would be a tremendous safety asset to WNC.

- 3.3 Approved – Southern Nevada Police Consolidation – The Board approved the consolidation of police services in southern Nevada in accordance with the Memorandum of Understanding (MOU), provided that any amendment to the MOU must be reviewed and approved by the Board Chairman and Chancellor and that the implementation plan must be brought back to the full Board of Regents for approval at a future meeting. (Refs. BOR-3.3a, BOR-3.3b, BOR-3.3c and BOR-3.3d on file in the Board Office.)

CSN President Federico Zaragoza presented a PowerPoint titled, “CSN: IACLEA Recommendation Update” which provided an update on steps taken at CSN since the IACLEA report was released in April 2018.

UNLV Acting President Marta Meana presented a PowerPoint titled, “UNLV Response to IACLEA’s Findings and Recommendations Progress Report on Southern Police Consolidation” which provided an update on steps taken at UNLV since the IACLEA report was released in April 2018.

Chairman Page recommended that the institutions apply for grants.

3. Action Taken – Consolidation of Police Services – (Continued)

3.3 Approved – Southern Nevada Police Consolidation – (Continued)

UNLV Acting President Meana provided a timeline for moving forward to full consolidation.

Chairman Page commended the presidents on the plan.

Regent McAdoo clarified that the implementation plan will be brought back to the Board of Regents for review and approval. Chancellor Reilly stated there has been a lot of work since the report. The MOU is almost the exact wording that was used in the north. The implementation plan will come to the Board for consideration and approval in 2019.

Regent McAdoo moved approval of the consolidation of police services in southern Nevada in accordance with the Memorandum of Understanding (MOU) provided that any amendment to the MOU must come back to the Board of Regents for approval and that the institutions are required to come back to the Board of Regents with the implementation plan for review and approval. Regent Lieberman second.

In response to a question from Vice Chairman Geddes, UNLV Acting President Meana stated the advisory group of the four Presidents will be the supervising body of the southern commander so each institution feels it has equal input. Chancellor Reilly clarified that the position is on the UNLV campus, so the direct supervisor will be UNLV Acting President Meana with guidance from the advisory group.

Regent Stephens offered a friendly amendment that any amendment to the MOU must be reviewed and approved by the Board Chairman, rather than requiring it to come back to the full Board for approval.

Regent McAdoo stated the MOU states amendments will come back to the Chancellor, but she believes it is important for the Board to maintain its involvement in the process. Requiring that amendments be reviewed and approved by the Board Chairman and the Chancellor would satisfy her concerns. Chancellor Reilly stated any substantive changes will come back to the Board.

Regent Stephens offered a friendly amendment that any amendment to the MOU must be reviewed and approved by the Board Chairman and the Chancellor.

3. Action Taken – Consolidation of Police Services – *(Continued)*

3.3 Approved – Southern Nevada Police Consolidation – *(Continued)*

Chief of Staff Gould restated the motion to include the friendly amendment:

...approval of the consolidation of police services in southern Nevada in accordance with the Memorandum of Understanding (MOU) provided that any amendment to the MOU must come back for review and approval by the Board Chairman and Chancellor and that the implementation plan must be brought back to the full Board of Regents for approval at a future meeting.

Regents McAdoo and Lieberman accepted the friendly amendment.

Regent Trachok felt the hiring of the commander was premature. He was disappointed in the process and the fact that the Board was not reviewing an implementation plan.

Motion carried.

The meeting recessed at 11:01 a.m. and reconvened at 11:16 a.m. with all members present except Regents Moran and Stephens.

4. Information Only – Clark County Elevated Expressway Project, UNLV – UNLV Acting President Meana provided historical background on the elevated expressway project in the Swenson Street/Paradise Road area between Hacienda Avenue and Naples Street. *(Ref. BOR-4 on file in the Board Office.)*

Acting President Meana read a letter into the record from Clark County Commission Chair Steve Sisolak.

Regent Moran entered the meeting.

