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### University of New Mexico Board of Regents Minutes for December 10, 2019

University of New Mexico Board of Regents

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**Minutes of the Regular Meeting of  
The Board of Regents of the University of New Mexico  
December 10, 2019  
Roberts Room, Scholes Hall  
Main Campus**

Members present

Douglas Brown, President; Kim Sanchez Rael, Vice President (telephonically); Sandra Begay, Secretary/Treasurer; Robert Doughty; Melissa Henry; Marron Lee; Robert Schwartz

Administration present

Garnett S. Stokes, President; James Holloway, Provost and EVP for Academic Affairs; Paul Roth, EVP and Chancellor for Health Sciences Center; Teresa Costantinidis, SVP for Finance and Administration; Loretta Martinez, Chief Legal Counsel; Francie Cordova, Interim Chief Compliance Officer, Director of OEO, ADA Coordinator; Ava Lovell, Executive Officer for Finance & Administration, HSC; Dorothy Anderson, VP HR; Michael Richards, Vice Chancellor for Clinical Affairs; Eddie Nunez, Athletic Director; Assata Zerai, VP for Equity and Inclusion; Dan D. Garcia, VP for Enrollment Management; Kate Becker, CEO, UNM Hospitals; Liz Metzger, University Controller; Dana Allen, VP Alumni Relations; Terry Babbitt, President's Chief of Staff; Cinnamon Blair, Chief Marketing and Communications Officer

Advisors present

Ryan Gregg, Staff Council President; Adam Biederwolf, ASUNM President; Finnie Coleman, Faculty Senate President; Muhammad Afzaal Hussain, GPSA President; Beverly Kloeppel, Retiree Association President

Presenters in attendance

Kristi Avalos, Founder & CEO, Accessology; Victor Griego, Interim Director, Internal Audit; Lisa Kuuttila; CEO & Chief Economic Development Officer, STC.UNM; Victor Griego, Interim Director of Internal Audit; Ryan Berryman, Financial Operations Director, Athletics; Jason Strauss, President & CEO, Lobo Energy, Incorporated; Karen Brown, Chair, Honorary Degree Committee, Assistant Professor, College of Nursing;

Others in attendance

Members of administration, faculty, staff, students, the media and others.

CALL TO ORDER AND CONFIRMATION OF A QUORUM

Regent President Douglas M. Brown called the meeting to order at 8:32 AM and confirmed a quorum with all seven members present: six members present in person; Regent Kim Sanchez Rael joined the meeting telephonically.

VOTE TO ADOPT THE AGENDA

Before adoption of the agenda, Regent President Brown requested two modifications to the agenda:

1. Remove/delete from the agenda: *Update on Homelessness Partnerships*, information item under the Health Sciences Center Committee (HSCC) Report.
2. Place under the Consent Docket: Action Items under the HSCC Report. (In committee, all action items on the Dec.9 HSCC agenda were moved forward onto the full Board of Regent Consent Docket.)

**The motion to adopt the agenda as modified passed with a unanimous vote in favor (1<sup>st</sup> Schwartz; 2<sup>nd</sup> Begay).**

VOTE TO CLOSE THE MEETING AND PROCEED IN EXECUTIVE SESSION

Regent Brown asked for a motion to close the meeting; Regent Sandra Begay motion; Student Regent Melissa Henry seconded; a roll call vote was taken and all members voted yes. The meeting closed at 8:33 AM to address the following:

1. Discussions subject to attorney-client privilege pertaining to threatened or pending litigation as permitted by Section 10-15-1(7), NMSA (1978)

VOTE TO RE-OPEN THE MEETING AND CERTIFICATION

Regent Sandra Begay motioned to re-open the meeting; Student Regent Melissa Henry seconded; all were in favor. The meeting re-opened at 9:00 AM; the doors to Roberts Room were opened. Regent President Brown certified that only those matters described in the closed session agenda were discussed and there were no matters upon which action would be taken in open session.

APPROVAL OF MINUTES

**The motion to approve the minutes of the October 15, 2019 regular meeting and the September 20, 2019 special meeting passed with a unanimous vote in favor (1<sup>st</sup> Begay; 2<sup>nd</sup> Schwartz).**

PUBLIC COMMENT

Dani Castioni, in the School of Medicine, commented on the ADA transition plan and emphasized the importance of working on the accessibility issue, both on this campus and other UNM campuses.

