

**BOARD OF REGENTS and its
BUSINESS, FINANCE AND FACILITIES COMMITTEE
NEVADA SYSTEM OF HIGHER EDUCATION**

Thursday, June 11, 2020

Members Present: Mr. Trevor Hayes, Chair
Mrs. Carol Del Carlo, Vice Chair
Ms. Amy J. Carvalho
Mr. Donald Sylvantee McMichael Sr.

Members Absent: Mr. John T. Moran
Mr. Kevin J. Page

Other Regents Present: Dr. Jason Geddes, Chairman
Dr. Mark W. Doubrava, Vice Chairman
Dr. Patrick R. Carter
Ms. Lisa C. Levine
Mrs. Cathy McAdoo
Ms. Laura E. Perkins

Others Present: Mr. Andrew Clinger, Chief Financial Officer
Ms. Crystal Abba, Vice Chancellor, Academic and Student Affairs
Mr. Dean J. Gould, Chief of Staff and Special Counsel to the Board
Mr. Nate Mackinnon, Vice Chancellor, Community Colleges
Mr. Michael B. Wixom, Special Counsel
Dr. Federico Zaragoza, President, CSN
Dr. Kumud Acharya, President, DRI
Ms. Joyce M. Helens, President, GBC
Mr. Bart J. Patterson, President, NSC
Dr. Karin M. Hilgersom, President, TMCC
Dr. Marta Meana, President, UNLV
Dr. Marc A. Johnson, President, UNR
Dr. Vincent R. Solis, President, WNC

Faculty senate chairs in attendance were: Dr. Maria Schellhase, CSN; Dr. Vicki Rosser, UNLV; and Dr. Brian Frost, UNR. Student body presidents in attendance were: Ms. Karli McFarling-Kelly, ASCSN President, CSN; Ms. Alyssa Fromelius, SGA President, TMCC; Ms. Dominique Hall, ASUN President, UNR; Mr. Will Carrasco, GSA President, UNR; and Ms. Gabrielle Clark, ASWN President, WNC.

Chair Hayes called the meeting to order at 9:30 a.m. with all members present except Regents Moran and Page.

1. Information Only – Public Comment – None.

2. Approved – Consent Items – The Committee recommended approval of the consent items.
 - 2a. Approved – Minutes – The Committee recommended approval of the March 5, 2020, meeting minutes. *(Ref. BFF-2a on file in the Board Office.)*
 - 2b. Approved – Lease of a Portion of Liberty Park to Churchill County – UNR – The Committee recommended approval of the Lease Agreement of approximately 15 acres of APN 006-691-01, also known as Liberty Park in Fallon, Nevada. *(Ref. BFF-2b on file in the Board Office.)*
 - 2c. Approved – Lease Amendment for 111 Sheckler Road, Fallon, Nevada – UNR – The Committee recommended approval of the Lease Amendment between UNR and USDA for space in the building located at 111 Sheckler Road, Fallon, Nevada through May 2022. *(Ref. BFF-2c on file in the Board Office.)*
 - 2d. Approved – Pre-Approval to Purchase Remnant Parcels Located on North Virginia Street from the Regional Transportation Commission of Washoe County – Resolution – UNR – The Committee recommended approval of a Resolution authorizing the University to purchase through the Board of Regents on behalf of the University of Nevada, Reno, portions of parcels located at 10 East Ninth Street, 800, 812, 820 and 850 North Virginia Street, Reno, Nevada (the “Real Property”) from the Regional Transportation Commission of Washoe County, Nevada at a purchase price not to exceed the appraised value of the Real Property, and pre-approval for the Chancellor, or designee, to approve and sign the corresponding purchase agreement, escrow and title documents associated with the purchase of the Real Property, after consultation with the Business, Finance and Facilities Committee Chair and review by the NSHE Chief General Counsel. *(Ref. BFF-2d on file in the Board Office.)*

Regent Carvalho moved approval of the consent items. Vice Chair Del Carlo seconded. Motion carried. Regents Moran and Page were absent.

3. Information Only – Third Quarter Fiscal Year 2019-2020 Fiscal Exceptions – The Third Quarter Fiscal Year 2019-2020 Report of Fiscal Exceptions of Self-Supporting Accounts was presented. *(Ref. BFF-3 on file in the Board Office.)*

In response to a question from Vice Chair Del Carlo related to the Fire Science Academy debt, Chair Hayes stated it is a debt that is carried and paid on when money is available. President Marc A. Johnson said when UNR sold the property, the bank loans were paid, which left the operating deficit. UNR makes payments when there are funds available.

