

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

University of Nevada, Las Vegas
Student Union, Ballroom
4505 S. Maryland Parkway, Las Vegas

Thursday, December 1, 2022, 10:00 a.m.*

**Time Approximate: The Business, Finance and Facilities Committee meeting may begin earlier than 10:00 a.m. upon adjournment of the Academic, Research and Student Affairs Committee meeting.*

Video or 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

A video conference connection will be made from the meeting site to the Reno System Administration Building, Conference Room, at 2601 Enterprise Road, Reno, Nevada, and Great Basin College, Berg Hall Conference Room, at 1500 College Parkway, Elko, Nevada. In the event the video conference connection is not functioning, a teleconference connection will be made available.

Members of the Board and/or the public may attend the meeting and provide testimony or public comment at these sites. Public comment may also be submitted via the online public comment form (<http://nshe.nevada.edu/public-comment/>) or voicemail (702-800-4705 or 775-300-7661). Written comments will no longer be read into the record and voicemails will not be played for broadcast, but both will be included in the permanent meeting record.

Members of the public wishing to view the meeting may do so via live stream (<http://nshe.nevada.edu/live/>)

ROLL CALL:

Mrs. Cathy McAdoo, Chair _____
Ms. Amy J. Carvalho, Vice Chair _____
Mr. Joseph C. Arrascada _____
Mr. Patrick J. Boylan _____
Mr. Byron Brooks _____
Dr. Patrick R. Carter _____
Mrs. Carol Del Carlo _____
Dr. Mark W. Doubrava _____
Dr. Jason Geddes _____
Mr. Donald Sylvantee McMichael Sr. _____
Mr. John T. Moran _____
Ms. Laura E. Perkins _____
Dr. Lois Tarkanian _____

COMMITTEE

ROLL CALL:

Ms. Amy J. Carvalho, Chair _____
Mr. John T. Moran, Vice Chair _____
Mr. Patrick J. Boylan _____
Mr. Byron Brooks _____
Dr. Mark W. Doubrava _____
Dr. Lois Tarkanian _____

In addition to the Business, Finance and Facilities Committee, this meeting is noticed as a meeting of the Board of Regents to allow other Regents who may wish to attend to participate.

IMPORTANT INFORMATION ABOUT THE AGENDA AND PUBLIC MEETING

NOTE: Below is an agenda of all items scheduled to be considered. Notification is hereby provided that items on the agenda may be taken out of the order presented, including moving an item to a different day if the meeting is noticed for more than one day, two or more agenda items may be combined for consideration, and an agenda item may be removed from the agenda or discussion relating to an item on the agenda may be delayed at any time.

In accordance with the Board of Regents' Bylaws, Title 1, Article V, Section 18, items voted on may be the subject of a motion to reconsider at this meeting. A motion to reconsider an item may be made at any time before adjournment of this meeting. Similarly, if an item is tabled at any time during the meeting, it may, by proper motion and vote, be taken from the table and thereafter be the subject of consideration and action at any time before adjournment of this meeting.

*The Board of Regents, at its regularly scheduled meetings, meets concurrently with its committees (Academic, Research and Student Affairs; Audit, Compliance and Title IX; Business, Finance and Facilities; Health Sciences System; Inclusion, Diversity, Equity and Access; Security; and Workforce). The Board's committee meetings take place in accordance with the agendas published for those committees. Regents who are not members of the committees may attend the committee meetings and participate in the discussion of committee agenda items. However, action items will only be voted on by the members of each Committee, unless a Regent is temporarily made a member of that Committee under Board of Regents Bylaws, Title 1, Article VI, Section 6. The full Board of Regents will consider committee action items in accordance with the Board of Regents agenda published for the current or for a subsequent meeting.

In accordance with the Board of Regents' Bylaws, Title 1, Article V, Section 12, a quorum may be gained by telephonic, video, or electronic transmission provided that notice to that effect has been given.

Some agenda items are noted as having accompanying reference material. Reference material may be accessed on the electronic version of the agenda by clicking the reference link associated with a particular item. The agenda and associated reference material may also be accessed on the Internet by visiting the Board of Regents' website at:

<https://nshe.nevada.edu/leadership-policy/board-of-regents/meeting-agendas/>

Many public libraries have publicly accessible computer terminals. Copies of the reference material and any additional support materials that are submitted to the Board of Regents' Office and then distributed to the members of the Board of Regents after the posting of this agenda but before the meeting, will be made available as follows: 1. Copies of any such materials are available at the Board of Regents' Office at 2601 Enterprise Road, Reno, Nevada and the Board of Regents' Office at 4300 South Maryland Parkway, Las Vegas, Nevada. A copy may be requested by calling Angela R. Palmer at (775) 784-3465; 2. Copies of any such materials will also be available at the meeting site.

