



**UNIVERSITY OF GUAM  
UNIBETSEDÁT GUÅHAN**

**Board of Regents**

UOG Station, Mangilao, Guam 96923  
Telephone: (671) 735-2995 Fax: (671) 734-2296

**Regular Meeting Minutes  
February 23, 2023**

**1.0 CALL TO ORDER**

The Regular Meeting of the Board of Regents (BOR) was called to order by BOR Chairperson Liza J. Provido on February 23, 2023 at 5:31 p.m., RFK Library, Silent Room, and via Zoom. Notice of such meeting have been duly and regularly provided by the BOR.

**QUORUM:**

<b>Liza J. Provido</b>	<b>Chairperson</b>
<b>Sandra McKeever</b>	<b>Vice Chairperson</b>
<b>Mike W. Naholowaa</b>	<b>Treasurer</b>
<b>Lesley Leon Guerrero</b>	<b>Member</b>
<b>Agapito “Pete” Diaz</b>	<b>Member</b>
<b>Roland Certeza</b>	<b>Member</b>
<b>Bernadette “Bernie” Valencia</b>	<b>Member (via zoom)</b>
<b>Janice Malilay</b>	<b>Member</b>
<b>Julie Laxamana</b>	<b>Member</b>

**ALSO PRESENT:**

<b>Thomas W. Krise</b>	<b>Executive Secretary</b>
<b>Anthony Camacho</b>	<b>General Counsel</b>
<b>Christine Mabayag</b>	<b>Recording Secretary</b>
<b>David S. Okada</b>	<b>CPO/Interim Chief of Staff</b>
<b>Tessica Duenas</b>	<b>Support Staff</b>
<b>Kalyne Roberto</b>	<b>Support Staff</b>

**2.0 MEETING MINUTES**

**2.1 Regular Meeting Minutes of November 17, 2022**

Chairperson Provido asked if there were any corrections or discussion regarding the regular meeting minutes as presented. Regent Malilay moved to approve, which was duly seconded by Regent Diaz. Chairperson Provido requested to amend 5.31 on the 3<sup>rd</sup> paragraph to read *730 days instead of 785 days* and on the 5<sup>th</sup> paragraph to read the SSC tenants *were initially planned to be moved* to UOG’s 13-unit container village. Regent Malilay moved to approve as amended, which was duly seconded by Regent Diaz. All 9 (nine) Regents approved by roll call. The motion carried.

## **Board of Regents Regular Meeting Minutes of February 23, 2023**

### **2.2 Special Meeting Minutes of January 17, 2023**

Chairperson Provide asked if there were any corrections or discussion regarding the special meeting minutes as presented. Regent Diaz moved to approve subject to corrections, which was duly seconded by Regent McKeever. All 9 (nine) Regents approved by roll call. The motion carried.

### **3.0 CHAIRPERSON'S REMARKS**

Chairperson Provide welcomed everyone to the February Regular Meeting and the continued transition to face-to-face meetings as the "new" normal. She hopes everyone continues to remain safe and healthy and appreciates everything being done to keep the mission of our University moving ahead.

She and the BOR is looking forward to the first "post-public health emergency" Charter Day on March 2nd, with many visitors and future Tritons coming to the campus and attending all the activities. She stated that she understands the Student Government Association also had to turn down several vendors who wanted to participate in the celebration due to lack of space. She added that information is getting out and that we appreciate the community's continued interest in UOG.

She added that Regents will be attending the 2023 National Conference on Trusteeship on the first week of April and hopes to bring back some lessons learned from the networking event to apply to the Board and the University.

She further added that the BOR is also looking forward to further updates on the WSCUC (accreditation) visit that will be coming soon as well as the accreditation status of the School of Engineering, and the start of four major construction projects to support students, academic programs, and water resource support to the community.

She then asked the Regents to review the BOR 2023-2024 Academic Calendar for the BOR meetings that was provided. She stated that the calendar will be voted on for approval at the April 2023 meeting.

In closing, she noted for the record that Regent Valencia has been approved in writing by her to participate in the 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 February 15<sup>th</sup> with a quorum present and presented and reviewed the proposed resolution for the Board's approval.