COMMENTS FROM REGENTS' ADVISORS (no comments)COMMENTS FROM REGENTS (no comments)PRESIDENT'S ADMINISTRATIVE REPORT

President Garnett S. Stokes opened her report with a statement regarding completion of the DOJ Agreement:

*"As 2019 comes to a close, I have some very positive and important news that speaks directly to the dedication of our campus to fix what is wrong, improve what could be made better and provide our students and campus community an environment that is safe, welcoming and compassionate. In October of 2016, following a report by the U.S. Department of Justice released earlier that year, the Department of Justice and The University of New Mexico entered into a three-year formal agreement regarding UNM's obligations under federal civil rights laws to prevent and address sexual misconduct, and to provide clear and consistent policies and procedures for reporting, investigating and responding to such conduct.*

*Today, I am very pleased to announce that UNM has, in good faith, complied with all of the requirements of the Agreement and maintained timely compliance during the past three years, as reflected by a letter received this past Friday from the U.S. Department of Justice releasing us from the Agreement. We cannot be a strong university unless we address sexual misconduct effectively, fully, and in a timely manner.*

*During my tenure, it has been a top priority for UNM to fully comply with this agreement, promote positive behavior, provide resources in this area, and foster a safe and respectful culture. UNM has taken compelling steps to address sexual misconduct and change the campus culture, including the training of record numbers of faculty, staff, and students on sexual misconduct prevention at the University. Over the past three years more than 36,900 students received in-person sexual misconduct awareness training. I believe this is an unprecedented effort involving a university community. We have also committed new resources for campus training, investigation, and advocacy regarding sexual assault.*

*During this period characterized by intensified scrutiny, UNM staff, faculty, students, and administrators engaged in a variety of productive discussions about, and collaborative work to address, the origins, prevalence, and effects of campus sexual violence. We have revised our policies and implemented new processes for dealing with sexual misconduct. And the different offices working on these matters have overhauled how they work together to create a modern, collaborative, and responsive system, one that we are monitoring to identify any gaps and deficits that require our attention.*

*I am very proud of the offices and staff members who have worked tirelessly during this time, dealing with a multitude of issues. This includes but is not limited to the Main Campus Compliance Office, Office of Equal Opportunity, UNM Police Department, Dean of Students Office, LoboRESPECT Advocacy Center, Office of University Counsel, Human Resources, Women's Resource Center, and the LGBTQ Resource Center. I would also like to acknowledge the service and support that many faculty members have provided for the administration's efforts over the last three years. Through their work in faculty*

*governance, policy committees, grievance processes, and research on campus sexual violence, faculty have engaged constructively with our efforts to combat the prevalence of sexual misconduct.*

*Ultimately, our hard work has paid off. Our policies are clearer and more consistent. UNM employees and the student body are better educated on the processes and where to go for assistance. Our investigations into sexual misconduct are much stronger, making our responses more effective and transparent. We have seen a substantial increase in people reporting misconduct and/or seeking assistance and support. And staff and faculty are also playing a greater role in monitoring trends and working to proactively prevent additional sexual misconduct.*

*We have also committed to several projects that will broaden and deepen our efforts to prevent sexual misconduct. First, supported by a three-year grant from the Department of Justice's Office on Violence Against Women, staff and faculty across our campuses are taking action to reduce sexual assault, domestic violence, dating violence, and stalking on campus. We have also recently joined the Action Collaborative on Preventing Sexual Harassment in Higher Education, a national four-year project of the National Academies of Sciences, Engineering, and Medicine that moves beyond basic legal compliance to advance evidence-based policies and practices for addressing and preventing all forms of sexual harassment in higher education. And finally, UNM has been selected by the Department of the Navy to host a regional discussion in February 2020 with universities and military service academies on how to effectuate cultural change and utilize best practices and data driven models to reduce sexual violence on the nation's college and service campuses.*

*The conclusion of the Department of Justice's Agreement reflects a message of good faith and a positive ending. Please know, however, that UNM still has work to do in this area. As long as sexual misconduct continues to occur, we will continue to make this a top priority. We will remain committed, both as an institution and through my personal leadership, to preventing sexual misconduct, conducting fair processes for all, and providing a secure and caring environment for the entire community.*

*Thank you."*

Regent Marron Lee commented:

*"As a former Assistant United States Attorney (AUSA), I understand the magnitude of an oversight agreement and formal monitoring by the Department of Justice (DOJ) of any institutions or entities' policies and procedures. Frankly, the broad power of DOJ to force needed change, despite the economic ability of the entity to enact such change, is enough to make anyone—especially someone who is fiduciary of the entity—to the take pause.*

