

## **MINUTES**

### **BOARD OF REGENTS COMMITTEE ON PLANNING AND FACILITIES MEETING**

**AUGUST 18, 2022**

#### **I. CALL TO ORDER**

Chair Nahale-a called the meeting to order at 10:03 a.m. on Thursday, August 18, 2022, at the University of Hawai'i at Mānoa, Stan Sheriff Center, Ed Wong Hospitality Suite, 1355 Lower Campus Road, Honolulu, Hawai'i 96822, with regents participating from various locations.

Committee members in attendance: Chair Alapaki Nahale-a; Vice-Chair Robert Westerman; Regent Wayne Higaki; Regent Gabriel Lee; and Regent Diane Paloma.

Others in attendance: Board Chair Randy Moore; Regent Kelli Acopan; Regent Eugene Bal; Regent William Haning; Regent Laurie Tochiki; and Regent Ernest Wilson (ex officio committee members); President David Lassner; Vice President (VP) for Administration Jan Gouveia; VP for Community Colleges Erika Lacro; VP for Academic Strategy Debora Halbert; VP for Research and Innovation Vassilis Syrmos; VP for Information Technology/Chief Information Officer Garret Yoshimi; Vice President for Budget and Finance/Chief Financial Officer Kalbert Young; Vice President for Advancement/UH Foundation Chief Executive Officer Tim Dolan; UH Mānoa (UHM) Provost Michael Bruno; UH Hilo Chancellor Bonnie Irwin; UH West O'ahu Chancellor Maenette Benham; Associate VP for Legal Affairs Gary Takeuchi; Executive Administrator and Secretary of the Board of Regents (Board Secretary) Kendra Oishi; and others as noted.

#### **II. APPROVAL OF MINUTES**

Chair Nahale-a inquired if there were any corrections to the minutes of the June 1, 2022, committee meeting which had been distributed. Hearing none, the minutes were approved.

#### **III. PUBLIC COMMENT PERIOD**

Board Secretary Oishi announced that the Board Office received late written testimony from former Governor Neil Abercrombie in support of construction necessary to expand seating at the Clarence T.C. Ching Stadium to comply with National Collegiate Athletic Association (NCAA) Division I requirements, and that no individuals signed up to provide oral testimony. She also explained that, in accordance with new statutory requirements, public testimony would be accepted during the meeting should an individual sign-up to provide testimony on a specific agenda item.

Late written testimony may be viewed at the of the Board of Regents website as follows:

[Late Written Testimony Comment Received](#)

#### **IV. AGENDA ITEMS**

##### **A. Recommend Board Approval of Construction Projects to Expand the Clarence T.C. Ching Athletics Complex (Ching Athletics Complex) and Relocate the Track on the UHM Campus**

VP Gouveia explained that the abrupt and unexpected closure of Aloha Stadium in 2020 necessitated the immediate upgrade and expansion of the Ching Athletics Complex so that it could serve as the home field for UHM's football program while the Aloha Stadium district underwent redevelopment. Although the initial project, which increased seating capacity from 2,500 to 9,300, was completed in time for the start of the 2021 football season, it was noted that further expansion of the facility would be necessary to meet NCAA Division I attendance requirements for home football games.

Given these factors, as well as the likelihood that it will take several years to complete the development of a new stadium district, the administration is proposing to embark on a two-phase project that includes additional development of the Ching Athletics Complex. VP Gouveia provided details on this proposal, which will increase seating capacity to allow for approximately 17,000 spectators in order to meet the NCAA requirement of averaging 15,000 fans for home football games over a rolling, two-year period. She stated that the proposal also involves the relocation of the track to accommodate this expansion; reviewed the timeline for the project, including the anticipated date of completion for each phase; pointed out that most of the added seating is expected to be in place by the 2023 football season; and presented conceptual drawings and plans for the project. She also went over projected costs, which amount to approximately \$30 million in sum, noting that board approval for this proposal was required pursuant to Regents Policy regarding construction projects in excess of \$5 million.

David Matlin, UHM Athletic Director (AD), commended the efforts of VP Gouveia and her team. He also stressed the importance of this project with respect to maintaining NCAA Division I status, spoke about the uncertain timeframe for the redevelopment of Aloha Stadium, and highlighted some of the negative impacts to UHM Athletics should the project not proceed including the loss of revenue, a reduction in fan base, and effects on student-athlete recruiting opportunities.

Regent Paloma questioned whether fan attendance was the only NCAA Division I eligibility requirement that UHM Athletics would not be able to fulfill should the proposal not be approved by regents. AD Matlin responded in the affirmative.

Chair Nahale-a asked about the consequences of UHM Athletics losing Division I status for its football program and the impact this would have on other sports programs at UHM. AD Matlin explained that game revenues for the football program equate to about \$4 million annually. When television rights, fan gear sales, athletic conference contributions, and other sources of revenue are taken into consideration, the total amount of funds generated by the football program amounts to between \$8 and \$10 million a year. As such, the loss of Division I status for UHM football would result in a

significant reduction in revenue for UHM Athletics thereby impacting its ability to fund other sports.