Reasonable efforts will be made to assist and accommodate physically disabled persons attending the meeting. Please call the Board office at (775) 784-4958 in advance so that arrangements may be made.

1. PUBLIC COMMENT

INFORMATION ONLY

Public comment will be taken during this agenda item. No action may be taken on a matter raised under this item until the matter is included on an agenda as an item on which action may be taken. Comments will be limited to three (3) minutes per person. Persons making comment will be asked to begin by stating their name for the record and to spell their last name. The Committee Chair may elect to allow additional public comment on a specific agenda item when that agenda item is being considered.

In accordance with Attorney General Opinion No. 00-047, as restated in the Attorney General's Open Meeting Law Manual, the Committee Chair may prohibit comment if the content of that comment is a topic that is not relevant to, or within the authority of, the Board of Regents, or if the content is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational or amounting to personal attacks or interfering with the rights of other speakers.

2. CONSENT ITEMS FOR POSSIBLE ACTION

Consent items will be considered together and acted on in one motion unless an item is removed to be considered separately by the Committee.

2a. MINUTES FOR POSSIBLE ACTION

The Committee will consider approval of the September 8, 2022, meeting minutes. ([Ref. BFF-2a](#))

2b. STUDENT ASSOCIATION FINANCIAL REPORTS FOR POSSIBLE ACTION

The Committee may approve acceptance of the report of the NSHE Student Association financial reports for Fiscal Year 2021-2022. The Board of Regents *Handbook* (Title 4, Chapter 20, B, Section 2(4)) requires each student association to annually report to the Board by December the association revenues, expenditures, and ending account balances for the preceding fiscal year. ([Refs. BFF-2b\(1\)](#) and [BFF-2b\(2\)](#))

2c. BIENNIAL REPORT ON REGISTRATION FEES AND NON-RESIDENT TUITION FEES FOR POSSIBLE ACTION

The Committee may approve acceptance of the report required by Senate Bill (SB) 459, Section 8 (2021 Session). The Bill requires the NSHE to report registration fees and non-resident tuition fees received by NSHE institutions beyond the amounts authorized in Section 1.2 of SB 459, as well as the intended expenditures for any additional student fee revenue. The Bill requires this report to be submitted to the Interim Finance Committee biannually. ([Ref. BFF-2c](#))

ESTIMATED TIME: 5 mins.

3. FISCAL YEAR 2021-2022 NSHE STATE OPERATING BUDGET TO ACTUAL COMPARISON FOR POSSIBLE ACTION

The Committee may approve acceptance of the report of Fiscal Year 2021-2022 NSHE State Operating Budget to Actual Comparison. ([Refs. BFF-3a](#) and [BFF-3b](#))

ESTIMATED TIME: 5 mins.

4. FISCAL YEAR 2022-2023 NSHE STATE SUPPORTED OPERATING BUDGET FOR POSSIBLE ACTION

The Committee may approve the Fiscal Year 2022-2023 NSHE State Supported Operating Budget. ([Refs. BFF-4a](#) and [BFF-4b](#))

ESTIMATED TIME: 5 mins.

5. FISCAL YEAR 2021-2022 NSHE SELF-SUPPORTING BUDGET TO ACTUAL COMPARISON **FOR POSSIBLE ACTION**

The Committee may approve acceptance of the report of Fiscal Year 2021-2022 NSHE Self-Supporting Budget to Actual Comparison. ([Refs. BFF-5a](#) and [BFF-5b](#))

ESTIMATED TIME: 5 mins.

6. FISCAL YEAR 2022-2023 NSHE SELF-SUPPORTING BUDGET **FOR POSSIBLE ACTION**

The Committee may approve the Fiscal Year 2022-2023 NSHE Self-Supporting Budget. ([Refs. BFF-6a](#) and [BFF-6b](#))

ESTIMATED TIME: 5 mins.

7. FIRST QUARTER FISCAL YEAR 2022-2023 FISCAL EXCEPTIONS **INFORMATION ONLY**

The First Quarter Fiscal Year 2022-2023 Report of Fiscal Exceptions of Self-Supporting Accounts will be presented. ([Refs. BFF-7a](#) and [BFF-7b](#))

ESTIMATED TIME: 5 mins.