*In the three years that we have been under the DOJ agreement, I have seen the best of UNM step up and complete something that is mind boggling. From the Board of Regents under Rob Doughty's leadership, to President Stokes, Francie Cordova, Rob Burfurd and Lisa Lindquist, UNM has become a national role model on how to implement and enact needed changes in a world that will no longer tolerate sexual abuse and assaults—at any level.*

*As you may know, other institutions and entities have not fared as well as UNM. The University of Montana, for example, had a 350 page book written by author John Krakauer about the culture of sexual assault tolerance that existed at the University of Montana. This is not the kind of notoriety any university seeks. Unlike others, UNM's "all hands on deck" mentality ensured that our policies, our procedures, and our culture moved firmly into the 21st Century higher education norm. While I do not believe that these policies and practices will be the be all and cure all for sexual assaults and abuse -- and certainly as an urban University, we do not control our borders -- I do believe that UNM's leadership has put in place the tools and the training to swiftly address sexual abuse, assault and harassment.*

*Just to give some context of the magnitude of the undertaking—think of it, UNM personally training over 36,000 Lobos is the equivalent of personally training every single citizen living in the town of*

*Alamogordo, New Mexico. That is a staggering number and a tangible example of the yeoman's work and accomplishments of UNM under the leadership of President Stokes.*

*I really hope that all of you out there in the audience realize that this is a great day at UNM where if we take the motto: Each of Us Defines All of US, then I am proud to be defined by our community."*

Regent Rob Doughty commented that he wanted to recognize also former Chief Compliance Officer, Libby Washburn, for her contributions toward satisfying the DOJ Agreement.

President Stokes continued her administrative report highlighting the upcoming Fall Commencement and other recent UNM successes, including the naming of two 2019 Fellows of the National Academy of Inventors: two professors in the Department of Molecular Genetics and Microbiology, Bryce Chackerian and David Peabody, have worked together for more than a decade to create cutting-edge, customized vaccines targeting a variety of diseases. Dr. Stokes noted the recipients of the outstanding supervisor and staff awards given every year and the Governor's New Mexico Distinguished Public Service Award. The Governor recognized ten New Mexican citizens for their contributions to public service. Among those were UNM's Vice President for Student Affairs, Dr. Eliseo "Cheo" Torres and Distinguished Professor of Medicine, Dr. Sanjeev Arora, who was honored as a Lifetime Achievement winner. The recipients of this year's Sarah Belle Brown Community Service Award were: Adam Boswell (student), Tracy Owens (staff), and Stacy Sacco (faculty). Former Student Regent, Heidi Overton, a UNM School of Medicine graduate (2015) and general surgery resident and PhD candidate at Johns Hopkins University, was named a White House Fellow to serve in the Office of American Innovation. In the area of athletics, the Women's Cross Country team placed fourth at the NCAA Championship, and team member Weini Kelati won the NCAA Women's Cross Country individual championship.

President Stokes provided updates on University initiatives, including a task force on Institutional Ethics and Integrity which will address campus culture, research and academic ethics, conflict of interest, financial and resource misuse, and sexual harassment/consensual relationships. The final report for that group is expected spring 2020. The University Seal Committee has received 50 design submissions for the new official university seal; campus and community input will be solicited in January. The final seal design will be brought to the Regents for approval. President Stokes emphasized student mental health and well-being as a high priority and named several resource centers, including the Student Health and Counseling Center (SHAC); Therapy Assistance Hotline (TAO); LoboRESPECT Advocacy Center; Agora Crisis Center; New Collegiate Recovery Center at Logan Hall; and numerous ethnic and community resource centers.

The Regents thanked President Stokes for her report.

#### ENROLLMENT UPDATE (information item)

Dan Garcia, as the new VP for Enrollment Management, presented his first update to the Board. Mr. Garcia spent the first three months in his new role assessing current enrollment management activities and efforts, assessing the environment, and initiating changes to improve and expand efforts. There has been much done in recent years across the University to improve enrollment, but there is more that can be done. Mr. Garcia provided a short overview of the environment, key initiatives, and preliminary indicators for fall of 2020 enrollment. Higher Education (HE) is an increasingly competitive environment across the nation. Only about 12% of high school seniors are reporting in a national survey that they are applying to only one college or university. In New Mexico, there are upwards of 30 HE institutions competing for high school graduates in the state, and only fifteen thousand of the 20 thousand who graduate actually go on to college. Texas has about 340 thousand high school grads per year; Arizona has about 66 thousand, but only 3 state universities. In our state, with the small population and lots of competition, there is likely the need to reach across the nation to bring in more students. When choosing an institution, students' primary interests are: quality of academic programs, availability of major, cost, and financial assistance – so those need to be UNM's focus.

