MINUTES

BOARD OF REGENTS MEETING

AUGUST 30, 2019

I. CALL TO ORDER

Chair Ben Kudo called the meeting to order at 9:01 a.m. on Friday, August 30, 2019, at the University of Hawai‘i at Mānoa, Orvis Auditorium, 2411 Dole Street, Honolulu, Hawai‘i 96822.

Quorum (12): Chair Ben Kudo; Vice Chair Jan Sullivan; Vice Chair Wayne Higaki; Regent Simeon Acoba; Regent Kelli Acopan; Regent Eugene Bal; Regent Michael McEnerney; Regent Randy Moore; Regent Alapaki Nahale-a; Regent Michelle Tagorda; Regent Robert Westerman; and Regent Ernest Wilson Jr.

Others in attendance: President David Lassner; Vice President for Administration Jan Gouveia; Interim Vice President for Community Colleges Erika Lacro; Vice President for Legal Affairs/University General Counsel Carrie Okinaga; Vice President for Research and Innovation Vassilis Syrmos; Vice President for Information Technology/Chief Information Officer Garret Yoshimi; Vice President for Advancement/UH Foundation Chief Executive Officer Tim Dolan; UH-Mānoa (UHM) Provost Michael Bruno; UH-Hilo (UHH) Chancellor Bonnie Irwin; UH-Maui College Chancellor Lui Hokoana; Leeward Community College Chancellor Carlos Peñaloza; Executive Administrator and Secretary of the Board of Regents (Board Secretary) Kendra Oishi; and others as noted.

II. APPROVAL OF THE MINUTES OF THE JULY 18, 2019 MEETING

Regent Higaki moved to approve the minutes of the July 18, 2019, meeting, seconded by Regent Wilson, and the motion carried unanimously.

IV. APPROVAL OF RESOLUTIONS IN APPRECIATION AND RECOGNITION OF REGENT JEFFREY PORTNOY, REGENT LEE PUTNAM, AND REGENT STANFORD YUEN

Chair Kudo asked to reorder the agenda to take the approval of resolutions for the three emeritus regents first. There were no objections.

Board Secretary Oishi read each of the resolutions.

Regent McEnerney arrived at 9:06 a.m.

Vice Chair Higaki moved to approve the resolutions and Regent Wilson seconded the motion.

Chair Kudo shared his thoughts on the demands of public service and recognized the dedication and commitment of former regents Portnoy, Putnam, and Yuen, and expressed his personal thanks and best wishes.
Regent Acoba expressed his appreciation to: former regent Jeff Portnoy for his devotion to the welfare of the athletic program and singular voice on many key issues which helped to make the board’s decisions better; former regent Lee Putnam, whom he felt was an open and inclusive chair who tried to involve everyone and had an eye for detail on how the board should structure its work; and former regent Stanford Yuen, whom he believed to be the only engineer on the board, and recognized him for his efforts with the university’s capital improvement program.

Vice President Gouveia also expressed her appreciation to the former regents. She expressed her thanks Stanford Yuen who joined the board at the same time that she joined the university. She acknowledged his commitment to the Planning and Facilities Committee, during which he encouraged the furthering of technology; as a result 99 percent of all infrastructure projects are processed electronically and the university is now venturing into asset inventory management. The university has been using the design-build method of delivery amount of time it takes to get to construction has been greatly reduced, which could not have been accomplished without the support of Regent Emeritus Yuen.

Regent Acopan arrived at 9:13 a.m.

Chair Kudo recognized all three former regents for their prominent educational accomplishments, but noted that Regent Emeritus Yuen was a graduate of the University of Hawai‘i and eventually earned two masters degrees and a professional license, and showed exceptional personal drive in accomplishing his goals.

There having been a motion that was made and seconded, the motion carried unanimously, with the exception of Regent Moore who was not present.

Regent Emeritus Yuen provided remarks and shared that his experience as a regent was one of the highlights of his professional career. He thanked the regents for their guidance and leadership. He encouraged the regents to keep up the good work and acknowledged the university leadership for their accomplishments. Regent Emeritus Yuen acknowledged VP Gouveia for making his experience very enjoyable and commended her for the accomplishments achieved under her tenure. Regent Emeritus Yuen shared a reminder of gender equity and prevention of workplace and sexual harassment; he suggested that a major building be named after the author of Title IX legislation, the late Patsy T. Mink. He encouraged the regents to continue their good work and to do what is best for the university for future generations to come.

