

Minutes approved by the Board of Regents at the December 4-5, 2024, meeting.

**BOARD OF REGENTS and its
BUSINESS, FINANCE AND FACILITIES COMMITTEE**

Western Nevada College
Dini Building, Room 201
2201 West College Parkway, Carson City

Thursday, September 5, 2024

Members Present:

Dr. Jeffrey S. Downs, Chair
Mr. Patrick J. Boylan, Vice Chair
Mr. Joseph C. Arrascada
Mr. Byron Brooks
Ms. Stephanie Goodman
Dr. Lois Tarkanian

Other Regents Present:

Mrs. Amy J. Carvalho, Board Chair

Others Present:

Ms. Patricia Charlton, Interim Chancellor
Mr. James J. Martines, Vice Chancellor and Chief General Counsel
Mr. Christopher G. Nielsen, Special Counsel to the Board of Regents
Ms. Keri D. Nikolajewski, Chief of Staff to the Board of Regents
Ms. Lauren Tripp, Interim Chief Internal Auditor
Mr. Chris Viton, Vice Chancellor, Budget and Finance and Chief Financial Officer
Mr. Michael B. Wixom, Special Real Property Counsel
Dr. Keith E. Whitfield, President, UNLV
Mr. Brian Sandoval, President, UNR
Dr. J. Kyle Dalpe, President, WNC

Land Acknowledgment

Before beginning, we take a moment to recognize that here in Nevada we stand on the land of the Wa She Shu – Washoe; Numu – Northern Paiute; Nuwe – Western Shoshone; and Nuwu – Southern Paiute. We take a moment to recognize and honor their stewardship that continues into today. With this recognition, we state an intention to rightfully include their voice and respect them as the 27 sovereign tribal nations of Nevada.

Chair Downs called the meeting to order at 11:08 a.m. with all members present.

Chair Downs noted that at UNLV's request Item 8, Long-Term Lease Agreement with Omninet 3300 Sahara, LLC, on Behalf of the Kirk Kerkorian School of Medicine for Use of Space at 3300 West Sahara Avenue, Las Vegas, NV – UNLV, has been withdrawn.

1. Information Only – Public Comment

Kent Ervin provided in-person public comment related to the Fiscal Exceptions Report and items including UNLV Athletics, UNLV Maryland Parkway purchase, \$28 million UNR deficit on various capital projects, and UNR's 30-year, \$10 million per year commitment for the Business Building public-private partnership. The large amounts are concerning and bear closer scrutiny. Questions have been raised related to inappropriate expenditures in the Athletic program. The best way to dispel concerns is full transparency. He requested the Board ask for a full audit, analysis of expenditures in athletics, and deferred capital project funding.

2. Approved – Consent Items – The Committee recommended approval of the consent items.

2a. Approved – Minutes – The Committee recommended approval of the June 6, 2024, meeting minutes. (Ref. BFF-2a on file in the Board Office.)

2b. Approved – Summary of Board of Regents Approved Issuance of Bonds In Fiscal Year 023-2024 – The Committee recommended approval of the report summarizing the issuance of University Revenue Bonds and the issuance of Certificates of Participation for NSHE-wide projects. (Ref. BFF-2b on file in the Board Office.)

Vice Chair Boylan moved approval of the consent items. Regent Arrascada seconded. Motion carried by unanimous vote.

3. Information Only – Fourth Quarter Fiscal Year 2023-2024 Fiscal Exceptions, Self-Supporting Budgets – Chief Financial Officer Chris Viton presented the Fourth Quarter Fiscal Year 2023-2024 Report of Fiscal Exceptions on Self-Supporting Budgets. (Ref. BFF-3)

Regent Arrascada asked if the intercollegiate athletics listed in the report are revenue-generating operations. Chief Financial Officer Viton stated page 5 of the report shows an opening balance, revenue generated, and an ending balance. Self-supporting activity does generate revenue, but it also incurs expenses that exceed the revenue.

Chair Downs reported he had a conversation with UNLV President Whitfield about the negative balance. As a faculty member at WNC, he remembered being frustrated with the money going to athletics. But when he went to Student Services as a Vice President, the staff told him how beneficial athletics was to enrollment. While WNC didn't see the money directly coming back, the enrollment and attention generated for the institution was lost when the program ended.

UNLV President Whitfield stated it would be nice to be able to monetize the effect of athletics. Athletics is a part of the university brand. UNLV is very conscious of the significant deficit. Athletics and academics are interconnected in many different ways.