Chair Hayes stated this report is not useful because it usually has the same long-term items. He believed there was a better way to report financial irregularities.

3. Information Only – Third Quarter Fiscal Year 2019-2020 Fiscal Exceptions –
(Continued)

In response to a question from Regent Carvalho related to the Wolf Shop's \$1.7 million deficit, President Johnson responded that the first revenues from the new bookstore contract, if approved, will go toward reducing the deficit.

4. Information Only – Third Quarter Fiscal Year 2019-2020 Budget Transfers, State Supported or Self-Supporting Operating Budgets – NSHE institutions indicated there were no transfers between functional areas greater than \$500,000 during the Third Quarter Fiscal Year 2019-2020.

5. Approved – Bookstore Contract – UNR – The Committee recommended approval of a contract with Barnes & Noble College to manage the on-campus bookstore. (*Ref. BFF-5 on file in the Board Office.*)

President Johnson stated this is a student-run and owned bookstore which has been falling into deficit. The student leadership found a way to modernize the management of the bookstore and reduce the deficit.

Former ASUN President Anthony Martinez provided a historical review of the analysis taken related to the bookstore's declining financials and the process taken to get to this new contract request.

ASUN President Dominique Hall reported Barnes & Noble College rose to the top for the following reasons:

- Guaranteed commission
 - \$1 million in year one
 - 90 percent of calculated sales in years two through five
- \$600,000 facility investment to modernize the current bookstore
- \$250,000 signing bonus
- \$86,000 investment in technology for year one
- \$15,000 in student scholarships or donation to university groups
- Lowest affordable price possible for students reducing the cost of course material
- Proven to provide scaled merchandise for community, student, faculty, and staff budgets
- Experience places them at the top of the industry
- Capacity to capture and interact with faculty online to ensure on-time book orders

In response to a question from Regent Carvalho related to the limitations on the logo licensing, former ASUN President Martinez said there had been issues using the athletics logo, and he wanted to make sure it was noted as a concern. Regent Carvalho asked if Barnes & Noble College will assist with this issue with former ASUN President Martinez responding Barnes & Noble College will be able to navigate it better.

Board Chairman Geddes stated he had concerns that the title of the contract said ASUN, while the signing agreement is through the University. He wanted to make sure that the proceeds of the bookstore go to the students and are not at the discretion of the University. President Johnson confirmed that he and ASUN President Hall signed a

5. Approved – Bookstore Contract – UNR – (Continued)

memorandum of agreement to ensure the proceeds of the bookstore go to the students in perpetuity.

Chair Hayes and Vice Chair Del Carlo commended the students for the contract.

Vice Chair Del Carlo moved approval of a contract with Barnes & Noble College to manage the on-campus bookstore. Regent Carvalho seconded. Motion carried. Regents Moran and Page were absent.

Former ASUN President Martinez appreciated the approval as it means a lot to the students.

6. Approved – Sale of Land Located in Las Vegas Medical District to the City of Las Vegas and Granting of Associated Easements to NV Energy and the Las Vegas Valley Water District for Streetscape Improvements – UNLV – The Committee recommended approval to finalize the City’s acquisition of 6,269 square feet of land, payment to UNLV for the loss of improvements in the City acquisition land area, and payment to UNLV for granting three utility easements at 1001 Shadow Lane and that the Chancellor, or designee, be authorized to finalize, approve, and execute all documentation necessary to complete the transaction described herein, provided such documents are first approved as to form by the NSHE Chief General Counsel after consultation with the Business, Finance and Facilities Committee Chair. (Ref. BFF-6 on file in the Board Office.)

Chair Hayes disclosed his ownership of commercial property in the Las Vegas Medical District. He disclosed the relationship under NRS Chapter 281A, as recommended by the Nevada Commission on Ethics. He will recuse himself from the discussion and abstain from the vote.

President Marta Meana presented UNLV’s request to finalize the City’s acquisition of 6,269 square feet of land and to grant three utility easements at 1001 Shadow Lane. Because additional infrastructure is needed to support the improvements, the City, NV Energy, and the Las Vegas Valley Water District are requesting the three easements. The City anticipates commencing work in October 2020. In total, UNLV will receive \$351,071 in compensation, which includes \$58,292 for the loss of existing improvements.

Chair Hayes asked if someone would have to be appointed to serve on the item since he is not voting, with Special Counsel Michael B. Wixom responding yes.

Board Chairman Geddes appointed Board Vice Chairman Doubrava to serve on the item.