Mr. Garcia discussed the 2020-25 enrollment initiatives and progress toward 2020. The first area of focus is implementation of a comprehensive enrollment and recruitment plan, which will be built upon the work done over the past year by the Enrollment Initiative Task Force. Key elements of the plan include, improved communications with prospective students and improved messaging at every level of communication. In-state students are the priority, but efforts will also be toward recruiting from other pools of prospective students across the nation. Another area of focus will be utilization of a newly formed Recruitment Coordinating Council composed of faculty, staff and students across the University who are already engaged in recruitment activities. Additional areas of focus will be expanded recruitment travel to NM high schools and process improvements that address speed, efficiency and convenience for prospective students. Looking forward to fall 2020, one of the key indicators for the future is numbers of applications, which indicate interest and demand. As of the end of November, first-year student applications were up 14% year-over-year, and number of students admitted for fall is up 11% over last fall. This does not indicate that all of these students will enroll, but there are initiatives to keep students engaged and encourage earlier commitment to coming to UNM. Mr. Garcia thanked the UNM community and administration for their support of enrollment management.

Regent Rob Schwartz inquired about the yield of in-state, versus out-of-state students. Mr. Garcia responded that overall nationally it's about 34%, and UNM's combined yield is around 38%. UNM's non-resident yield has consistently been 18-20% over the last several years.

Regent Begay shared a personal concern that her niece, a senior in high school, recently received her admittance letter to NMSU, but may not have received her admittance letter from UNM, even though she takes classes at UNM Gallup. Regent Begay stressed the importance that UNM understand issues at the grass roots level, the needs of New Mexico students in rural communities, and the roadblocks that need to be removed for the rural, minority students. The Yazzie and Martinez case is still not being done the way it should be; the rural level of advisement still has pieces that are inequitable. Regent Begay stressed there are still pieces in UNM's system that need to be fixed, like student counseling and getting the word out to communities about UNM. VP Garcia concurred and added that recruitment is one-to-one.

Regent Lee urged VP Garcia to look into engaging a population of prospective students who are oftentimes overlooked, the young people aging out of foster care. There are also scholarship funds to support these students.

Student Regent Henry reiterated the importance of reaching out to rural, minority students, because UNM is one of only two R1 institutions that is also Hispanic-serving.

Regent Schwartz stressed the importance of including information about graduate education opportunities at UNM, as well as undergraduate, when recruiting in rural communities.

Regent Brown commented he would like UNM's acceptance letter to be the first envelope the prospective student receives - it should be one of UNM's goals, to be the first. This will send a message of priority and oftentimes the first offer is the one that is accepted.

ACCESSOLOGY–AMERICANS WITH DISABILITIES ACT (ADA)–UNM TRANSITION (information item)  
Francie Cordova, the ADA Coordinator for the University, introduced the item. As ADA Coordinator, Ms. Cordova works with many campus partners: the Accessibility Resource Center, the Veterans Resource Center, and committed faculty and staff, to address accessibility issues in the work toward a more accessible campus. The University's transition plan update will involve determining the areas with the biggest gaps, where funds need to be focused, and will seek federal grants and funding for those areas. The ADA is nearing its 30-year anniversary. With Audit Committee and President Stokes' approval, an expert has been brought in to help with the scope of the scope, to help outline priorities, programmatic concepts, risk management and the financial aspects. Ms. Cordova introduced Kristi Avalos, the Founder & CEO of Accessology, to present introductory information.

