

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

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

Thursday, November 30, 2023, 8:00 a.m.

Members of the public may attend the meeting and provide public comment or testimony. Public comment may also be offered via telephone by calling (669) 444-9171 and entering Meeting ID 999 9889 3151 and Passcode 666 666 or by completing and submitting the online public comment form (<https://nshe.nevada.edu/regents/public-comment/>). Written comments will no longer be read into the record but 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://nshc.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 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 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 September 7, 2023, meeting minutes. ([Ref. BFF-2a](#))

2b. STUDENT ASSOCIATION FINANCIAL REPORTS FOR POSSIBLE ACTION

The Committee may approve acceptance of the NSHE Student Association financial reports for Fiscal Year 2022-2023. The Board of Regents *Handbook* (Title 4, Chapter 20, B, Section 2(4)) requires each student association provide annually to the Board a report depicting revenues available, detailed expenditures, and beginning and ending account balances of the association for the immediately preceding fiscal year. ([Ref. BFF-2b](#))

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](#))

2d. YEAR 11 AND YEAR 12 PERFORMANCE POOL POINT TARGET RECOMMENDATIONS FOR POSSIBLE ACTION

Chief Financial Officer Chris Viton will request approval of the Year 11 and Year 12 Performance Pool Point Target Recommendations for all instructional institutions. ([Ref. BFF-2d](#))

ESTIMATED TIME: 5 mins.

3. FIRST QUARTER FISCAL YEAR 2023-2024 FISCAL EXCEPTIONS, SELF-SUPPORTING BUDGETS INFORMATION ONLY

The First Quarter Fiscal Year 2023-2024 Report of Fiscal Exceptions on Self-Supporting Budgets will be presented. ([Ref. BFF-3](#))

ESTIMATED TIME: 5 mins.

4. FIRST QUARTER FISCAL YEAR 2023-2024 BUDGET TRANSFERS, STATE SUPPORTED OR SELF-SUPPORTING OPERATING BUDGETS **INFORMATION ONLY**

The First Quarter Fiscal Year 2023-2024 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. FISCAL YEAR 2022-2023 NSHE STATE OPERATING BUDGET TO ACTUAL COMPARISON **FOR POSSIBLE ACTION**

The Committee may approve acceptance of the report of Fiscal Year 2022-2023 NSHE State Operating Budget to Actual Comparison. ([Ref. BFF-5](#))

ESTIMATED TIME: 10 mins.

6. FISCAL YEAR 2023-2024 NSHE STATE SUPPORTED OPERATING BUDGET **FOR POSSIBLE ACTION**

The Committee may approve the Fiscal Year 2023-2024 NSHE State Supported Operating Budget. ([Ref. BFF-6](#))

ESTIMATED TIME: 10 mins.

7. FISCAL YEAR 2022-2023 NSHE SELF-SUPPORTING BUDGET TO ACTUAL COMPARISON **FOR POSSIBLE ACTION**

The Committee may approve acceptance of the report of Fiscal Year 2022-2023 NSHE Self-Supporting Budget to Actual Comparison. ([Ref. BFF-7](#))

ESTIMATED TIME: 10 mins.

8. FISCAL YEAR 2023-2024 NSHE SELF-SUPPORTING BUDGET **FOR POSSIBLE ACTION**

The Committee may approve the Fiscal Year 2023-2024 NSHE Self-Supporting Budget. ([Ref. BFF-8](#))

ESTIMATED TIME: 10 mins.

9. UPDATE REGARDING REFUNDING SERIES 2013 CERTIFICATES OF PARTICIPATION AND POTENTIAL USE OF SAVINGS – NSU **INFORMATION ONLY**

Nevada State University President DeRionne P. Pollard will present an update on the Refunding Series 2013 Certificates of Participation and the potential opportunity to utilize the savings to acquire the Dawson Building located at 1125 Nevada State Drive, Henderson, Nevada. ([Ref. BFF-9](#))

FISCAL IMPACT: With the bond refinance on hold, the previously assumed fiscal impact will not be immediately realized.

ESTIMATED TIME: 10 mins.

