



**UNIVERSITY OF GUAM
UNIBETSEDÁT GUÅHAN**

Board of Regents

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**Regular Meeting Minutes
April 27, 2023**

1.0 CALL TO ORDER

The Regular Meeting of the Board of Regents (BOR) was called to order by BOR Chairperson Liza J. Provideo on April 27, 2023 at 5:35 p.m., RFK Library, Silent Room, and via Zoom. Notice of such meeting have been duly and regularly provided by the BOR.

QUORUM:

Liza J. Provideo	Chairperson
Sandra McKeever	Vice Chairperson
Mike W. Naholowaa	Treasurer
Lesley Leon Guerrero	Member
Agapito “Pete” Diaz	Member
Bernadette “Bernie” Valencia	Member (via zoom)
Janice Malilay	Member
Julie Laxamana	Member

ALSO PRESENT:

Thomas W. Krise	Executive Secretary
Anthony Camacho	General Counsel
Norman Analista	Acting Board Liaison
Tessica Duenas	Support Staff
Kalyne Roberto	Support Staff

2.0 MEETING MINUTES

2.1 Regular Meeting Minutes of February 23, 2023

Chairperson Provideo asked if there were any corrections or discussion regarding the regular meeting minutes as presented. Vice Chairperson McKeever moved to accept the February 23, 2023 meeting minutes, which was seconded by Regent Malilay. Chairperson Provideo called for a roll call vote to approve the meeting minutes. The meeting minutes were approved unanimously.

3.0 CHAIRPERSON’S REMARKS

Chairperson Provideo welcomed everyone to the April Regular Meeting and gave thanks to everyone who continues to support moving the mission of the University ahead. She remarked on the Fañomnåkan 2023 semester, and looks forward to the Fañomnåkan 2023

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Commencement Ceremony, thanking those Regents, in advance, who will be able to attend the upcoming commencement ceremony at the UOG Calvo Fieldhouse.

She shared that the former Student Center building is no longer standing on campus, and construction for the new Student Services Center is underway, noting that UOG is at the beginning of constructing other additional buildings on-campus, and looks forward to these updates from the Physical Facilities Committee.

She noted we are getting closer to the upcoming WSCUC Accreditation Review and Visit and looks forward to more discussions and engagement in the upcoming meeting concerning the review scheduled for September 20, 2023.

Further, she noted on UOG's budget hearing scheduled for May 11th at 2pm at the Congress Building in Hagåtña and looks forward to addressing any concerns our Senators may have, while defending our budget so that our University can continue to support our students in their academic, research, and service successes.

Lastly, she updated on how we are midstream in the ongoing President Search process and will hear more on this later in Item 5.6 of our agenda. She closed her remarks with thanking Dr. Krise for his services as this may be his last regular board meeting as our President. She asked others to join her in showing our appreciation with a round-of-applause, and noted there will be an upcoming Farewell Ceremony on May 12th at 2:30pm at the School of Business & Public Administration Atrium.

She closed her remarks by noting, for the record, that Regent Valencia has been approved to join today's meeting via Zoom.

4.0 PRESIDENT'S REPORT

President Krise gave the President's report, a copy of which is attached.

5.0 REPORTS FROM STANDING COMMITTEES

5.1 Student Affairs, Scholarship, Alumni Relations and Honorary Degree (SASARHD) Committee

5.1.1 Committee Update

Regent Malilay reported that the SASARHD Committee met on April 19th with a quorum present and presented and reviewed the proposed resolutions for the Board's approval.

5.1.2 Resolution No. 23-08, Relative to Approving the Fañomnåkan 2023 Commencement Graduate Listing

Regent Malilay introduced Resolution No. 23-08 and moved to approve, which was duly seconded by Regent Diaz. She summarized the resolution explaining the purpose. Chairperson Provideo called for a roll call vote and the motion carried unanimously.

5.1.3 Resolution No. 23-09, Relative to Approving the Ethical Recruitment of Students Policy

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Regent Malilay introduced Resolution No. 23-09 and moved to approve, which was duly seconded by Regent Diaz. She summarized the resolution explaining the purpose. Chairperson Provido called for a roll call vote and the motion carried unanimously.