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### **5.1.2 Resolution No. 23-02, Relative to Approving the FY2024 Student Financial Assistance Program Budget**

Regent Malilay introduced Resolution No. 23-02 and moved to approve, which was duly seconded by Regent Naholowaa. She summarized the resolution explaining the purpose. All 9 (nine) Regents approved by roll call. The motion carried.

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

Chairperson Provideo handed the role of Chairperson to Vice Chair McKeever so she can report as the Acting Chair for the AP&T committee, noting that Regent Leon Guerrero was off-island for the AP&T meeting.

#### **5.2.1 Committee Update**

Acting AP&T Chair Provideo presented the resolutions below for Board approval.

#### **5.2.2 Resolution No. 23-03, Relative to Consolidating the Number of Positions on the University of Guam Administrator's Salary Scale**

Regent Provideo introduced Resolution No. 23-03 and moved to approve, which was duly seconded by Regent Naholowaa. She summarized the resolution explaining the purpose. All 9 (nine) Regents approved by roll call. The motion carried.

Chairperson McKeever returned the role of Chairperson back to Regent Provideo.

### **5.3 Physical Facilities Committee**

#### **5.3.1 Committee Update**

Regent Diaz reported that the Physical Facilities Committee met on February 15<sup>th</sup> at 4 p.m. at the President's Conference Room with a quorum present.

He reported on the School of Engineering (SENG) and Student Services Center (SSC) stating that the Interim Financing Agreement with Greater Nevada Union is still ongoing and that USDA/USEDA/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.

He reported that the SENG design is at 70% and that construction completion is anticipated to be in September 2024.

He reported that the SSC design is also at 70% and that the SSC tenants have been relocated. He added that the demolition permit was obtained at the start of this year, and it will begin this month. The construction completion is anticipated to be in November 2024.

He reported on the Water and Environmental Research Institute (WERI) and School of Health (SOH) Annex stating one of the issues with the USEDADA projects are the lien requirements for both the building and the land the building sits on. He stated that the SOH Annex sits on the main campus property and the WERI building is on a Dean's Circle lot. He noted the two paths

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forward were determined and that one of them was to get an interagency agreement between USDA and USEDA to share property liens. He stated the other was to get the properties surveyed and subdivided. He added that the land for the SOH annex is now with the Department of Land Management (DLM) and should be completed in a couple of weeks.

He further reported on the WERI Building and SOH Annex stating that the design for both buildings is complete. The DLM zone and height variances have been obtained for the WERI Bldg. He added that the bid documentation for USEDA review is on hold until the SOH Annex land subdivision and lien issues are sorted.

He then reported that a revised cost estimate from the Architect for the projects indicating the project cost shortfall has grown by an additional \$4-6M. He stated that the estimated budget for the WERI Building is \$12.9M and the SOH Annex is \$6.8M. He added that supplemental funds are being sought with an internal endowment as a last resort, UOG Endowment Fund, and the Governor. He also stated this will be the subject of Resolution 23-05 which will be presented by the Investment Committee.

He reported on the Guam Cultural Repository (GCR) stating that the committee was briefed that the land the GCR sits on was intended to be transferred to UOG, but it was never completed and is still the property of the Government of Guam. He added that UOG also recently switched auditing companies and they are currently recommending to write-off the GCR building and land. However, the goal is to try and retain ownership as it would impact UOG's financial standing.

He further reported on the life cycle/preventive maintenance with regards to air conditioning systems, generators, and campus lighting. He also provided a brief report regarding personnel, Architectural & Engineering IDIQ, the Siemens project, and an update on the Safety & Security Service/Office (SSO), Student Security Force, UOG Green, and IT Infrastructure and other ongoing projects.

### **5.3.2 Resolution No. 23-04, Relative to the Authorization to Provide Flexibility in Establishing Salaries for the Student Security Program for the Campus**

Regent Diaz introduced Resolution No. 23-04 and moved to approve, which was duly seconded by Regent Malilay. He summarized the resolution explaining the purpose. All 9 (nine) Regents approved by roll call. The motion carried.

## **5.4 Investment Committee**

### **5.4.1 Committee Update**

Regent McKeever reported that the Investment Committee met on February 16<sup>th</sup> with a quorum present.

She reported that the Triton Investment Club fund balance as of February 3 was \$38,041.77. She stated that the portfolio had a negative return of 33% for 2022, however, the YTD as of Feb 3 was up 9.01%.