Mr. Denis Cederburg, Director of Public Works, Clark County, provided the expressway project development history including a project overview; initial alternatives; traffic analysis update; estimated cost comparison; and the County Commission decision.

Regent Moran asked if this project will impact the ingress/egress to parking or the recently acquired 42 acres. Mr. Cederburg responded no, that all access to Thomas & Mack will stay the same. In response to a question from Regent Moran, Mr. Cederburg stated a presentation had been made to the Las Vegas Convention and Visitors Authority and the Authority determined the project would not make a difference to the Authority. In 2017, the Nevada Resort Association objected to the elevated component within the resort corridor.

4. Information Only – Clark County Elevated Expressway Project, UNLV – (Continued)

In response to a question from Regent Moran, Acting President Meana understood that the Brookings Institute weighed in on the original extended version of the elevated expressway and stated it would have a negative impact on UNLV's branding and advertising.

Mr. Cederburg stated he had not seen the Brookings Institute report. In response to Regent Moran, Mr. Cederburg stated he had seen studies related to the removal of elevated expressways in various cities.

Regent Hayes thanked Clark County Commission Chair Sisolak for holding the project to allow the Board the chance to review. He did not think this was an optimal situation, nor that the improvements should come at the expense of UNLV and Thomas & Mack. Thomas & Mack holds 137 events a year with more than 800,000 guests. UNLV has a vital entrance at Swenson and he did not believe it should be covered with an elevated expressway.

Executive Director David Frommer, Planning and Construction, UNLV, stated former UNLV President Len Jessup was on the Southern Nevada Tourism Infrastructure Committee in 2016. UNLV has met with Clark County various times and has always expressed concerns and discussed ways to potentially mitigate those concerns. The full project, as conceived, was not approved to go forward in late 2017. In 2018, UNLV was advised that a scaled-back version was being considered. In May 2018, UNLV sent an email expressing concerns related to the scaled-back version. Executive Director Frommer stated UNLV did not attend the open forums but met with Clark County three weeks later.

In response to a question from Regent Hayes, Executive Director Frommer stated the electronic billboard revenue loss will be part of an impact study along with various other items.

Regent Hayes stated the Board and UNLV should have been more proactive in expressing concerns about the impact this project will have on UNLV. He understood the county's need to improve access to the casino corridor, but it should not be at UNLV's expense.

Chancellor Reilly clarified UNLV was under the impression that this project had ceased, and it was not until April/May that a portion was moving forward. Three studies should be completed by the end of October. Clark County will review the impact studies and is looking forward to an open dialogue.

The meeting recessed at 11:51 a.m. and reconvened at 12:15 p.m. with all members present except Regent Stephens.

5. Information Only – Institutional Spending Plans for 4% Student Fee Increase in Academic Years 2019-20 and 2020-21 – Chief Financial Officer (CFO) Chet O. Burton stated at the June 2018 meeting, the Board approved a 4 percent increase per year in student fees for academic years 2019-20 and 2020-21, and directed each institution to prepare a plan, in consultation with student leadership, relating to how the revenue generated by the increase would be utilized to support NSHE's strategic goals. The plans are included as reference material. *(Ref. BOR-5 on file in the Board Office.)*

6. Information Only – Institutional Spending Plans for Operating Reserve Distribution – CFO Burton stated at the June 2018 meeting, the Board approved a special distribution of \$25 million from the NSHE operating reserve to address deferred maintenance issues at the campuses and directed each institution to prepare a plan for using its share of the distribution. The Board reviewed and discussed the spending plans prepared by the institutions, which are included in the reference material. *(Ref. BOR-6 on file in the Board Office.)*

Regent Moran left the meeting.

Vice Chairman Geddes was pleased to see the institutions using the distribution for critical needs.

In response to a question from Vice Chairman Geddes, DRI President Kristen Averyt stated the distribution will go toward HVAC, but the number listed in the reference material is what the total replacement cost would be if DRI had the resources.

Regent Moran entered the meeting.