Ms. Avalos opened saying it is an honor to work with UNM, to be out front on this issue, because after 30 years, people with disabilities are frustrated at the lack of accessibility nationwide. ADA is not the only law that will need attention. When federal funds are used, also triggered are the Architectural Barriers Act, and the Rehabilitation Act of 1973 which is specific to Section 504. Section 504 calls for

compliance with all program services and activities, so it is not just a matter of widening doorways and putting in ramps, it's about looking at everything that UNM offers to every student and ensuring it is available to everybody. The Civil Rights Restoration Act will also come into play with some of the facilities and with the ADA. Ms. Avalos briefly discussed the 5 Titles of ADA, the areas of focus that may affect UNM. In 2010, at the 20<sup>th</sup> anniversary of the signing of ADA, all of the federal agencies recommitted to the ADA, and they gave 20 years to become compliant. Additionally, if an entity was not already working toward compliance, the agencies would start tying it to funding. Over the last ten years, in order to get any federal grants or funds, organizations have had to confirm whether or not they have a transition plan. Transition plans, just like master plans, need to be updated roughly every five years. These days, there is better technology to facilitate plan updates where the plan can virtually be a living document. This exercise will be setting the baseline for moving forward over the next several decades. Ms. Avalos discussed the four distinct parts in putting together a transition plan, the first and most important being the planning process, which has been going on since July. The next phase is the Compliance Plan which documents the historical work already done and the future work needed. The process and prioritizing takes into consideration risk management, including litigation risk and risks to students with attention also given to DOJ recommendations. Ms. Avalos discussed preliminary recommendations and the process of executing the plan. The Compliance Plan will be presented in January.

Regent Lee expressed appreciation for Ms. Cordova's hard work on this issue and emphasized it is critical that UNM address what has been long neglected.

#### UNM FOUNDATION, CHANGING WORLDS CAMPAIGN UPDATE (information item)

Jeff Todd, presented the item and said it was an honor to be making his first presentation to the Board as the Foundation's new President and CEO. The Foundation raises private funds to support and advance UNM's mission and priorities. Development officers and senior leaders collaborate and partner with UNM leadership and many others on campus to identify critical needs and areas where philanthropy can make an impact. The Foundation's team works with donors to match their passions to those priorities and needs to help UNM succeed. Mr. Todd discussed highlights of the December Changing Worlds Campaign report. As of December 4, 2019, 78,413 generous donors have given \$1,152,825,446 in gifts supporting student success and opportunity, faculty support and research, campus programs, and capital projects and facilities. The UNM School of Engineering, along with students who work at Popejoy Hall and students enrolled in Earth and Planetary Science, received a gift of \$1.7 million for scholarships. The University Libraries received a gift of \$300K to benefit historic preservation. The School of Engineering received a gift of \$1.2 million to benefit engineering students in the honors program, and The School of Medicine received a gift of \$196K for scholarships and \$180K for fourth year medical students to support travels for residency interviews. Mr. Todd thanked the generous and dedicated donors who support the Flagship University and its students with their philanthropy.

Mr. Todd spoke about the comprehensive strategic planning process that the Foundation recently embarked upon. The ultimate goal of the process, launched at the most recent Board of Trustees meeting, is to create an ambitious yet achievable five-year strategic plan to guide the Foundation's work in support of the University. During the course of the project, the Foundation will engage the Regents, University Leadership, Foundation Trustees, and other constituents to assure the plan is aligned with the priorities of the University. The Foundation anticipates the strategic plan will be completed by June 2020 and will be presented to the Regents upon its completion.

#### REGENT COMMITTEE REPORTS

##### CONSENT DOCKET

Regent Brown addressed the consent docket. No items were removed for discussion.

##### Academic/Student Affairs and Research Committee - Consent Items

- a. AS Health Information Technology (UNM-Valencia) (delete)
- b. Certificate in Race and Social Justice
- c. Approval of New UNM-Los Alamos Programs:
  - i. Certificate in Radiation Control Technology
  - ii. Certificate Nuclear Waste Operator
  - iii. Certificate Nuclear Enterprise Science & Technology

## iv. AAS Nuclear Enterprise Science &amp; Technology

Finance and Facilities Committee - Consent Items

- d. Approval of Disposition of Surplus Property for Main Campus for the months of September, October, and November 2019
- e. Approval of Contract: College of University Libraries and Learning Sciences and the UNM Health Sciences Library and Informatics Center – License Renewal for Elsevier
- f. Approval of Requests for Project Construction:
  - i. Phase 2 Renovations at Clark Hall Chemistry Building
  - ii. Center for the Arts – Fire Alarm Upgrade
  - iii. Economics Building #57: Infrastructure Upgrades
  - iv. Clark Hall #22: Riebsomer Wing Lab Waste System Replacement
  - v. UNM Popejoy Hall Artist Support Spaces Renovation
  - vi. Renovate Cube Area, South Wing, Information Technology Building #153
  - vii. Santa Ana Star Baseball Field Bleacher Expansion
  - viii. ASUNM Main Campus Photovoltaic System
  - ix. Student Union Building #60: Partial Roof Replacement
- g. Approval of Real Estate Items:
  - i. Real Property Acquisition – 1790 Grande Blvd. SE, Rio Rancho, New Mexico
  - ii. Long-Term Ground Lease – Proposed City of Rio Rancho Senior Center at the UNM Health Sciences Rio Rancho Campus