5.1.4 Resolution No. 23-10, Relative to Approving the Readmissions for Military Service Members Policy

Regent Malilay introduced Resolution No. 23-10 and moved to approve, which was duly seconded by Regent Diaz. She summarized the resolution explaining the purpose. Chairperson Provido called for a roll call vote and the motion carried unanimously.

5.1.5 Resolution No. 23-11, Relative to Awarding the Honorary Degree of Master of Micronesian Traditional Knowledge to Mr. Baskas Mark

Regent Malilay introduced Resolution No. 23-11 and moved to approve, which was duly seconded by Regent Naholowaa. She summarized the resolution explaining the purpose. The President and Senior Vice President & Provost both remarked on Mr. Baskas Mark's accomplishments and contributions. Chairperson Provido called for a roll call vote and the motion carried unanimously.

5.2 Academic, Personnel and Tenure Committee (AP&T) Committee

5.2.1 Committee Update

Regent Leon Guerrero reported that the AP&T Committee met on April 20th with a quorum present and presented and reviewed the proposed resolution for the Board's approval.

5.2.2 Resolution No. 23-12, Relative to Awarding the Professor Emerita of Japanese Language Status to Dr. Toyoko Kang

Regent Leon Guerrero introduced Resolution No. 23-12 and moved to approve, which was duly seconded by Regent Malilay. She summarized the resolution highlighting Dr. Kang's accomplishments and service to the University. Chairperson Provido called for a roll call vote and the motion carried unanimously.

5.3 Physical Facilities Committee

5.3.1 Committee Update

Regent Diaz reported that the Physical Facilities Committee met on April 19th at 4 p.m. at the President's Conference Room with a quorum present and presented and reviewed the proposed resolution for the Board's approval.

He reported on the USDA projects, namely, the School of Engineering (SENG) and Student Services Center (SSC) buildings, stating that the Interim Financing Agreement with Greater Nevada Union is still ongoing and that USDA, USEDPA, and UOG lawyers are working to resolve the property issues for collateral. He added that the project schedule is continuing to move forward as the issues are being worked through.

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He reported the SSC design is at 70%, demolition of the existing building was completed on April 13, and the subdivision process is in progress. The survey map was submitted to Department of Land Management, which is the last approved map needed.

He reported that the SENG design is at 95% and that most of the building permit process is complete, which needs a Department of Parks & Recreation Section 106 Archaeological Permit.

He reported on the USEDAs projects, which include the Water and Environmental Research Institute (WERI) and School of Health (SOH) Annex, stating we are awaiting EDA review and approval of mortgage documents, with bids anticipated to be issued the first week of May.

Other projects around the campus include the construction of new sidewalks, notably at the entrance of the University, which will allow for safer walking paths; as well as to relocate the entrance sign to allow for more space away from the road, which will also allow for a safer space at the front of campus.

He reported on the life cycle-preventative maintenance plan, namely on air conditioning systems: ACs were purchased using the Higher Education Emergency Relief Funds at \$500k for 14 UOG buildings. The contractor has started installing the units in February and are at 65% completion, with maintenance service contracts included. Marine Lab AC system was awarded to Sunhayes "MIDEA" and we are awaiting units from manufacturer, which are expected in July 2023.

He further reported on generators: Pacific Federal Management was awarded the 600 KW generator bid, which will support the RFK Library, Micronesian Area Research Center, Global Learning & Engagement, and the Computer Center. The generator is on island and installation is expected to be completed in June.

He reported on campus lighting, noting that 100% of all outside campus lighting have been replaced with LED or Solar LED units. He also provided an update on the Siemens project, which aims to provide energy-efficient lighting with \$280k in cost savings over a 10-year period.

He further reported on Facilities, Management & Services (FMS) personnel vacancies for supervisors, and shared how sixteen (16) FMS employees are currently seeking trades certificates at the Trades Academy.

He provided an update on Architectural & Engineering IDIQ, various energy and water conservation efforts and projects, Safety & Security Services Office updates to include fire systems, elevators, ADA doors, campus signage, parking lots, campus break-ins and revamping security management, to include the Student Security Force. He further provided updates on UOG Green and IT Infrastructure on-going projects.

