

**MINUTES**  
**BOARD OF REGENTS MEETING**  
**MAY 16, 2024**

A video recording of this meeting may be viewed at the Board of Regents website as follows:

[Meeting Video](#)

**I. CALL TO ORDER**

Interim Chair Lee called the meeting to order at 9:14 a.m. on Thursday, May 16, 2024, at University of Hawai'i (UH) at Mānoa, Information Technology Building, 1st Floor Conference Room 105A/B, 2520 Correa Road, Honolulu, Hawai'i 96822, with regents participating from various locations.

Quorum (11): Interim Chair Gabriel Lee; Interim Vice-Chair Ernest Wilson; Regent Neil Abercrombie; Regent Lauren Akitake; Regent William Haning; Regent Wayne Higaki; Regent Laurel Loo; Regent Abigail Mawae; Regent Michael Miyahira; Regent Diane Paloma; and Regent Laurie Tochiki.

Others in attendance: President David Lassner; Vice President (VP) for Community Colleges Erika Lacro; VP for Legal Affairs/UH General Counsel Carrie Okinaga; VP for Information Technology/Chief Information Officer Garret Yoshimi; VP for Budget and Finance/Chief Financial Officer Kalbert Young; VP for Advancement/UH Foundation (UHF) Chief Executive Officer Tim Dolan; UH-Mānoa (UHM) Provost      oso

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Interim Chair Lee reminded testifiers of remarks made during the April 18, 2024, board meeting regarding public comments on committee reports stating oral testimony

stated that board meetings are not open forums. However, he suggested the possibility of amending the meeting notice to clarify this matter further.

Regent Haning concurred with Regent Abercrombie adding that, in his opinion, the meeting notice clearly indicates states what constitutes an agenda item as there is a section on the meeting notice entitled "Agenda Items".

Mariko Quinn provided comments on the Legislative update and board self-assessment as they relate to the UARC. Despite calls for her to cease and a point-of-order being called for by Interim Vice-Chair Wilson, Ms. Quinn continued with her testimony.

Interim Chair Lee once again stated the UARC is not on this agenda. However, an update on the UARC is expected to be presented at a future meeting during which time comments on this issue will be accepted.

Meagan Harden expressed her disappointment in the board's silencing of student voices and spoke about UARC.

Sam Peck, who signed up to provide comments on the committee reports and the development agreement and option to lease real property at 550 Makapu u Avenue, was reminded to confine his comments to the matter regarding the real property development and lease. Mr. Peck voiced his exasperation with the board for what he believed was its limitation of free speech on the continued militarization of the university, continued colonization of Hawai'i, historic injustices, and the Israel-Gaza situation.

Misty Pegram; Samantha Avila Gomez, Dianna Deanna, SonS10 (G)2 (o)1s16 (ne hi) 00034 ( ex7

President Lassner spoke about recently completed graduation activities conducted across the university system highlighting the holding of a commencement ceremony on Moloka'i which occurs once every four years. He congratulated all of the graduates stating these events remind everyone about the primary role of, and important work being done by, the university.

The Compacts of Free Association (COFA), which govern the relationships between the United States and the Republic of the Marshall Islands (RMI), Federated States of Micronesia (FSM), and Republic of Palau (Palau), were recently funded via one of the consolidated budget bills passed by the United States Congress in March. A little-noticed provision within this legislation regarding tuition assessments for individuals from the aforementioned freely associated states was recently brought to the attention of the administration. In essence, the proviso prohibits institutions of higher education participating in federal financial aid programs from charging more than their in-state tuition rate to citizens of RMI, FSM, and Palau. Although the noted legislation does not take effect until July 1, 2024, the administration has already begun taking steps to ensure compliance with the new law and is currently working with campus leaders to understand the impacts it could have on the university. Discussions about tuition rate differentials between students from RMI, FSM, and Palau, and those from Hawai'i's other Pacific neighbors, particularly the United States Territories of Guam and American Samoa and the Commonwealth of the Northern Marianas, resulting from this legislation and how to address this issue are also taking place between the administration and campus leaders

administration continues to provide as much support as possible to students and their



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Regent Abercrombie shared his thoughts on the plan for the Makapu u Avenue property, which is more commonly referred to as the L 'ahi parcel, touting its potential benefits while at the same time communicating his concern with the proposal's lack of accommodations or other senior assisted-living alternatives for Medicaid eligible individuals

Regent Akitake inquired as to whether the motion could be amended to recommit the matter back to the committee for further discussion.

Regent Higaki raised a point of order stating there was a motion currently before the board. He proceeded to note the requirement for a vote to be taken on the matter unless the regent who made the original motion withdrew their recommendation, at which time the maker of the motion could amend their original motion to address the situation as described by Regent Akitake, or someone could make a new motion. He then called for the question.