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She then reported on the Investment Manager Update from Raymond James and Associates (RJA). She stated that the markets picked up during the 4<sup>th</sup> quarter and the balance as of Dec. 31, 2022, was \$22,145,044. She added that the fund had a negative return for the year of 14.97% which was helped by a rebound in the 4<sup>th</sup> Quarter of 2022 which had picked up a 5.87% return. As of Feb 14, 2023, the fund continued the momentum with a net fee return of 5.80% and a portfolio balance of \$24,916,41. She added that this is just a few percentage points down from the level it was at the beginning of 2022. She stated that Jason Miyashita noted that Winslow Capital Management was up nearly 12% during 2023, but that we should keep an eye on them and determine at the next meeting if they should be placed on “watch” status.

She further reported on the Conservatively Managed Portfolio. She stated that VPAF Randy Wiegand explained that the services had been awarded to RJA, who is the current advisor on the UOG investments, and that the contract is pending signature and we expect the funds to be transmitted to RJA soon. She stated that Amanda Gima provided information on the recommended portfolio for which the funds will be invested called “*Freedom Conservative Strategy ETF*”, and Mr. Miyashita highlighted that the fund is invested 30% in Equities and 70% fixed income and cash.

### **5.4.2 Resolution No. 23-05, Relative to Authorizing the University to Pledge Internal Endowment Funds for the New Water and Environmental Research Institute Building and the School of Health Annex**

Regent McKeever introduced Resolution No. 23-05 and moved to approve, which was duly seconded by Regent Naholowaa. She summarized the resolution explaining the purpose and a brief discussion followed. All 9 (nine) Regents approved by roll call. The motion carried.

## **5.5 Budget, Finance, and Audit (BFA) Committee**

Regent Naholowaa reported that the BFA Committee met on February 16<sup>th</sup> and received an update on the financial condition of the University.

He reported that the University needs \$3.6M to begin funding the long overdue faculty salary increase and \$2.1M if the government is going to pursue the 22% salary increase proposed by the Governor. He stated that the University is going to require a significant increase in appropriation for Fiscal Year 2024 and that the strategy is to first meet with the new senators and then try to meet with the other senators who might assist the University.

### **5.5.1 Financial Update**

He reported that the University continues to receive its allotments on a timely basis and that the weekly payment from the Department of Administration continues to be received in a timely manner.

He reported that VPAF Wiegand explained that during the first quarter of the fiscal year, there is a significant lag that complicates a review. He stated there are not many expenditures recorded as much for the month of October as time is spent setting up new purchase orders and contracts, and most December invoices are not received by the January 5 cutoff date.

**5.5.2 Collections Report**

He reported that Associate Comptroller/Bursar Flores presented the collections report and stated that \$41,000 was collected which is a little behind the target collection of \$200,000, however, they were at about the same level at the same time last year and ended up achieving the goal.

**5.5.3 Procurement Transactions and Contracts Report**

He reported that most of the items were pass through items where funds were received from grants or other contracts. The exceptions were \$113,000 to upgrade the campus booster pump, \$700,000 for insurance coverage, \$261 for security guard services, and \$127,000 for meals for dorm residents.

**5.5.4 Committee Update**

Regent Naholowaa stated that VPAF Wiegand reported that a significant audit issue has arisen. He stated that the prior audit firm had been comfortable with depreciating the Guam Cultural Repository building for three years and to see what happens at the end of three years. He added that the new auditors reviewed and felt the entire cost of \$12 million should be written off the books with this audit.

He reported that the Office of the Attorney General refused to sign a loan agreement for the borrowing for the Siemen's project. He stated that Siemen's had an order pending with a vendor for a couple of months and had advised the University, if the matter were not resolved by February 3, 2023, the order would have to be cancelled and prices would invariably be increased. He added that VPAF Wiegand advised that the University give Siemen's the authorization to proceed and would pay the vendor with reserve funds if the loan does not go through. He added that VPAF Wiegand stated he is planning to continue to try to get the loan agreement signed and that every day the project is delayed, the University is foregoing savings that would be gained from the energy efficiency initiatives.

He reported that Risk Officer Paguirigan stated that the hotline is about to be launched and that there will be three ways to submit a fraud, waste, or abuse tip to the University, which will be by the hotline phone, by email, and through the website, and that all tips will remain anonymous.