III. PUBLIC COMMENT PERIOD

Board Secretary Oishi announced that the Board Office received written testimony from the following:

- Kimberly Sales, offering comments regarding Mauna A Wakea.
- Cynthia Franklin, offering comments regarding the Maunakea permitted interaction group.
• Kekailoa Perry, offering comments regarding the President’s report, and accreditation and fiscal concerns related to honorary degrees.

Late written testimony was received from Nanea Lo in opposition of the Maunakea permitted interaction group.

The following individuals provided oral testimony offering comments related to Maunakea: Kalanikea Wilson, Kaipu Baker, Beau Shishido, Noenoe Silva, Cynthia Franklin, Tiele Dandt, Cristina Bacchilega, Bradford Ikemanu Lum, Nanea Lum, Christopher Seals, Kawelau Wright, Ty Kawika Tengan, and an unidentified testifier.

Kekailoa Perry provided oral testimony summarizing his written testimony.

The board went into recess at 10:25 a.m. and reconvened at 10:32 a.m.

V. REPORT OF THE PRESIDENT

President Lassner acknowledged and expressed appreciation to the individuals that testified. He then provided a report highlighting the following:

Hawai'i Graduation Initiative

• Enrollment headcount has increased at Hawai'i Community College and Windward Community College. While UHM headcount is down, course credits have increased which indicates that more students are enrolling in more credits.

Hawai'i Innovation Initiative

• As of today, the university has received just over $100 million in extramural funds, almost 18 percent over the same date last year.

High Performance Mission-Driven System

• The merger of the Travel Industry Management School (TIM) and Shidler College of Business will become effective on September 1, 2019. TIM will operate as a school within a college.
• The merger of the College of Languages, Linguistics, and Literature with the School of Pacific and Asian Studies continues and would create the largest college at UHM.
• Phase I of the UHM reorganization that was approved by the board is underway; there is a new Provost Council and the first meeting of the new Mānoa leadership team will occur next week. Mini-design teams have been meeting over the summer. The goal is to have a proposed framework available at the end of September for public discussion and have a full formal reorganization proposal for formal consultation next spring.

President Lassner also noted the following accomplishments:

• UHM’s Department of Public Safety was accredited by the Commission on Accreditation for Law Enforcement Agencies, which is the national law enforcement accreditation organization and a gold standard that is something
that police departments aspire to. UHM is only the second university in the country to achieve this accreditation. He congratulated Chief Andrew Black for his stellar public safety work on the UHM campus.

- UH received full accreditation for lab animal care services by the Association for Assessment and Accreditation of Laboratory Animal Care. He congratulated Sylvia Kondo and her team for this accomplishment.
- President Lassner congratulated Michael Unebasami, Associate Vice President for Administrative Affairs for Community Colleges, for being honored with the 2019 National Association of College and University Business Officers (NACUBO) Distinguished Business Officer Award. This award is given to the individual who has shown exemplary leadership, outstanding achievement, and extraordinary service over an extended period of time.
- President Lassner approved the charter of a new Staff Senate for UHM to engage support staff with campus governance processes.

VI. COMMITTEE AND AFFILIATE REPORTS

A. Report from the Committee on Personnel Affairs and Board Governance

Committee Chair Bal summarized the committee report.

Regent Acoba commented that he didn’t believe that any decision was made to eliminate committees, but only to evaluate whether committees should be consolidated or eliminated, and also to evaluate the structure of committees.

Chair Kudo announced that he would be assigning members to the seven committees and that regents will be informed on the committee and affiliate group assignments. He noted that he is trying his best to spread the workload evenly.

B. Affiliate Reports

UH Student Caucus: Regent Acopan reported that the UH Student Caucus will be meeting for the first time this year on September 14 and 15 and that regents are invited to attend.

Maunakea Management Board (MKMB): Regent Nahale-a reported that MKMB met and discussed decommissioning and the process that will be used. They also received an update on issues related to invasive species and maintaining access to the road.

All Campus Council of Faculty Senate Chairs (ACCFSC): Regent Wilson reported that the ASSFSC met for the first time on August 19, 2019, and that Tom Conway was elected as one of the co-chairs. They discussed reframing governance relationships and making changes to their bylaws, and welcomed having a liaison to the Board of Regents.
VII. AGENDA ITEMS

A. Approval of the Awarding of the Honorary Doctorate of Humane Letters Degree Upon General Eric Shinseki and President Barack Obama

Provost Bruno summarized the action memo and requested that the board award the Honorary Doctorate of Humane Letters degree to General Eric Shinseki and President Barack Obama in recognition of their outstanding contributions.

