

REVISED AGENDA

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

Truckee Meadows Community College
Sports and Fitness Center
7000 Dandini Boulevard, Reno

Thursday, September 7, 2023, 10:30 a.m.

Video or Telephone Conference Connection from the Meeting Site to:

System Administration, Las Vegas
4300 South Maryland Parkway, Board 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 Las Vegas System Administration Building, Board Room, at 4300 South Maryland Parkway, Las Vegas, 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 (<https://nshe.nevada.edu/regents/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:

- Mr. Byron Brooks, Chair _____
- Mr. Joseph C. Arrascada, Vice Chair _____
- Mr. Patrick J. Boylan _____
- Mrs. Susan Brager _____
- Ms. Heather Brown _____
- Mrs. Amy J. Carvalho _____
- Dr. Michelee Cruz-Crawford _____
- Mrs. Carol Del Carlo _____
- Mr. Jeffrey S. Downs _____
- Ms. Stephanie Goodman _____
- Mr. Donald Sylvantee McMichael Sr. _____
- Ms. Laura E. Perkins _____
- Dr. Lois Tarkanian _____

COMMITTEE

ROLL CALL:

- Mrs. Amy J. Carvalho, Chair _____
- Mr. Patrick J. Boylan, Vice Chair _____
- Ms. Heather Brown _____
- Mr. Jeffrey S. Downs _____
- 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; Business, Finance and Facilities; Audit, Compliance and Title IX; Health Sciences System; 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/regents/upcoming-meetings/>

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 Offices at 2601 Enterprise Road, Reno, Nevada, and 4300 South Maryland Parkway, Las Vegas, Nevada. A copy may be requested by calling Keri Nikolajewski at (702) 889-8426; 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 to participate in the meeting. Please call the Board Office at (775) 784-4958 in advance so that arrangements may be made.

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.

CALL TO ORDER – ROLL CALL

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 June 8, 2023, meeting minutes. ([Ref. BFF-2a](#))

2b. FISCAL YEAR 2022-2023 TRANSFERS OF NON-STATE BUDGET EXPENDITURES TO STATE BUDGETS AFTER MAY 1, 2023

FOR POSSIBLE ACTION

The Committee may approve acceptance of the report of transfers of expenses from non-state budgets to state budgets that occurred after May 1, 2023, for Fiscal Year 2022-2023. ([Ref. BFF-2b](#))

2c. SUMMARY OF BOARD OF REGENTS APPROVED ISSUANCE OF BONDS IN FISCAL YEAR 2022-2023

FOR POSSIBLE ACTION

The Committee may approve acceptance of the report summarizing the issuance of University Revenue Bonds and the issuance of Certificates of Participation for NSHE-wide projects. ([Ref. BFF-2c](#))

ESTIMATED TIME: 5 mins.

3. FOURTH QUARTER FISCAL YEAR 2022-2023 FISCAL EXCEPTIONS, SELF-SUPPORTING BUDGETS **INFORMATION ONLY**

The Fourth Quarter Fiscal Year 2022-2023 Report of Fiscal Exceptions on Self-Supporting Budgets will be presented. ([Ref. BFF-3](#))

ESTIMATED TIME: 5 mins.

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

The Fourth Quarter Fiscal Year 2022-2023 Report of Budget Transfers of State Supported or Self-Supporting Operating Budget Funds between Functions will be presented. ([Ref. BFF-4](#))

ESTIMATED TIME: 5 mins.

5. DRI RESEARCH PARKS LTD. 2.75 ACRE SUB-LEASE TO DERMODY DRP, LLC – DRI **INFORMATION ONLY**

Desert Research Institution President Kumud Acharya will present for information a new sub-lease from DRI Research Parks Ltd. to Dermody DRP, LLC for a 2.75-acre parcel within the DRI Research Park.

([Ref. BFF-5](#))

FISCAL IMPACT: None

ESTIMATED TIME: 10 mins.

6. POTENTIAL USE OF SAVINGS FROM CERTIFICATES OF PARTICIPATION REFUNDING – NSU **INFORMATION ONLY**

Nevada State University President DeRionne Pollard will present for information a potential opportunity to utilize the savings from the Series 2023 Certificates of Participation refunding to acquire the Dawson Building located at 1125 Nevada State Drive, Henderson, Nevada. ([Ref. BFF-6](#))

FISCAL IMPACT: Although the purchasing terms are not final, Nevada State University anticipates a fiscal impact well above the reporting threshold.

ESTIMATED TIME: 10 mins.

7. LONG TERM SUBLEASE AGREEMENT WITH BOYD GAMING CORPORATION AT THE HARRY REID RESEARCH AND TECHNOLOGY PARK – UNLV **FOR POSSIBLE ACTION**

University of Nevada, Las Vegas President Keith E. Whitfield will request approval to enter into the Sublease Agreement with Boyd Gaming Corporation for a period of five years at Black Fire Innovation at the Harry Reid Research and Technology Park, 8400 W. Sunset Road, bearing Clark County Assessor Number 163-33-401-016. UNLV President Whitfield further requests that the Chancellor be granted authority to execute the Sublease Agreement, any amendments, and any other ancillary agreements required to implement the Sublease Agreement. All aforementioned agreements shall be reviewed and approved by NSHE General Counsel (or, at the NSHE Chief General Counsel's request, NSHE Special Real Property Counsel) in order to implement the terms and conditions required to finalize the Sublease Agreement. ([Ref. BFF-7](#))

FISCAL IMPACT: Boyd shall pay \$1,049,869.92 in base rent and approximately \$149,717.86 for the maintenance fee, which totals \$1,199,587.78 over the five-year Sublease term.