**5.5.5 Resolution No. 23-06, Relative to Approving the FY2024 General Operations Budget and Special Appropriations Budgets**

Regent Naholowaa introduced Resolution No. 23-06 and moved to approve, which was duly seconded by Regent McKeever. He summarized the resolution explaining the purpose. All 9 (nine) Regents approved by roll call. The motion carried.

**5.5.6 Resolution No. 23-07, Relative to Approving the Revised University of Guam Delegation of Authority Policy**

Regent Naholowaa introduced Resolution No. 23-07 and moved to approve, which was duly seconded by Regent Malilay. He summarized the resolution explaining the purpose. He then moved to amend and add a sentence to the policy "*The President may further delegate the signing of the MOU's as appropriate.*", which was duly seconded by Regent Leon Guerrero. All

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9 (nine) Regents approved the amendment by roll call. On the original motion, all 9 (nine) Regents approved the motion, as amendment, by roll call. The motion carried.

### **5.6 Executive Committee**

#### **5.6.1 Update to the 2023 Presidential Search Process**

Chairperson Provideo stated that she is pleased to report the Regent Diaz was nominated to serve as the Chair for the Presidential Search Committee (PSC). PSC Chair Diaz reported that the PSC has met 3 (three) times, that the job announcement for President was officially announced on February 1, 2023, and that the closing date for the announcement is March 17, 2023. He added after the closing date, the PSC will start reviewing all the applications.

Chairperson Provideo stated that based on the timeline, the BOR should be receiving the recommendations from the PSC by April.

### **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 Provideo opened the floor for open presentations. There were no presentations.

### **8.0 EXECUTIVE SESSION**

Regent Diaz motioned to move to Executive Session, which was duly seconded by Regent Malilay. All 9 (nine) Regents approved by roll call. The motion carried. The Executive Session commenced at 6:41 p.m. Chairperson Provideo stated for the record that in accordance with the BOR Bylaws, those regents on zoom will not be participating in executive session.

#### **8.1 Recommendation for Tenure for Dr. Perry J.C. Pangelinan, Assistant Professor of Library Science, RFK Library, University Libraries**

The Executive Session ended at 6:52 p.m.

### **9.0 VOTING FILE**

#### **9.1 Recommendation for Tenure for Dr. Perry J.C. Pangelinan, Assistant Professor of Library Science, RFK Library, University Libraries**

Regent Malilay moved to approve the recommendation for Tenure for Dr. Perry Pangelinan, which was duly seconded by Regent McKeever. Chairperson Provideo reported for the record that Regent Valencia has left the meeting as she is unable to participate in executive session via zoom and thus cannot vote for this action, according to the Bylaws. The remaining 8 (eight) Regents approved by roll call. The motion carried.


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**10.0 ADJOURNMENT**

Regent Diaz moved that the meeting be adjourned, which was duly seconded by Regent Certeza. All 8 (eight) Regents approved by roll call. The motion carried. Chairperson Provideo adjourned the meeting at 6:54 p.m., CHamoru Standard Time.

  
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Liza J. Provideo, Chairperson

**ATTESTED:**

  
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Thomas W. Krise, Ph.D., Executive Secretary



Krise Prez Report to BOR 20230223

In Memoriam slides

Margaret Hattori Uchima Memorial and plans for naming

Platinum Jubilee Finale & all the 70th events

End of Fanuchanan semester & Commencement

APIA leadership visit and potential for private foundation grants as a new frontier for UOG

Charter Day! One week from today

- Opening Ceremony 0900 in front of RFK Library
- Prez Cup events, booths, hut competition, games, lab and library tours, etc

Budget and one-pager

- Classified staff raise complication
- Need for regents' support in making the case for UOG
- Regents and students strategy
- Briefings & tours for senators/staff
- Rotary Club talk and coverage

WASC, ABET, Carnegie committees all hard at work

Faculty Union negotiators appointed and aiming to complete process this semester

Four Big Building projects moving forward--\$ from Adelup, coping with inflation

GCR new employees on-boarding now; anticipate 80% full once all materials are in-processed

DEI Initiative: SSEI with AASCU, survey

Island Wisdom Initiative:

- New certificate in traditional seafaring
- New G3 Yo'amte Project for traditional healing

More from G3, including:

- G3 Conservation Corps
- Expanding the community gardens to more villages

Birds Event

Time Magazine interview

Great publicity on the many achievements of students, faculty, staff and administrators

