

BOARD OF REGENTS
BRIEFING PAPER

**1. Agenda Item Title: Status Update - UNLV Campus Improvement
Authority Board (CIAB) and its consultant, Conventions, Sports and
Leisure (CSL) International**

Meeting Date: March 6-7, 2014

2. BACKGROUND & POLICY CONTEXT OF ISSUE:

AB335 authorized the creation of the UNLV Campus Improvement Authority Board (CIAB) in order to determine the feasibility of building a new football stadium on the UNLV campus. Four (4) members of the CIAB were appointed by the Board of Regents. Don Snyder is the Chair of the CIAB and would like to keep the Board of Regents updated on the progress of the CIAB, given that they have an aggressive time frame to complete a final report to the Legislature by 9/30/14. This will also give the CIAB an opportunity to introduce the Board of Regents to the CIAB Consultant – CSL International.

A copy of the Memo Of Understanding (MOU) between the CIAB and the Board of Regents on behalf of UNLV is also attached. Consistent with past discussions with the Board of Regents and AB 335 and AB 501, UNLV will advance funds for the operation of the CIAB with the expectation that most, if not all, of those funds will be reimbursed when the State slot tax financing is completed. Per action at the September, 2013 Board of Regents meeting, both UNLV and UNR were approved to reimburse themselves for expenditures made in advance of the slot tax funding for projects authorized from slot tax revenue. This MOU was required in order for the state to process the contract with CSL International, and to formalize the assumptions between UNLV and the CIAB relative to support of this special purpose Board.

3. SPECIFIC ACTIONS BEING RECOMMENDED OR REQUESTED:

This is not an action item and an informational update only on the work of the CIAB and their efforts to look at the feasibility of a stadium for the UNLV campus.

4. IMPETUS (WHY NOW?):

The CIAB has an aggressive schedule to meet the requirements of AB335, and they recently hired a consultant, CSL International (CSL), who will assist them in finalizing their recommendations on the feasibility of a stadium for the UNLV campus. CSL will provide an introduction of their services and experience and provide the BOR with a summary of their process and timeline moving forward and a summary of its initial work.

5. BULLET POINTS TO SUPPORT REQUEST/RECOMMENDATION:

The work of the CIAB is of great interest to UNLV and therefore to the Board of Regents, and keeping the Board updated on the progress of the CIAB seems important and preferable to providing the Board of Regents a copy of the final CIAB report.

6. POTENTIAL ARGUMENTS AGAINST THE REQUEST/RECOMMENDATION:

The CIAB has three (3) Board of Regents members on it now, and there is not sufficient time for additional updates to the full Board.

7. ALTERNATIVE(S) TO WHAT IS BEING REQUESTED/RECOMMENDED:

Do not schedule updates on the CIAB activity to the Board of Regents.

8. COMPLIANCE WITH BOARD POLICY:

- Consistent With Current Board Policy: Title #_____ Chapter #_____ Section #_____
- Amends Current Board Policy: Title #_____ Chapter #_____ Section #_____
- Amends Current Procedures & Guidelines Manual: Chapter #_____ Section #_____
- Other:_____
- Fiscal Impact: Yes_____ No__X__
Explain:_____

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE CAMPUS IMPROVEMENT AUTHORITY AND
THE BOARD OF REGENTS OF THE NEVADA SYSTEM OF HIGHER EDUCATION,
ON BEHALF OF THE UNIVERSITY OF NEVADA, LAS VEGAS**

This Memorandum of Understanding ("MOU") is entered into between the Campus Improvement Authority, a quasi-governmental body of the State of Nevada ("Authority"), and the Board of Regents of the Nevada System of Higher Education ("NSHE"), on behalf of the University of Nevada, Las Vegas ("UNLV"), and is effective on the last date any authorized signatory affixes his/her initials below ("Effective Date").