8. FIRST QUARTER FISCAL YEAR 2022-2023 BUDGET TRANSFERS, STATE SUPPORTED OR SELF-SUPPORTING OPERATING BUDGETS **INFORMATION ONLY**

NSHE institutions indicated there were no transfers between functional areas greater than \$500,000 during the First Quarter of Fiscal Year 2022-2023.

ESTIMATED TIME: 5 mins.

9. CHARGE OF THE BUSINESS, FINANCE AND FACILITIES COMMITTEE **INFORMATION ONLY**

Chief Financial Officer Andrew Clinger will review the Committee's charge as outlined in the Bylaws of the Board of Regents (Title 1, Article VI, Section 3b). The Committee may direct staff to bring a proposed Bylaw revision to a future meeting for consideration and approval. ([Ref. BFF-9](#))

ESTIMATED TIME: 10 mins.

10. BUSINESS, FINANCE AND FACILITIES COMMITTEE WORKPLAN **FOR POSSIBLE ACTION**

Chief Financial Officer Andrew Clinger will present for approval the proposed Business, Finance and Facilities Committee Workplan for the calendar year ending December 31, 2023. The Committee may direct staff to bring proposed Workplan revisions to a future meeting for consideration and approval. ([Ref. BFF-10](#))

ESTIMATED TIME: 10 mins.

11. REPORT ON SYSTEM ADMINISTRATION POSITIONS AND COST SAVING EFFORTS **INFORMATION ONLY**

Chief Financial Officer Andrew Clinger will provide an overview of the NSHE System Administration budget, including the number of filled and vacant positions and implemented cost saving measures. ([Ref. BFF-11](#))

ESTIMATED TIME: 15 mins.

12. PROCEDURES AND GUIDELINES MANUAL REVISION, PREPARATION AND APPROVAL OF CONTRACTS (FORMERLY CM 02-04) **FOR POSSIBLE ACTION**

NSHE Chief General Counsel James Martines will present for approval revisions to the *Procedures and Guidelines Manual* Chapter 5, Section 3. The proposed revisions add a provision mandating that all contracts that require consideration in excess of \$5,000,000 be approved by the Board of Regents. The proposed revisions also raise the dollar threshold from \$1,000,000 to \$3,000,000 for certain contracts that require the Chancellor's signature. This proposed change does not affect contracts that, otherwise, must always be sent to the Chancellor for signature. ([Ref. BFF-12](#))

ESTIMATED TIME: 10 mins.

13. APPROVAL TO ESTABLISH A 501(c)(2) NON-PROFIT CORPORATION TO FACILITATE PUBLIC-PRIVATE OPPORTUNITIES – NSC **FOR POSSIBLE ACTION**

Nevada State College President DeRionne Pollard requests approval to: 1) form the Entity as a Nevada non-profit corporation by filing the articles of incorporation with the Secretary of State of the State of Nevada, 2) approve and ratify the Entity's initial bylaws, 3) approve, appoint and ratify the initial list of officers and board members of the Entity, 4) file IRS Form 1024 online with the IRS using the Filing Information and 5) negotiate and execute any ancillary documents required in connection therewith.

([Ref. BFF-13](#))

FISCAL IMPACT: *At this time, NSC is not able to estimate the fiscal impact that could be a result of public-private collaboration projects at the College.*

ESTIMATED TIME: 10 mins.

14. SALE OF REAL PROPERTY LOCATED AT 851 EAST TROPICANA AVENUE – UNLV PARADISE CAMPUS – UNLV **FOR POSSIBLE ACTION**

University of Nevada, Las Vegas President Keith E. Whitfield requests approval to sell the Property located at 851 Tropicana Avenue, bearing Clark County Assessor Parcel Number 162-27-501-002. President Whitfield further requests the Chancellor be authorized to finalize, approve, and execute a Purchase and Sale Agreement, and any other ancillary agreements required to sell the Property, including but not limited to conveyances, easements, right of ways, and demolition of the buildings located on the Property. All aforementioned agreements shall be reviewed and approved by the NSHE Chief General Counsel (or at the Chief General Counsel's request, NSHE Special Real Estate Counsel) in order to implement the terms and conditions required to finalize sale of the Property. [\(Ref. BFF-14\)](#)

FISCAL IMPACT: *Proceeds from UNLV's sale of the Property will support future campus development and expansion which presents the opportunity for additional facilities that offer a greater number of students access to higher education, all consistent with UNLV's Top Tier 2.0 vision, mission, and values.*

ESTIMATED TIME: 10 mins.