Please see Big G Weekly for handy coverage of UOG news

President Search Committee: 3 meetings; advertisement well publicized; applications coming in; deadline for applications is 17 March; anticipate interviews in April, selection in May

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*Rosita Taitano Blas*

Mother of Janet B. San Nicolas, Program Coordinator  
with the Admissions and Records Office

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*Dr. Margaret Torres Artero*

Retired Associate Professor at the School of Education

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*Richard H. Randall*

Retired faculty member of the Marine Laboratory  
and an Emeritus Professor of Marine Biology

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*Dr. Margaret Hattori-Uchima*

Dean of the School of Health

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*Milagros Moguel*

Professor Emerita of Consumer and Family Science

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*Joseph Cruz San Nicolas*

Father of Thomas San Nicolas with the Facilities  
Management and Services

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*Joseph Leon Guerrero*

Father of John Leon Guerrero, Building Maintenance  
Superintendent of Facilities Management and Services

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**UOG Endowment Foundation**  
**Board of Regents Update**  
**02/23/2023**

Håfa Adai, Madam Chair Provido and members of the Board of Regents. Thank you all for giving me the opportunity to report.

- Fundraisings & Notable Events
  - Over \$85,000 was raised during our Annual G is for Giving Campaign from November through December. This is a grass roots effort to raise awareness and funds that benefits the University of Guam based on the donor's passions and interests. This campaign allows donated funds to be pooled together to award meaningful scholarships or to raise funds that can benefit programs and research.
  - In conjunction with the UOG Triton Athletics Department, UOG Endowment Foundation held its 2<sup>nd</sup> Annual Triton Baseball Invitational Tournament from January 20 through February 12<sup>th</sup>. Special thanks to our fellow sponsors: UOG, TakeCare, and BT International for joining this celebration of bringing back UOG baseball to our Athletics program. The Pirates were victorious over the Dodgers to win this tournament.
- In the coming year, donations and sponsor funds will be used to help support the following projects and events:
  - An upcoming Taiwan-Guam Austronesian Arts Exhibit at the Guam Museum through the newly established Asia Pacific Studies Center project.
  - PMBA Cohort's Capstone project – Hover X will utilize drones to deliver healthcare kits to remote areas in Pohnpei.
  - March - Kavalan sponsored fundraising event to benefit the Taiwan Scholarship for ALS Student Exchange
  - April 11 to 15<sup>th</sup> - Conference on Island Sustainability: Rediscover the Depths of Our Island Abundance will be held at the Hyatt Regency Guam
  - April 29<sup>th</sup> – Annual Emeritus Scholarship fundraising luncheon
  - Scholarship awards for Fanomnakan 2023 and Academic Year 2023-2024
- UOGEF is very honored to be conduits for philanthropy from its donors and we are grateful for the valuable partnership with UOG personnel in reaching out to these donors. Notable donations and/or other payments received in the past couple of months include:
  - \$200,000 donation from the Jackson Yang & Family Foundation to benefit the Asia Pacific Studies project (with a pledge for additional \$200,000 per year for the next 2 years). (TECO, SVPP Anita Enriquez, Dr. Chen, and Dr. Liu)
  - \$75,000 from Calvo Enterprises for their Capital Campaign annual pledge commitment
  - \$65,000 grant from the Poetry Foundation to benefit UOG Press – (Lola Leon Guerrero).
  - \$26,600 from Judiciary of Guam to benefit the Regional Center for Public Policy for judiciary evaluation work – (Dr. Gena Rojas)
  - \$7,000 from Pacific Fruits as sponsorship for the UOG 70<sup>th</sup> Anniversary Platinum Jubilee – (Norman Analista)
  - \$5,000 from Ada's Trust & Investment for the General Endowment
  - \$5,000 from the Kurt S. Moylan Foundation for a KSM Scholarship
  - \$5,000 from an anonymous donor for a new scholarship
  - \$5,000 from ENGEO to create a new scholarship for engineering students. (Dr. Patil)
  - \$5,000 from NASA EPSCoR Guam to sponsor the Conference on Island Sustainability (Dr. Austin Shelton)

As you interact with members of these organizations, please take the opportunity to thank them for their continued partnership in supporting the University of Guam.

This concludes my report.

Thank you!