3. Information Only – Fourth Quarter Fiscal Year 2023-2024 Fiscal Exceptions, Self-Supporting Budgets – (Continued)

Regent Arrascada stated that athletics always coincides with the success of the university.

UNLV President Whitfield added that a part of the UNLV deficit relates to maintaining the facilities. President Whitfield noted that athletics and academics build on one another and when both are strong they cross-foster each other.

4. Information Only – Fourth Quarter Fiscal Year 2023-2024 Budget Transfers, State Supported or Self-Supporting Operating Budgets – Chief Financial Officer Chris Viton presented the Fourth Quarter Fiscal Year 2023-2024 Report of Budget Transfers of State Supported or Self-Supporting Operating Budget Funds between Functions. (Ref. BFF-4 on file in the Board Office.)

5. Approved – Release of Easement Located at 1701 Buckeye Road, Minden, NV – WNC –
The Committee recommended approval to release the easement located at 1701 Buckeye Road, Minden, Nevada, Assessor Parcel Number 1320-27-002-033; that Western Nevada College President J. Kyle Dalpe or his designee be granted authority to finalize and execute the release of the easement, any non-material, or corrective amendments thereto, and any other ancillary agreements or documents that may be required to implement the release of the easement; and that any such amendments and ancillary documents shall be reviewed and approved by the NSHE Chief General Counsel, or at the NSHE Chief General Counsel's request, NSHE Special Real Property Counsel, to confirm that they are necessary to implement the terms and conditions required to finalize the release of the easement as approved by the Board of Regents. (Ref. BFF-5 on file in the Board Office.)

WNC President Dalpe presented a request to release the easement located at 1701 Buckeye Road, Minden, Nevada. In consideration of the abandonment of this easement, the Western Nevada College Foundation will receive an endowment of \$50,000 to benefit students.

Vice Chair Boylan moved approval to release the easement located at 1701 Buckeye Road, Minden, Nevada, Assessor Parcel Number 1320-27-002-033; that Western Nevada College President J. Kyle Dalpe or his designee be granted authority to finalize and execute the release of the easement, any non-material, or corrective amendments thereto, and any other ancillary agreements or documents that may be required to implement the release of the easement; and that any such amendments and ancillary documents shall be reviewed and approved by the NSHE Chief General Counsel, or at the NSHE Chief General Counsel's request, NSHE Special Real Property Counsel, to confirm that they are necessary

5. Approved – Release of Easement Located at 1701 Buckeye Road, Minden, NV – WNC – (Continued)

(Motion – Continued)

to implement the terms and conditions required to finalize the release of the easement as approved by the Board of Regents. Regent Arrascada seconded.

Special Counsel Nielsen clarified the motion. Vice Chair Boylan and Regent Arrascada agreed.

WNC President Dalpe clarified the gift of \$50,000 will be made to the WNC Foundation and placed in an endowment, and the interest of that endowment will be used for student scholarships.

In response to a question from Regent Arrascada related to the property's use, WNC President Dalpe responded they have no plans for use of the property.

Vice Chair Boylan and Regent Arrascada restated their first and second to the motion.

Special Counsel Nielsen clarified that the motion includes the release of the easement and that the President or his designee be authorized to execute the release of the easement, any non-material, or corrective amendments thereto, and any other ancillary agreements or documents that may be required to implement the release of the easement.

Motion carried by unanimous vote.

6. Approved – Transfer of the High Tech Center to Carson City School District – WNC – The Committee recommended approval to transfer property rights in its High Tech Center, a building on a small parcel located on the campus of Carson High School, created through legislation in the late 1990s; that the Chancellor be authorized to execute the transfer agreement and deed, any non-material, or corrective amendments thereto, and any other ancillary agreements or documents that may be required to implement the transfer; and that any such amendments and ancillary documents shall be reviewed and approved by the NSHE Chief General Counsel, or at the NSHE Chief General Counsel's request, NSHE Special Real Property Counsel, to confirm that they are necessary to implement the terms and conditions required to finalize the transfer of the High Tech Center as approved by the Board of Regents. (Ref. BFF-6 on file in the Board Office.)

WNC President Dalpe presented a request to transfer property rights in its High Tech Center, a building on a small parcel located on the campus of Carson High School, created through legislation in the late 1990s, to the Carson City School District.