Regent Carvalho moved approval to finalize the City’s acquisition of 6,269 square feet of land, payment to UNLV for the loss of improvements in the City acquisition land area, and payment to UNLV for granting three utility easements at 1001 Shadow Lane and that the Chancellor, or designee,

6. Approved – Sale of Land Located in Las Vegas Medical District to the City of Las Vegas and Granting of Associated Easements to NV Energy and the Las Vegas Valley Water District for Streetscape Improvements – UNLV – (Continued)

(Motion Continued)

be authorized to finalize, approve, and execute all documentation necessary to complete the transaction described herein, provided such documents are first approved as to form by the NSHE Chief General Counsel after consultation with the Business, Finance and Facilities Committee Chair. Regent McMichael seconded. Motion carried. Board Vice Chairman Doubrava sat in for Chair Hayes who abstained from the vote. Regents Moran and Page were absent.

7. Approved – Amendment to the Mobilitie Investments III, LLC Master Wireless Network Agreement and Ground Lease – UNLV – The Committee recommended approval of the Second Amendment to the Master Agreement and the First Amendment to the Site Lease 5 in order to continue augmenting the wireless coverage and support the transition to wireless 5G connectivity for the campus community and that the Chancellor, or designee, be authorized to finalize, approve, and execute all documentation necessary to complete the transaction described herein, provided such documents are first approved as to form by the NSHE Chief General Counsel after consultation with the Business, Finance and Facilities Committee Chair. All other terms of the Master Agreement and ground lease remain the same. *(Ref. BFF-7 on file in the Board Office.)*

President Meana presented UNLV's request to approve the Second Amendment to the Master Agreement and the First Amendment to the Site Lease 5. UNLV receives a commission by leasing optic fiber that is under the campus to a company that then leases it to cellphone carriers. The agreement has generated \$875,000 in revenue for UNLV and creates a better-connected school for the students.

In response to a question from Chair Hayes related to coverage across the campus, President Meana stated UNLV is making significant progress. The process of complete campus coverage was divided into five phases. Phases one through three are complete. Phase four, to replace end-of-life WiFi in all the residence halls, will be finished in August. Phase five, to add WiFi in remaining buildings where the work is dependent on the acquisition of space and construction funding, is in progress.

Vice Chair Del Carlo moved approval of the Second Amendment to the Master Agreement and the First Amendment to the Site Lease 5 in order to continue augmenting the wireless coverage and support the transition to wireless 5G connectivity for the campus community and that the Chancellor, or designee, be authorized to finalize, approve, and execute all documentation necessary to complete the transaction described herein, provided such

7. Approved – Amendment to the Mobilitie Investments III, LLC Master Wireless Network Agreement and Ground Lease – UNLV – (Continued)

(Motion Continued)

documents are first approved as to form by the NSHE Chief General Counsel after consultation with the Business, Finance and Facilities Committee Chair. Regent Carvalho seconded. Motion carried. Regents Moran and Page were absent.

8. Information Only – Review of Revised Self-Supporting Budget to Actual Report – Chief Financial Officer Clinger presented proposed changes to reports based on the request from the Business, Finance and Facilities Committee. (Ref. BFF-8 on file in the Board Office.)

Chief Financial Officer Clinger stated this would combine the Self-Supporting Budget and Self-Supporting Budget to Actual Reports into one report. He presented the proposed changes outlined in three sections:

- First Section – Summary of a unit, including the current year budget and the prior year budget to actual.
- Second Section – Takes information from the first section and breaks down into program codes.
- Third Section – Represents the accounts that are below the threshold of \$250,000.

Regent Levine believed they should be as transparent as possible and make sure that nothing is being left out. Chair Hayes stated the threshold was increased from \$25,000 to \$250,000. The report still captures 85 percent of the revenues.

Regent Levine agreed with a streamlined report, but the more detailed report could be available to access if someone wanted to review it. Chief Financial Officer Clinger stated from a staff perspective, the information could be presented either way.

In response to a question from Regent Carter related to the third section information, Chief Financial Officer Clinger responded a line item could be added to the first section that is an aggregate of the data.

Regent Carvalho liked the idea of a separate line item added to the first section.

Vice Chair Del Carlo also agreed with the separate line item. She also liked the two budget years listed in the first section for comparison.

Regent McMichael liked the new report layout.

Regent Perkins liked the ability to look at the smaller cumulative amounts in a separate line item.

9. Information Only – New Business – None.

10. Information Only – Public Comment – None.

The meeting adjourned at 10:23 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 September 10-11, 2020, meeting.