Health Sciences Center Committee - Consent Items

- h. Request for Contract Approval for New Mexico Cancer Alliance
- i. Request for Project/Program Approval for Health Sciences Rio Rancho Campus Orthopedic Surgery and Rehabilitation Center of Excellence
- j. Request for Approval of Appointment of New UNMMG Board of Directors (2) and Renewal of Existing Board Members (2)
- k. Request for Approval of Appointment of New UNMH Board of Trustee Member
- l. Request for Approval of 5ACC Clinic Renovations (\$2,000,000)
- m. Request for Approval of UH-Main Lands West Curb and Gutter Improvements (\$626,000)
- n. Request for Approval of the UNM Health Sciences Center Fall 2019 Graduates

**The motion to approve the items on the consent docket passed with a unanimous vote in favor (1<sup>st</sup> Begay; 2<sup>nd</sup> Schwartz).**

ACADEMIC/STUDENT AFFAIRS AND RESEARCH COMMITTEEApproval of Fall 2019 Degree Candidates

Student Regent Henry asked Finnie Coleman, Faculty Senate President, to present the item. Dr. Coleman provided a breakdown, by degree-type, of the over 2,000 degree candidates slated to graduate.

**The motion to approve the Fall 2019 degree candidates passed with a unanimous vote in favor (1<sup>st</sup> Lee; 2<sup>nd</sup> Henry).**

Approval of Honorary Degrees

Student Regent Henry stated the item would be discussed during the lunchtime closed session so the names of nominees could be kept confidential.

AUDIT AND COMPLIANCE COMMITTEEMeeting Summary Report – October 17 Meeting (information item)

Victor Griego, Interim Director of Internal Audit, presented the summary report. During closed session of the meeting, the FY19 external financial audit and internal audits were presented to members. In open session, the committee approved submittal of the external audit to the NM State Auditor's Office and unanimously approved three internal audits. Members also accepted the annual audit report for the Main Campus Internal Audit Department. The approved internal audits are uploaded on the department's public website. The committee's next meeting is scheduled for February.



FINANCE AND FACILITIES COMMITTEEApproval of the STC.UNM FY 2019 Annual Report and the FY 2019 Audit Results

Lisa Kuuttilla presented the item and referred to slides that were made available in the eBook. Ms. Kuuttilla highlighted members on the STC Board, along with its staff members and student interns. Over 140 UNM students have been a part of STC's student intern program through the years. Regarding the annual report, Ms. Kuuttilla touched on the organization's annual metrics, those including the number of disclosures, number of new U.S. patent applications filed, patents issued, option/license agreements, start-up companies, as well as patent expenses and revenues. In FY19, STC filed 102 new U.S. patent applications and issued 59 U.S. patents. It also entered into 53 option/license agreement and assisted 11 start-up companies. In April, STC hosted its Innovations Awards dinner and honored Angela Wandinger-Ness with the Innovation Fellow Award in recognition of her achievements as a leading innovator at the University of New Mexico. Dr. Wandinger-Ness is an expert in cell biology and protein biochemistry, and the Victor and Ruby Hansen Surface Endowed Professor in Cancer Cell Biology and Clinical Translation. Recognized by the National Academy of Inventors (NAI) and the Intellectual Property Owners Association (IPO). UNM ranks in the top 100 worldwide universities in number of issued U.S. patents for the 5<sup>th</sup> year in a row. Ms. Kuuttilla discussed the STC's marketing packet, current tenants in the Rainforest Building, and historical trend of numbers of start-up companies. Both in-state and out-of-state, start-ups have increased overall from 5 annually in FY10 & 11, to 9 each year during FY13-15. The past 4 years saw 11-12 startups annually. Ms. Kuuttilla touched on Economic Development activities. The UNM Economic Development Council (EDC), with 42 members, meets quarterly and will be an advisory board for the NM Rainforest University Center. A UNM Economic Impact Report, done by Kelly O'Donnell and released in 2018, reported UNM's economic output to the state at \$3.1 billion. Ms. Kuuttilla talked about UNM's Innovate Academy, the iCorps site, and the EDA University Center which backed a 5-year grant of \$564K from the EDA to support expanding the Rainforest model to the branch campuses.