Regent Lee inquired as to whether his understanding that UHM Athletics received a waiver regarding fan attendance requirements until 2026 due to the ongoing stadium situation was correct. AD Matlin replied that UHM Athletics has not received an exemption from NCAA fan attendance requirements other than the waiver that all Division I institutions received due to the COVID-19 pandemic. Although media reports noted the Mountain West Conference (MWC) commissioner's confidence in UHM's future ability to meet NCAA attendance requirements in light of funding provided for Aloha Stadium redevelopment, he emphasized that this did not constitute a waiver.

Regent Lee asked if the attendance requirement was based on turnstile counts or tickets sold and whether UHM Athletics has had conversations with the NCAA about an exemption from this requirement for the near-term. AD Matlin stated that attendance requirements are based upon both tickets sold and turnstile counts and that UHM Athletics has not had direct conversations with the NCAA about this issue as its dealings with the NCAA are generally handled through a MWC representative. However, he expressed his belief that the NCAA would be hard pressed to grant UHM Athletics a waiver from this requirement due to the uncertain timeframe for the redevelopment of Aloha Stadium.

Referencing height limitations noted in the administration's proposal, Regent Lee requested clarification on the stadium's configuration, including the necessity of moving the track. VP Gouveia replied that the height limitation noted in the proposal was due to a desire to remain within the current seating's elevation parameters and not the result of any height restrictions for lower campus facilities. She also stated that, while various configurations for the expanded stands were considered, the plan proposed by the administration was determined to be the most feasible approach. Seth Siaki, Design-Build Project Manager, added that the current height of the Ching Athletics Complex is approximately 58 feet, that the expansion plans would remain within those confines, and that other factors, including view planes and sight lines, were also considered in this decision.

Regent Higaki asked about attendance figures for last season's games, as well as the confidence of UHM Athletics in attracting the requisite number of fans to the expanded facility in order to meet NCAA attendance requirements. He also questioned whether there was an example of a Division I school being demoted due to its inability to meet these requirements. AD Matlin replied that he was unaware of any Division I football program that was demoted due to its inability to meet NCAA attendance requirements although he stressed that no other member institution has similar stadium capacity issues to what UHM Athletics is facing. He also stated that there were only three football games last season that allowed fan attendance albeit with stringent COVID-19 requirements and a lack of any concessions which affected fan attendance, and that UHM Athletics was confident in its ability to attract fans going forward, noting that the majority of the 9,300 seats have been sold for the upcoming season.

Regent Wilson asked about the lifetime of the proposed expansion project. VP Gouveia replied that the expected lifetime for these improvements is 15 years. She also explained that, with proper maintenance, there exists the opportunity for some of the project's capital goods, such as bleachers, to be repurposed or sold in the future.

Citing the semi-permanent nature of the proposal, Chair Nahale-a asked about aspects of the project that might be considered more permanent in nature. Mr. Siaki replied that one example of something that the administration would consider to be more permanent would be the installation of the video scoreboard which is being relocated from Aloha Stadium.

Regent Bal questioned the mechanism for funding the proposed projects. VP Young explained that, while official confirmation has not yet been received, the university is anticipated to receive approximately \$50 million in maintenance of effort (MOE) monies associated with federal funding from the various COVID-19 relief acts. While MOE monies cannot be utilized for capital improvement projects, the receipt of this funding would provide the university the ability to use tuition and fees funding to pay for the two construction projects. He also stressed that MOE funding is one-time funding that will not be available next fiscal year.

Regent Tochiki asked whether the football program met NCAA attendance requirements pre-pandemic. AD Matlin responded in the affirmative.

Regent Acopan inquired about the possibility of using the Stan Sheriff Center or other lower campus facility as a contingency plan for meeting attendance requirements in the event that the proposed project experiences construction delays. AD Matlin replied that, in theory, UHM Athletics has two years to complete construction because fan attendance is based on a two-year rolling average. If the project experiences construction delays, he stated that the use of other lower campus facilities, such as the Stan Sheriff Center, to temporarily accommodate additional fans may be an option. Additionally, he noted that exhibiting the effort to increase fan capacity would be beneficial in attempting to seek a short-term waiver from the NCAA attendance requirement should it become necessary to take this action.

Robust discussions ensued on the exigency of the situation given the number of unknown variables, including whether the NCAA would be open to providing an exemption from attendance requirements and the timeframe for a new Aloha Stadium; future fan attendance; the consequences of delaying the project for a year; the costs and benefits of the proposal; whether this was the best use for \$30 million; and the State's and community's desire to maintain a Division I football program.

President Lassner reviewed the complicated path that was taken in bringing this request to fruition and explained how the administration came to its decision noting that a tremendous amount of time and effort went into developing this proposal.

Regents expressed their support for the UHM football program, commended the work of VP Gouveia and AD Matlin, and offered their thanks to the entire university

team for their efforts on this proposal, as well as the initial expansion of the Ching Athletics Complex.

Vice-Chair Westerman moved to recommend board approval of the construction projects to expand the Ching Athletics Complex and relocate the track on the UHM campus, seconded by Regent Paloma, and noting the no votes of Regent Higaki and Regent Lee, the motion carried with all other members present voting in the affirmative.

**V. ADJOURNMENT**

There being no further business, Chair Nahale-a adjourned the meeting at 11:03 a.m.

Respectfully Submitted,

/S/

Kendra Oishi  
Executive Administrator and Secretary  
of the Board of Regents