15. SPACE USE AGREEMENT EXTENSION FOR NATIONAL JUDICIAL COLLEGE SUITE 109 LOCATED ON THE UNIVERSITY OF NEVADA, RENO MAIN CAMPUS – UNR **FOR POSSIBLE ACTION**

University of Nevada, Reno President Brian Sandoval requests approval for the Space Use Agreement Extension between UNR and the National Judicial College for Suite 109 in the National Judicial College building on the UNR campus for the four-year term February 2023 to February 2027. [\(Ref. BFF-15\)](#)

FISCAL IMPACT: *Continuation of annual rental amount of \$128,640 paid by UNR to the National Judicial College.*

ESTIMATED TIME: 10 mins.

16. LEASE AMENDMENT FOR 111 SHECKLER ROAD, FALLON, NEVADA – UNR **FOR POSSIBLE ACTION**

University of Nevada, Reno President Brian Sandoval requests approval for a lease amendment between UNR and USDA for space in the Cooperative Extension building located at 111 Sheckler Road in Fallon, Nevada, through May 2025. [\(Ref. BFF-16\)](#)

FISCAL IMPACT: *Annual rental amount of \$77,884.35 to the College of Agriculture, Biotechnology and Natural Resources (CABNR).*

ESTIMATED TIME: 10 mins.

17. SALE OF APPROXIMATELY 3.14 ACRES OF VACANT LAND ON WEDEKIND ROAD, SPARKS, NEVADA – RESOLUTION – UNR **FOR POSSIBLE ACTION**

University of Nevada, Reno President Brian Sandoval requests approval of a Resolution approving the sale of the Real Property located on Wedekind Road in Sparks, Nevada APN 026-341-57, and authorizing the Chancellor or designee to approve and sign the escrow and title documents associated with the sale of the Real Property, after consultation with the Business, Finance and Facilities Committee Chair and review by the NSHE Chief General Counsel (or at the request of the Chief General Counsel, NSHE Special Real Estate Counsel). ([Ref. BFF-17](#))

***FISCAL IMPACT:** Approximately \$860,000 proceeds resulting from the sale of the property to be applied to a scholarship fund.*

***ESTIMATED TIME:** 10 mins.*

18. REDFIELD CAMPUS ACCESS EASEMENT RELOCATION GRANT OF EASEMENT – UNR **FOR POSSIBLE ACTION**

University of Nevada, Reno President Brian Sandoval requests approval for the Grant of Easement, APN 144-070-22, better known as the Redfield Campus, and to authorize the Chancellor or designee to execute the Grant of Easement, after consultation with the Business, Finance and Facilities Committee Chair and review by the NSHE Chief General Counsel.

([Ref. BFF-18](#))

***FISCAL IMPACT:** None.*

***ESTIMATED TIME:** 10 mins.*

19. NEW BUSINESS **INFORMATION ONLY**

Items for consideration at future meetings may be suggested. Any discussion of an item under “New Business” is limited to description and clarification of the subject matter of the item, which may include the reasons for the request, and no substantive discussion may occur at this meeting on new business items in accordance with the Nevada Open Meeting Law (NRS 241.010 *et seq.*).

***ESTIMATED TIME:** 5 mins.*

20. PUBLIC COMMENT

INFORMATION ONLY

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POSTED ON THE NEVADA SYSTEM OF HIGHER EDUCATION WEBSITE (<http://system.nevada.edu/>) AND ON THE NEVADA PUBLIC NOTICE WEBSITE PURSUANT TO NRS 232.2175 (<http://notice.nv.gov/>) AT THE SYSTEM ADMINISTRATION BUILDINGS AND E-MAILED FOR POSTING AT THE EIGHT NSHE INSTITUTIONS:

CSN, Building D, 1st Floor, 6375 W. Charleston Boulevard, Las Vegas, NV 89146
DRI, Maxey Building, 2215 Raggio Parkway, Reno, NV 89512
DRI, Southern Nevada Science Center, 755 E. Flamingo Road, Las Vegas, NV 89119
GBC, Berg Hall, 1500 College Parkway, Elko, NV 89801
NSC, Rogers Student Center, 1st Floor, 1300 Nevada State Drive, Henderson, NV 89002
TMCC, Red Mountain Building (RDMT 200), 7000 Dandini Boulevard, Reno, NV 89512
UNLV, Flora Dungan Humanities Building (FDH), 4505 Maryland Pkwy, Las Vegas, NV 89154
UNR, Clark Administration, University of Nevada, Reno, Reno, NV 89557
WNC, Bristlecone Building Lobby, 2201 W. College Parkway, Carson City, NV 89703
System Administration, 4300 South Maryland Parkway, Las Vegas, NV 89119
System Administration, 2601 Enterprise Road, Reno, NV 89512