6. Approved – Transfer of the High Tech Center to Carson City School District – WNC – (Continued)

In response to a question from Vice Chair Boylan asking whether WNC would make more money by selling the property, WNC President Dalpe responded the building is located on the school district's property so separating it is not a possibility. Carson City School District is one of WNC's more robust dual enrollment partners.

Vice Chair Boylan moved approval to transfer property rights in its High Tech Center, a building on a small parcel located on the campus of Carson High School, created through legislation in the late 1990s; that the Chancellor be authorized to execute the transfer agreement and deed, any non-material, or corrective amendments thereto, and any other ancillary agreements or documents that may be required to implement the transfer; and that any such amendments and ancillary documents shall be reviewed and approved by the NSHE Chief General Counsel, or at the NSHE Chief General Counsel's request, NSHE Special Real Property Counsel, to confirm that they are necessary to implement the terms and conditions required to finalize the transfer of the High Tech Center as approved by the Board of Regents. Regent Arrascada seconded.

Chair Downs was happy to know the relationship with Carson High School will be maintained.

Motion carried by unanimous vote.

7. Approved – Fifth Amendment to Interlocal Medical Office Lease Between UNLV and University Medical Center of Southern Nevada for Property Located at 1524 Pinto Lane, Las Vegas, NV – UNLV – The Committee recommended approval of the Fifth Amendment to Interlocal Medical Office Lease with University Medical Center of Southern Nevada for property located at 1524 Pinto Lane, Las Vegas, NV, which is located on a portion of Clark County Assessor Parcel Number 139-33-305-023; and that the Chancellor be granted authority to execute the Fifth Amendment to Interlocal Medical Office Lease, and any ancillary documents deemed necessary and appropriate by the NSHE Chief General Counsel, or at the Chief General Counsel's request, NSHE Special Real Property Counsel, to implement all terms and conditions of the Lease and Amendments. (Ref. BFF-7 on file in the Board Office.)

UNLV President Whitfield presented the Fifth Amendment to Interlocal Medical Office Lease with University Medical Center of Southern Nevada for property located at 1524 Pinto Lane, Las Vegas, NV, which is located on a portion of Clark County Assessor Parcel Number 139-33-305-023.

7. Approved – Fifth Amendment to Interlocal Medical Office Lease Between UNLV and University Medical Center of Southern Nevada for Property Located at 1524 Pinto Lane, Las Vegas, NV – UNLV – (Continued)

In response to a question from Vice Chair Boylan related to other needs, UNLV President Whitfield stated UMC has other needs for the space, which means UNLV needs to find additional space. UMC is willing to extend the lease until July 31, 2025, at which time UNLV would then have to move into another space.

Regent Arrascada stated that UNLV would be looking for a large building and asked where they would be looking. UNLV President Whitfield responded that UNLV leases property around the city. They will try and find something in proximity with an eye to the future that will accommodate the size, space, and scope that UNLV needs for the pediatric practice plan.

Kirk Kerkorian School of Medicine Dean Marc J. Kahn clarified that UNLV and UMC have worked well together. This was the third extension of the leased space. This is a part of UMC's growth strategy.

Regent Arrascada moved approval of the Fifth Amendment to Interlocal Medical Office Lease with University Medical Center of Southern Nevada for property located at 1524 Pinto Lane, Las Vegas, NV, which is located on a portion of Clark County Assessor Parcel Number 139-33-305-023; and that the Chancellor be granted authority to execute the Fifth Amendment to Interlocal Medical Office Lease, and any ancillary documents deemed necessary and appropriate by the NSHE Chief General Counsel, or at the Chief General Counsel's request, NSHE Special Real Property Counsel, to implement all terms and conditions of the Lease and Amendments. Regent Tarkanian seconded. Motion carried by unanimous vote.

8. Withdrawn – Long-Term Lease Agreement with Omninet 3300 Sahara, LLC, on Behalf of the Kirk Kerkorian School of Medicine for Use of Space at 3300 West Sahara Avenue, Las Vegas, NV – UNLV – The agenda item was withdrawn by UNLV.

9. Information Only – New Business

Regent Arrascada requested a deep dive into athletics including a cost analysis related to the Fiscal Exceptions Report.

10. Information Only – Public Comment – None.

The meeting adjourned at 11:59 a.m.

Prepared by:

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

Submitted for approval by:

Keri D. Nikolajewski
Chief of Staff to the Board of Regents