Regent Wilson moved to approve awarding the Honorary Doctorate of Humane Letters Degree upon General Eric Shinseki and President Barack Obama, seconded by Regent McEnerney, and the motion carried unanimously.

B. University of Hawai'i – West Oahu (UHWO) Mauka Lands Photovoltaic Update

VP Gouveia provided an update on the AES option agreement and grant of easement on the UHWO mauka lands for photovoltaic (PV) development. In 2018, HECO issued a request for proposals for developers, and AES was selected in 2019. The Public Utilities Commission approved the project on August 21, 2019. She noted that the provisions under the previous board approval allowed administration to remain nimble through this process.

Regent Wilson asked how the approximate $320,000 per year in anticipated revenue matches up with the cost of electricity per year, and if it will help offset utility costs. VP Gouveia responded that they are still determining the distribution of funds. She believed that UHWO’s electric use is approximately one million megawatt per year and UHM’s electricity bill is approximately $40 million per year.

Regent Bal asked whether there are any projections regarding phase II of the project. VP Gouveia replied that UH has been asked by developers if other lands are available. UH has been working with HECO to overlay the grid on an island map to see if there are feasible lands to tie into the grid. That process has begun for phase II, but a specific site has not been identified.

Regent Acoba asked whether all of the designated land for this type of project was taken up by HECO. VP Gouveia responded that for purposes of mauka lands that need to connect into the HECO grid, the land has been taken up by HECO. She noted that they are evaluating the feasibility of using UHWO makai lands for future projects, including a possible green tariff project. An update will be provided at a future meeting.

Regent Acoba questioned whether HECO set the rent and what the funds are used for. VP Gouveia explained that bids were received from six developers that proposed rental rates following a specified process whereby UH is contractually agreed to rent and developers offer proposals through an open solicitation for proposals. UH signed an agreement to work with the entity selected by HECO. VP Gouveia noted that administration is still working on determining where the revenue will be allocated; part of it will be returned to UHWO and part will be used to support the sustainability program.

Regent Westerman inquired as to whether AES is obligated to UH regardless of whether they have to renegotiate with HECO, and if there’s a possibility that AES might...
ask to renegotiate. VP Gouveia noted that the terms are attached to the option agreement and are not negotiable.

Regent Wilson asked if administration is exploring the possibility of using other lands for this purpose. VP Gouveia responded that UH is implementing a balanced approach to maximize the use of lands and works closely with HECO on technical analysis. The university has not engaged in the same level of analysis with utility companies on the neighbor islands.

Chair Kudo commented that this is essentially a land agreement where the university collects lease rent, as opposed to a power-purchase agreement. VP Gouveia confirmed. Chair Kudo asked if there was a possibility that AES could produce more than the agreed upon 18 megawatts that could be used to directly feed to UHWO. VP Gouveia replied that the infrastructure of getting high voltage capacity from mauka to makai of the freeway may not be feasible.

Chair Kudo asked whether there would be sheep or goat on the lands. VP Gouveia did not know, but noted that there have been discussions on how to fulfill the agricultural use component of the land use requirements which may involve animals. The details are still being worked out through the option agreement. UH is a passive landowner, and AES will be responsible for ensuring compliance.

C. **Recommendation to Defer Changes to Board of Regents Committee Structure to Allow Each Committee to Examine its Functions and the Implications of Elimination or Consolidation and Report Findings no Later than February 2020**

Regent McEnery made a motion to defer changes to the Board of Regents committee structure to allow each committee to examine its functions and the implications of elimination or consolidation and report findings no later than February 2020. Regent Wilson seconded the motion, and the motion carried unanimously.

VIII. **ANNOUNCEMENTS**

Chair Kudo acknowledged Melissa Matsuura, Executive Assistant, Office of the Board of Regents, for her six years of dedicated service to the board and wished her well as she moves on to another position within the University System.

Regent Westerman thanked Calvin Shirai for his willingness to serve as Interim Vice Chancellor for Administrative Services for Kaua‘i Community College, as noted on Attachment A to the agenda.

Chair Kudo announced that the next board meeting is scheduled for September 26, 2019, at the University of Hawai‘i Maui College.
IX. ADJOURNMENT

There being no further business, Regent Moore moved to adjourn, and Regent Sullivan seconded, and with unanimous approval, the meeting was adjourned at 11:18 a.m.

Respectfully Submitted,

/S/

Kendra Oishi
Executive Administrator and Secretary
of the Board of Regents