**10. FIRST MODIFICATION OF LEASE AGREEMENT FOR POSSIBLE ACTION
AT SOUTHSIDE SCHOOL LOCATED AT
190 EAST LIBERTY STREET, RENO, NEVADA – UNR**

University of Nevada, Reno President Brian Sandoval will request approval of the First Modification of Lease Agreement between UNR and the City of Reno for the Southside School building located at 190 East Liberty Street, Reno, Nevada. President Sandoval further requests that the Chancellor be granted authority to execute the Lease Modification, any non-material or corrective amendments to the Lease Modification, and any other ancillary agreements, documents, or applications that may be required to implement the Lease Modification. All such amendments and ancillary documents shall be reviewed by the Chancellor and NSHE Chief General Counsel, or, at the NSHE Chief General Counsel's request, NSHE Special Real Property Counsel, to confirm that they are necessary in order to implement the terms and conditions required to finalize the Lease Modification, as approved by the Board of Regents. ([Ref. BFF-10](#))

FISCAL IMPACT: *The base rent is \$7,268.00 annually for the full term.*

ESTIMATED TIME: *10 mins.*

**11. CAMPUS VILLAGE LEASE TERMINATION FOR POSSIBLE ACTION
AGREEMENT – UNLV**

University of Nevada, Las Vegas President Keith E. Whitfield will request approval to terminate the long-term Lease Agreement (the "Lease") entered into with Campus Village Group, LLC, for 50,530 rentable square feet of space and associated parking at the Campus Village Property. President Whitfield further requests the Chancellor be authorized to finalize, approve, and execute the Lease Termination Agreement and any other ancillary agreements required to terminate the Lease. The aforementioned agreement(s) shall be reviewed by the NSHE Chief 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 termination of the Lease. ([Ref. BFF-11](#))

FISCAL IMPACT: *An overall cost avoidance for this Lease of approximately \$48.6 million will be realized over the original 20-year Lease term.*

ESTIMATED TIME: *10 mins.*

12. US DEPARTMENT OF HUMAN SERVICES, HEALTH RESOURCES AND SERVICES ADMINISTRATION GRANT, NOTICE OF FEDERAL INTEREST – SCIENCE AND ENGINEERING BUILDING, UNLV MARYLAND CAMPUS – UNLV **FOR POSSIBLE ACTION**

University of Nevada, Las Vegas President Keith E. Whitfield will request approval to execute the Notice of Federal Interest, which will grant the Federal Government the ability to record a lien against a portion of NSHE-owned real property, commonly known as the UNLV Maryland Campus, bearing Clark County Assessor Parcel Number 162-22-601-001, for the purposes of HRSA grant compliance requirements. President Whitfield further requests the Chancellor be authorized to finalize, approve, and execute any other ancillary agreements or documents required to proceed with the project including, but not limited to, documents needed to finalize the subdivision mapping process and re-recording the Notice of Federal Interest. Additionally, President Whitfield requests authorization to execute the Notice Letter. All aforementioned agreements and documents shall be reviewed 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 finalize the Notice of Federal Interest, subdivision of the Property, and re-recording of the Notice of Federal Interest. ([Ref. BFF-12](#))

***FISCAL IMPACT:** UNLV will 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 are estimated to be no more than two hundred dollars (\$200). UNLV intends to fund these costs using campus real estate operating funds. Once the federal funding is fully expended, UNLV will fund ongoing operations of the facility with internal revenue sources.*

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

13. LAND GIFT TO DRI FROM THE CITY OF BOULDER CITY, NEVADA – DRI **FOR POSSIBLE ACTION**

Desert Research Institute President Kumud Acharya will request approval to accept the gift of a 0.65-acre vacant parcel from the City of Boulder City, Nevada. President Acharya further requests the Chancellor be authorized to finalize, approve, and execute any other ancillary agreements or documents required to proceed with the acceptance of the gift, but not limited to, documents needed to finalize the recording of the deed accepting the gift. All aforementioned agreements and documents shall be reviewed 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 finalize the gift. ([Ref. BFF-13](#))

***FISCAL IMPACT:** None.*

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

14. FACILITIES MASTER PLAN ADDENDUM, TMCC FOR POSSIBLE ACTION

Truckee Meadows Community College President Karin M. Hilgersom will request approval of the 2023 addendum to the TMCC Facilities Master Plan. (*Ref. BFF-14*)

ESTIMATED TIME: 15 mins.

15. 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.

16. PUBLIC COMMENT INFORMATION ONLY

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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
- NSU, 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