Ms. Kuuttilla briefly discussed the FY19 audit results. There were no matters to report in the audit.

**The motion to approve the STC.UNM FY 2019 Annual Report and the FY 2019 Audit Results passed with a unanimous vote in favor (1<sup>st</sup> Begay; 2<sup>nd</sup> Lee).**

Appointment of Frank H. Martinez and Kelly D. Hammett to the STC.UNM Board of Directors

Lisa Kuuttilla presented two candidates for the STC board of directors. Mr. Frank Martinez is a UNM alumna and also a graduate of Harvard University. He retired in 2012 as a visiting research scholar in UNM's Department of Architecture and Planning. Mr. Martinez is a long-time community volunteer and UNM advocate. Dr. Kelly Hammett is Director of the Directed Energy Directorate. He obtained his MS in Aeronautics and Astronautics from MIT and a PhD from the Air Force Institute of Technology.

Regent Begay commented these candidates reflect the effort to bring diversity to the STC board.

**The motion to approve the appointments of Frank H. Martinez and Kelly D. Hammett to the STC.UNM Board of Directors passed with a unanimous vote in favor (1<sup>st</sup> Begay; 2<sup>nd</sup> Lee).**

Athletics' Quarterly Financial Report through September 30, 2019 (information item)

Eddie Nunez introduced Ryan Berryman, Athletics Financial Operations Director, to present the report. The first quarter report through end of September was made available in the eBook. Schedule A shows pooled revenues are slightly lower than this time last year due to the reduced accrual of the multi-media rights contract. Directed revenues, which are ticket sale revenues, reflect only two home football games, and are yet to reflect basketball ticket sales. The football game guarantee check was received in November, so will be reflected in the second quarter numbers. Expenses are for the most part trending on budget. Travel expenses are slightly up due to inflation, and gift-in-kind is higher due to an accounting change recognizing it in the first quarter. This year's first quarter financials reflect a \$860K net positive, compared to a last year first quarter loss of \$144K.

Regent Rob Schwartz inquired if Athletics is it still within its annual budget? AD Nunez responded the end of the second quarter, with ticket sales in, will show more clearly how the total year will look. Regent Schwartz inquired about budgeted use of reserves, a \$487K payment was reflected in budget, but does not show up in the quarterly actuals. Mr. Berryman said he would check with Nicole Dopson about her budget assumptions and what quarter that amount is shown as paid. AD Nunez responded there have

been discussions with HED about when that payment needs to be made, and he confirmed to Regent Schwartz' question that Athletics still plans to make the budgeted payment and also plans to stay in budget for the year. There was brief discussion about what the source of funds would be, if needed, to pay of a fired coach.

Regent Sandra Begay asked for clarification about the payment toward the negative reserves balance and whether HED stipulated those need to be made before the end of the academic year, and further, are required payments, versus expected. AD Nunez confirmed they are required payments and reiterated they are in conversations with the HED about the details.

VOTE TO ADJOURN THE BOARD OF REGENTS IN ORDER TO CONDUCT THE MEETINGS OF THE MEMBER

The motion to adjourn the Board of Regents for the Board to convene the annual Meeting of the Member of Lobo Development Corporation and of Lobo Energy, Inc. passed unanimously (1<sup>st</sup> Lee; 2<sup>nd</sup> Schwartz). The meeting adjourned at 10:42 AM.

MEETING OF THE MEMBER – LOBO DEVELOPMENT CORPORATION (LDC)

Regent Brown convened the Meeting of the Member of Lobo Development Corporation at 10:42 AM and asked Regent Lee, Chair of Lobo Development Corporation, to take the gavel.

Regent Lee asked for a motion to approve the minutes of the May 9, 2019 LDC Meeting of the Member; Regent Begay motioned; Regent Doughty seconded; the motion passed unanimously.

Regent Lee noted the FY 2018-19 external audit that was provided in the eBook and asked SVP for Finance and Administration, Teresa Costantinidis, to present any issues in the audit. Ms. Costantinidis confirmed the audit came out clean and any past findings had been downgraded. It was a good audit report. Regent Lee asked for a motion to accept the FY19 external audit; Regent Doughty motioned; Regent Schwartz seconded; the motion passed unanimously.