ESTIMATED TIME: 10 mins.

8. NOTICE OF FEDERAL INTEREST, U.S. DEPARTMENT OF HUMAN SERVICES, HEALTH RESOURCES AND SERVICES ADMINISTRATION GRANT – BUILDINGS B AND D, UNLV SHADOW LANE CAMPUS – UNLV **FOR POSSIBLE ACTION**

University of Nevada, Las Vegas President Keith E. Whitfield will request approval of the Notice Letter related to the request made by the Board of Regents to provide the Office of Federal Assistance Management a nonbinding document outlining UNLV's intent to pursue removal of the Notice of Federal Interest recorded against NSHE property within a reasonable amount of the time that reflects the useful life of the improvements. UNLV President Whitfield further requests authorization to execute the Notice Letter and the Chancellor be authorized to execute any other ancillary agreements or documents required to proceed with the construction of the School of Dental Medicine outpatient clinical facility, including, but not limited to, documents needed to finalize the subdivision mapping process and re-recording the Notice of Federal Interest. The Notice Letter and all aforementioned agreements and documents shall be reviewed and approved by NSHE Chief General Counsel (or, at the Chief General Counsel's request, NSHE Special Real Property Counsel) in order to implement the terms and conditions required to subdivide the applicable parcels and re-record the Notice of Federal Interest. ([Ref. BFF-8](#))

FISCAL IMPACT: Since there are no UNLV internal funding commitments as the HRSA grant will support all costs of the Project, the only fiscal impact is for UNLV to fund subdivision mapping expenses which are estimated to be up to thirty thousand dollars (\$30,000), subject to further assessment, and costs to re-record the Notice of Federal Interest which are estimated to be no more than two hundred dollars (\$200.00).

ESTIMATED TIME: 10 mins.

9. PURCHASE OF REAL PROPERTY LOCATED AT 7003 ASPEN CREEK ROAD IN WASHOE COUNTY, NEVADA – RESOLUTION – UNR **FOR POSSIBLE ACTION**

University of Nevada, Reno President Brian Sandoval will request approval to purchase 7003 Aspen Creek Road in Washoe County, Nevada APN 055-180-12, for the purchase price of \$1,500,000 and approval of a Resolution authorizing the Chancellor or designee to approve and sign the escrow and title documents after consultation with and review by the NSHE Chief General Counsel, or at the request of the Chief General Counsel, NSHE Special Real Property Counsel. ([Ref. BFF-9](#))

***FISCAL IMPACT:** Cost of \$1,500,000 from funds provided by the College of Agriculture, Biotechnology and Natural Resources, College of Science, and the University of Nevada, Reno Office of Research and Innovation.*

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

10. LEASE OF PROPERTY TO THE UNITED STATES FOREST SERVICE LOCATED AT THE VALLEY ROAD FIELD LABORATORY IN RENO, NEVADA – UNR **FOR POSSIBLE ACTION**

University of Nevada, Reno President Brian Sandoval will request approval of a land lease of property located at the UNR Valley Road Field Laboratory in Reno, Nevada, to the United States Forest Service. ([Ref. BFF-10](#))

***FISCAL IMPACT:** UNR Facilities will perform preventative maintenance of the greenhouse structure.*

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

11. FIRST AMENDMENT TO LEASE AGREEMENT AT 3700 GRANT DRIVE, SUITE 100 IN RENO, NEVADA – UNR **FOR POSSIBLE ACTION**

University of Nevada, Reno President Brian Sandoval will request approval of the First Amendment to Lease Agreement between UNR and Continuum Building, LLC for space in the building located at 3700 Grant Drive, Suite 100 in Reno, Nevada, that extends the lease term from 38 months to 60 months. ([Ref. BFF-11](#))

***FISCAL IMPACT:** The full initial term amount is \$803,072, with all options to extend set at a fair market price agreed to by both parties.*

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

12. LEASE AGREEMENT AT 3700 GRANT DRIVE, SUITES D & E IN RENO, NEVADA – UNR **FOR POSSIBLE ACTION**

University of Nevada, Reno President Brian Sandoval will request approval of the Lease Agreement between the University of Nevada, Reno and Continuum Building, LLC for space in the building located at 3700 Grant Drive, Suites D and E in Reno, Nevada for an initial term of 27 months and three separate three-year options to extend. ([Ref. BFF-12](#))

***FISCAL IMPACT:** Initial term rent total is \$142,833. Option to extend terms will be set at the market price and agreed to by both parties.*

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

13. FIRST AMENDMENT TO LEASE AGREEMENT AT NELL J. REDFIELD BUILDING #122 (NJR-122), SUITE 100 – UNR **FOR POSSIBLE ACTION**

University of Nevada, Reno President Brian Sandoval will request approval of the First Amendment to Lease Agreement between UNR and Renown Medical School Associates, North, Inc. for Speech Pathology space in the building located at Nell J. Redfield Building #122 (NJR-122), Suite 100, in Reno, Nevada. ([Ref. BFF-13](#))

***FISCAL IMPACT:** The rents received will be reduced annually by \$128,640 (\$349,560 to \$220,920) for the accurate use of the space.*

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

14. 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 and NRS 241.020(3)(d) *et seq.*).

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

15. 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.

POSTED ON THE NEVADA SYSTEM OF HIGHER EDUCATION WEBSITE (<https://nshe.nevada.edu>) AND ON THE NEVADA PUBLIC NOTICE WEBSITE PURSUANT TO NRS 232.2175 (<https://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