Regent Carter stated he would like to see the distribution amount increased so NSHE could then purchase the dispatch system for the southern Nevada police consolidation.

CFO Burton stated the \$25 million distribution has already been approved and any further distributions would have to be approved by the Investment Committee.

7. Approved – Board of Regents Committees: Proposal to Revise Committee Structure and Meeting Schedule – The Board approved the proposal to revise the structure and meeting schedule of the Board's committees. *(Ref. BOR-7 on file in the Board Office.)*

Chief of Staff and Special Counsel to the Board of Regents Dean J. Gould presented a proposal to revise the structure and meeting schedule of the Board's committees and highlighted the following:

- Hold the Community College Committee meeting in the morning of each already scheduled special meeting date.
- Hold committee meetings Thursday morning of quarterly Board of Regents meetings.
- Hold the Investment Committee meeting off-cycle, twice per year.
- Establish a new Security Committee.
- Move oversight of Title IX to the Audit and Compliance Committee.
- Eliminate the Athletics Committee.

7. Approved – Board of Regents Committees: Proposal to Revise Committee Structure and Meeting Schedule – (Continued)

Regent Lieberman was concerned that Cultural Diversity was being limited to twice a year for one hour each. He suggested it be an off-cycle meeting for a longer length of time.

Regent Trachok asked if this presupposes there will be four special meetings per year. Chief of Staff Gould stated that until recently the four special meetings were described as tentative. Vice Chairman Geddes stated that under the proposal the Community College Committee meeting could still be held without a special Board meeting.

Chief of Staff Gould stated four regular and four special meetings are pre-scheduled each year. The Chairman has the right to call a special meeting at any time. Chairman Page clarified that this was to help reduce travel.

Regent Trachok moved approval of the proposal to revise the structure and meeting schedule of the Board's committees. Regent Del Carlo second.

Regent Hayes believed it will be helpful to streamline the committee meetings. He asked that the Chairman and staff review who are attending the meetings in order to further reduce travel costs.

Regent Williams agreed that the time allotted for the Cultural Diversity Committee is not sufficient for it to be able to complete legitimate work.

Motion carried. Regent Stephens was absent.

8. Information Only – International Partnerships – Chancellor Thom Reilly provided an update on partnerships the NSHE has been working to create with institutions of higher education in Mexico. (Ref. BOR-8 on file in the Board Office.)

In response to a question from Regent Trachok, Chancellor Reilly stated a Letter of Intent (LOI) was created which simply states that opportunities are being explored. When an MOU is developed it will be brought back to the Board for approval. Regent Trachok requested the LOIs be sent to the Board.

Regent McAdoo pointed out for the record that Regent Moran attended the Mexico trip.

Regent Carter stated he was in favor of growing international programs and making connections outside the country.

Acting President Meana stated it was a productive meeting and she looked forward to the collaboration.

8. Information Only – International Partnerships – *(Continued)*

Regent Del Carlo stated the Regents should receive a Regent Alert to these types of trips and partnerships before reading about them on social media. Chairman Page committed to better communication in the future.

Regent Moran noted that as the System moves forward with strategic partnerships it would be best to have a generic consistent compatible MOU.

Regent Moran added he did not attend the trip as a Regent. He attended as General Counsel for the Latin Chamber of Commerce.

9. Information Only – New Business

The following new business items were requested:

- Consider allocating some of the operating surpluses to put the southern Nevada police consolidation dispatch system in place.

Regent Trachok left the meeting.

- Review the direction, development and financing of the UNLV Medical Education Building.

10. Information Only – Public Comment – UNLV Faculty Senate Chair Unger thanked Regents Hayes and Moran for speaking against the elevated expressway. He stated UNLV faculty were notified of the project seven weeks prior. Projects of this type cause more problems than are helpful.

NSC Faculty Senate Chair Abby Peters asked the Board to consider the creation of a security officer force at the institutions to improve security and create more well-paying jobs with benefits.

The meeting adjourned at 1:06 p.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 December 19, 2018, special meeting.