RECITALS

WHEREAS, in February 2011, UNLV embarked on an assessment of developing a mixed use development that would include an events center; a student village consisting of housing, retail and hospitality components; and related parking and infrastructure improvements (collectively, the "Project"), within and around a portion of the University of Nevada, Las Vegas main campus;

WHEREAS, UNLV believes that it would be beneficial to UNLV's mission, and the educational experience at UNLV, to pursue the possible development of the Project, which is intended to create a richer, more dynamic campus experience and a greater sense of community life, within the campus;

WHEREAS, the Nevada legislature created the Campus Improvement Authority through Assembly Bill 335 and charged it with evaluating options for the general design, size, cost and financing of an events center;

WHEREAS, the Nevada legislature, through Assembly Bill 335, allocated up to two percent (2%) of the projected slot tax funding allocated to UNLV through Assembly Bill 501 to support Authority activities, including consultants to advise the Authority;

WHEREAS, the parties anticipate that the Nevada State Treasurer will implement its slot tax financing and distribute such allocated funds to UNLV (through NSHE) during calendar year 2014; and

WHEREAS, UNLV agrees to advance funds for Authority activities to be reimbursed from the slot tax funding (to the extent feasible), consistent with the provisions of this MOU, and also to cover other reasonable expenses for the Authority that may not be reimbursed from the slot tax funding.

NOW, THEREFORE, the parties agree as follows:

AGREEMENT

1. Support. UNLV is providing and will continue to provide support to the Authority by way of staffing, office space and equipment, meeting facilities, meals for Authority board members during public meetings, and other technical support as requested.
2. Funding. UNLV agrees to advance funds from non-state sources in the amount of up to \$500,000 to cover the Authority's actual expenses, including expenses under any contract with a consultant or advisor, including Convention Sports and Leisure International. The Authority shall submit approved invoices to UNLV for direct payment from UNLV to the Authority's vendor(s) upon such vendor(s) completing UNLV's registration requirements and any other information requests from UNLV.
3. Term. This MOU shall be effective as of the Effective Date and shall continue through September 30, 2015, unless extended by mutual written agreement of the parties.
4. Governing Law. This MOU shall be interpreted and construed in accordance with the laws of the State of Nevada, and any action or proceeding instituted to enforce its provisions shall be litigated and determined in a court of competent jurisdiction located in Clark County, Nevada.
5. Third-Party Beneficiary Rights. This MOU is not intended to create, nor shall it be in any way interpreted or construed to create, any third-party beneficiary rights in any person not a party hereto unless otherwise expressly provided herein.
6. Notices and Invoices. All notices, approved invoices and other communications required or desired to be given hereunder shall be in writing and shall be personally delivered, delivered by facsimile, delivered by overnight courier, mailed by first class mail or sent via confirmed facsimile to the other party at the address listed below:

TO UNLV: Gerry Bomotti
Senior Vice President for Finance and Business
University of Nevada, Las Vegas
4505 S. Maryland Parkway Box 451004
Las Vegas NV 89154-1004

TO AUTHORITY: Donald D. Snyder
Chairman, UNLV Campus Improvement Authority
University of Nevada, Las Vegas
4505 S. Maryland Parkway Box 456013
Las Vegas NV 89154-6013

IN WITNESS WHEREOF, the parties hereto have executed this MOU as of the Effective Date.

Campus Improvement Authority

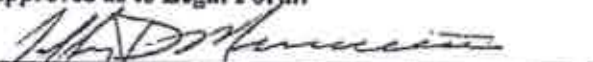
Approved:



Donald D. Snyder, Chair

Jan. 13, 2014
Date

Approved as to Legal Form:




Jeffrey D. Menisuccl, Deputy Attorney General

9 Jan 14
Date

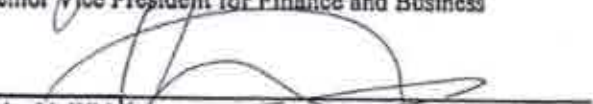
**Board of Regents of the Nevada System of Higher Education,
on behalf of the University of Nevada, Las Vegas**

Recommended:



Gerry Bomotti
Senior Vice President for Finance and Business

1/9/14
Date



John V. White
Executive Vice President and Provost

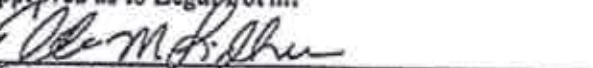
1/13/14
Date

Approved: 

Neal J. Smatresk
President

1/13/14
Date

Approved as to Legal Form:



Eida Luna Sidhu
General Counsel

01/09/14
Date