Discussions ensued among regents regarding the motion currently before the board and the consequences of affirming or not affirming this motion.

Regent Akitake asked Regent Mawae if she would consider withdrawing her motion or amending the motion to refer the matter back to committee. Regent Mawae stated she would not withdraw or amend her motion.

There having been a motion that was moved and seconded, a roll call vote was taken, and with Regents Akitake and Mawae voting in the affirmative and all other regents present voting no, the motion failed to carry.

Regent Abercrombie subsequently moved to refer Agenda Item VII.A.2 back to committee for further discussion and consideration and the motion was seconded by Regent Akitake.

Despite supporting the overall project, several regents voiced their preference for referring the matter back to committee noting their concerns with the length of the lease as it related to MW Group's business plan.

In addition to the lease's length, and in light of the recusal of two regents from these discussions, Regent Akitake noted her apprehension with moving forward on this proposal given the complexity of the situation and, in her opinion, the lack of adequate time to thoroughly review the lease terms stating she felt rushed in making a decision. She also mentioned a number of questions she believed needed to be answered before making a final determination on this matter including, among other things, the adequacy of the lease-rent amount, the process used to find a lessee for the parcel, and other proposals or options considered by the administration for use of the land.

Regent Tochiki communicated her respect for the work, effort, and due diligence exercised by the administration in crafting this proposal.

Regent Higaki sought further information on other potential uses for the parcel considered by the administration prior to embarking upon negotiations with MW Group. He also asked if other proposals were received for development of the land in question. VP Young provided historical context to this matter stating that approximately five or six years ago the board directed the administration to find ways to utilize vacant land owned by the university for the betterment of the institution with the generation of additional revenues being of particular interest to regents. Specific to the L 'ahi parcel, the board charged the administration with the task of evaluating several options for the



throughout the state for academic programming, as well as the potential for establishing student internships and apprenticeships. He also explained the basis for charging MW Group an annual base rent of \$12,000 for the first three years of the lease stating the majority of this time will be devoted to pre-construction planning and due diligence, such as obtaining permits and entitlements, and noted, at present, the university is receiving \$100 a month from the State Department of Health and L 'ahi Hospital for use of the property as an employee parking lot. Director Shibata added that the lease rent agreed to by MW Group was by far the highest of any other offers received by the administration.

Regent Abercrombie shared his thoughts on the educational advantages the proposal could provide to university programs such as nursing and geriatrics noting these experiences will be invaluable to a student's academic and professional life.

Regent Tochiki sought clarification about the willingness of MW Group to discuss modifying the length of the lease's term. VP Young stated the administration has heard the input from and concerns raised by regents regarding the length of the lease and would be amenable to revisiting this issue in discussions with MW Group. However, he could not speak for MW Group.

In view of the extensive discussion on this matter, Regent Tochiki called for the question.

There having been a motion that was moved and seconded, and with the question being called, a roll call vote was taken, and the motion carried with all regents present voting in the affirmative.

Interim Chair Lee and Regent Paloma returned at 11:35 a.m.

Regent Akitake and Regent Mawae left at 11:35 a.m.

Regent Haning moved to approve Agenda Item VII.A.1, seconded by Interim Vice-

and grant the title of professor emerita to Dr. Haas as recommended. The motion was seconded by Interim Vice-Chair Wilson and the motion carried with all members present voting in the affirmative.

### **C. Legislative Update**

VP Young highlighted a number of measures and priority issues that the university  
followed that the legislature introduced in the (i) on (v) 919 legislative package (s) 3.1501 (6) (7) A



discipline of an officer or employee, where consideration of matters affecting privacy will be involved, pursuant to Section 92-5(a)(2), Hawai'i Revised Statutes.

The meeting recessed at 12:23 p.m.

Interim Chair Lee called the meeting back to order at 1:17 p.m. and announced that the board met in executive session to discuss the matters as stated on the agenda.

## **IX. AGENDA ITEMS (Continued)**

### **A. Personnel Actions (Attachment A-1 for approval)**

Provost Bruno requested approval of the appointment of the appointment of Dr. Thomas Samuel Shomaker as the Dean of the UHM John A. Burns School of Medicine (JABSOM).

Regent Haning moved to approve the appointment of Dr. Thomas Samuel Shomaker as the Dean of JABSOM as requested, seconded by Interim Vice-Chair Wilson, and the motion carried with all members present voting in the affirmative.

## **X. ANNOUNCEMENTS**

Interim Chair Lee announced that the next board meeting was scheduled for July 3, 2024, at UHM.

## **XI. ADJOURNMENT**

There being no further business, Interim Chair Lee adjourned the meeting at 1:18 p.m.

Respectfully Submitted,

/S/

Yvonne Lau  
Executive Administrator and Secretary  
of the Board of Regents