5.3.2 Resolution No. 23-13, Relative to Approving Naming the UOG School of Health Academic Program and Facility after (Dr.) Margaret Perez Hattori-Uchima

Regent Diaz introduced Resolution No. 23-13 and moved to approve, which was duly seconded by Regent Naholowaa. Regent Diaz summarized the resolution explaining the purpose. He noted that this resolution has been proposed by the President and Senior Vice President & Provost, and has been reviewed by the UOG School of Health Academic Program. Regent Leon

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Guerrero requested to make an amendment to this resolution, to note that this resolution was discussed, pushed forward, and reviewed by the Academic, Personnel, and Tenure Committee. Chairperson Provido called for a roll call vote and the motion, as amended, carried unanimously.

5.4 Investment Committee

5.4.1 Committee Update

Regent McKeever reported that the Investment Committee met on April 20th with a quorum present.

She reported that the Triton Investment Club presented its activities with a goal of reaching the investment to about \$40k by the end of the quarter, with their holding consisting of majority technology stocks and blue-chip stocks, with a year-to-date return at about 10.8%. They have given \$6,000 to a BA421 class, consisting of four groups, investing \$1,500 each.

She then reported that Raymond James and Associates (RJA) reviewed the performance of the Internal Endowment Portfolio. The report showed mere benchmark rate and there is recovery in the markets. The S&P500 is to reach \$4,400 by the end of the year, anticipating a positive return by the end of the year.

She noted that VPAF Randy Wiegand explained some administrative delays in getting the Conservatively Managed Portfolio established but reported that they were just notified that the first check of \$3M will be available to be invested into the new fund.

She further reported that the Committee discussed an issue related to a potential conflict of interest, so RJA is being asked to bring other funds to be able to do an analysis, and to ensure the fund is in-line with performance and cost.

5.5 Budget, Finance, and Audit (BFA) Committee

Regent Naholowaa reported that the BFA Committee met on April 20th and a quorum was present.

5.5.1 Financial Update

Regent Naholowaa reported the Committee met and received a presentation on the audit report by the auditors from Ernst & Young (EY). A representative from the Office of the Public Auditor was also present for the meeting. The change in net position for the year after the audit adjustments was \$6.4 million. It was noted and explained that the major issue of the audit had to do with the Guam Cultural Repository. UOG received a clean opinion for the 9th straight year and so far, have not identified any reportable conditions. Further, he updated that the audit report is anticipated to be issued around the first week of May. The Committee voted unanimously to allow the President to work with the auditors to finalize the report and release it to the public.

He further reported that the University continues to struggle through the year with constrained expenditures. The University has been meeting with various senators trying to get commitments for a significantly higher budget for Fiscal Year 2024. He said that because the University does not have federal funds to use for operations this year, the University will start the year off 4 million in the negative. The University needs these funds, plus funds to pay the 22% increase

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to staff members, plus \$3.6 million for faculty salary adjustments. He noted that the Department of Administration continues to provide allotments on a regular basis. All payments are up to date.

He further updated on the financial statements for the period ending March 31, 2023, noting that revenues were much lower than the prior year due to the absence of Higher Education Emergency Relief Funds for the year. The change in net position was \$680,000 for the period, noting it is usually higher at this time, and not all March expenses were included in the statements. Thus, the statements are tracking to be close to break-even.

He further reported that spending is constrained due to budget limitations. Expenses will increase as hiring is resumed. UOG is surviving by foregoing expenses that need to be made, effecting building repairs, hiring and some contracts.

5.5.2 Collections Report

Regent Naholowaa reported that the collection report is reflecting that it will be a challenge to recover the target amount. Through six months, the Bursar's office had collected less than \$100,000 towards the target of \$250,000.

5.5.3 Procurement Transactions and Contracts Report

Regent Naholowaa reported that the procurement transactions report showed no expenditures over \$100,000 since the last meeting. Further, it was noted that the Risk Office Manual is nearing completion and the hotline should go live soon.

5.5.4 Relative to Accepting the Results of the Ernst & Young Financial Statements Audit and Compliance Audit for the Fiscal Year Ended 30 September 2022

Regent Naholowaa moved to accept the results of the Ernst and Young Financial Statements Audit and Compliance Audit for the Fiscal Year Ended September 30, 2022, which was duly seconded by Regent McKeever. Chairperson Provideo noted that there was a discussion on this item earlier in the meeting during Regent Naholowaa's Committee reports (5.5.1). She then called for a roll call vote and the motion carried unanimously.

5.5.5 Resolution No. 23-14, Relative to the Use of Student Services Fee

Regent Naholowaa introduced Resolution No. 23-14 and moved to approve, which was duly seconded by Regent McKeever. He summarized the resolution explaining the purpose. Chairperson Provideo called for a roll call vote and the motion carried unanimously.

5.6 Executive Committee

5.6.1 Update to the 2023 Presidential Search Process

Chairperson Provideo requested Regent Diaz, Chair for the Presidential Search Committee (PSC), to provide an update on this item. Regent Diaz reported that the names of the three presidential search finalists were announced to the UOG community and media on April 20, 2023: Dr. Anita Enriquez, Dr. Mary Okada, and Atty. LeGene Quesenberry. Dr. Okada completed her campus

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visit this week, Dr. Enriquez is scheduled for her campus visit next week, and Atty. Quesenberry the following week. He noted that additional updates to the Board will be provided during Executive Session.

6.0 AD HOC REPORT: ENDOWMENT FOUNDATION UPDATE

Katrina Perez, Executive Director, provided the BOR with an update on the UOGEF projects and events. A copy of the update is attached.

7.0 OPEN PRESENTATION (3 Minute Limit per Person)

Chairperson Provide opened the floor for open presentations. Gerhard Schwab, Professor of Social Work, requested for the floor. He provided a presentation on two successful UOG projects: First, a website, LearningChamoru.com, which was developed out of a UOG class project, to create a pleasant online website to learn and practice CHamoru. Today, there are now 27,000 people registered on the website. Second, with the help of the late Dr. Margaret Hattori-Uchima, a \$900K grant from the Administration of Native Americans, is a project launched at St. Francis School, with the initiative to learn the CHamoru language.

8.0 ELECTION OF OFFICERS

Chairperson Provide opened the floor for nominations for the BOR Officer positions. Regent Diaz remarked that the new slate of officers' term will begin September 1, 2023.

8.1 Chairperson

Regent Diaz nominated Regent McKeever to serve as Chairperson. Regent McKeever accepted the nomination.

8.2 Vice Chairperson

Regent Diaz nominated Regent Leon Guerrero to serve as Vice Chairperson. Regent Leon Guerrero accepted the nomination.

8.3 Treasurer

Regent Diaz nominated Regent Naholowaa to continue to serve as Treasurer. Regent Naholowaa accepted the nomination.

Chairperson Provide asked if there were any further nominations on the floor, which there were none. Chairperson Provide requested for a motion to close the nominations. Regent Diaz moved to close the nominations, which was duly seconded by Regent Naholowaa. Chairperson Provide called for a roll call vote and the motion carried unanimously.

Regent Diaz made a motion to approve the slate of nominations, which was duly seconded by Regent Malilay. Chairperson Provide called for a roll call vote and the motion carried unanimously.

9.0 ADOPTION OF BOR MEETING SCHEDULE FOR AY2023-2024

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The BOR meeting schedule for AY2023-2024 is for informational and review purposes. The schedule is subject to change.

Regent Malilay made a motion to adopt the BOR Meeting Schedule for AY2023-2024 subject to any changes in the year, which was duly seconded by Regent Leon Guerrero. Chairperson Provideo called for a roll call vote and the motion carried unanimously.

10.0 EXECUTIVE SESSION

Regent Malilay motioned to move to Executive Session, which was duly seconded by Regent Leon Guerrero. Chairperson Provideo called for a roll call vote and the motion carried unanimously. The Executive Session commenced at 6:53 p.m.

10.1 Search Committee Review

The Board returned to open session at 8:07 p.m.

Upon returning to Open Session, Regent McKeever motioned to approve an additional Q&A Session for the UOG Community with the Presidential Search Finalists under the condition that all three Candidates agree to it, which was duly seconded by Regent Diaz. Chairperson Provideo noted that discussion occurred during Executive Session and requested for a vote. The motion passed unanimously.

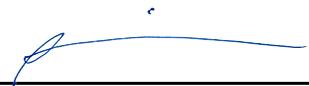
10.1 ADJOURNMENT

Regent McKeever moved that the meeting be adjourned, which was duly seconded by Regent Naholowaa. The motion carried. Chairperson Provideo adjourned the meeting at 8:10 p.m., CHamoru Standard Time.



Sandra H. McKeever, Chairperson

ATTESTED:



Anita Borja Enriquez, D.B.A., Executive Secretary