There being no further business, Regent Lee adjourned the LDC meeting of the member. The meeting adjourned at 10:43 AM.

MEETING OF THE MEMBER – LOBO ENERGY, INC. (LEI)

Regent Lee, the Regent Member on the Lobo Energy Board, convened the LEI Meeting of the Member at 10:44 AM. Regent Lee asked Jason Strauss, President & CEO of LEI, be available to answer questions.

Regent Lee asked for a motion to approve the minutes of the May 9, 2019 LEI Meeting of the Member; Regent Doughty motioned; Regent Begay seconded; the motion passed unanimously.

Before acceptance of the external audit, Regent Lee asked Mr. Strauss if there were any issues. Mr. Strauss confirmed it was a clean audit. There being no other questions, Regent Lee asked for a motion to accept the FY 2018-19 external audit report; Regent Doughty motioned; Regent Schwartz seconded; motion passed unanimously.

There being no further business, Regent Lee adjourned the LEI meeting of the member at 10:44 AM.

Regent Lee handed the gavel to Regent Brown.

VOTE TO RECONVENE BOARD OF REGENTS

The vote to reconvene the Board of Regents passed unanimously (1<sup>st</sup> Lee; 2<sup>nd</sup> Begay).

PUBLIC COMMENT (no comments)

ADVISORS REPORTS

Adam Biederwolf, ASUNM President, spoke about recent ASUNM activities, including the 56<sup>th</sup> annual Arts and Crafts Fair, where ASUNM hosted over 75 vendors; the annual Fall Frenzy event to help clean up campus; graduating 36 Lobos in the new Lobo Leaders program; hosting Homecoming events and

the annual Red Rally; and Governmental Affairs trainings in preparation for students' involvement in Santa Fe during the Legislative Session and helping ASUNM lobby for the Lottery Scholarship.

Student Regent Henry expressed appreciation for ASUNM's work and added she has seen firsthand how ASUNM is helping to build a sense of campus community among students.

Muhammad Afzaal Hussain, GPSA President, spoke about GPSA's grants and scholarships offered to graduate students this year as well as recent collaborative activities with resource centers on campus. GPSA recently celebrated its 50<sup>th</sup> anniversary; the organization plans to start a leadership initiative this semester and also to hire its first staff position to facilitate continuity and leadership transitions.

Ryan Gregg, Staff Council President, highlighted this year's Gerald W. May Outstanding Staff Award Winners: Rudy Montoya, Jolyne McCrary, Crystle Collier, and Robben Brown and pointed out the staff recipient of the Sarah Belle Brown Community Service award, Tracy Owen, works at UNM-Valencia Branch Campus. Mr. Gregg spoke about the recent Staff-as-Students information session; Staff Council awarded six, \$50 scholarships toward staff students; staff who work in EDAC (Earth Data Analysis Center) on various projects also work with other organizations such as FEMA and NASA.

Bev Kloeppe, Retiree Association President, spoke about members' attendance at the open enrollment fair for post-65 insurance and other recent activities, including work with the ERB as a stakeholder. Ms. Kloeppe thanked the Provost's Office and VP HR, Dorothy Anderson, for providing the Association with administrative support.

Finnie Coleman, Faculty Senate President, spoke about restructuring committees within the organization; establishing faculty senate service awards to recognize faculty on campus; and the next steps in the faculty unionization process.

Lisa Lindquist, representing the Parent Association, presented each Regent the 12th collectible holiday ornament, this year's featuring a picture of Dane Smith Hall. The proceeds of UNM's ornament sales benefit the Parent Association Scholarship Fund.

#### Vote to Close the Meeting and Proceed in Executive Session

Regent Brown asked for a motion to close the meeting and clarified he would take a roll call vote; Regent Lee motioned; Regent Schwartz seconded; the following votes were taken: Regent Henry-yes; Regent Schwartz-yes; Regent Doughty-yes; Regent Brown-yes; Regent Begay-yes; Regent Lee-yes; Regent Sanchez Rael-yes vote; motion passed. The meeting closed at 11:19 AM to address the following:

#### Executive Session Agenda

- A. Honorary Degree Candidates – discussion
- B. Discussions of bargaining strategy preliminary to collective bargaining and collective bargaining between a policymaking body and an employee bargaining unit, as permitted by Section 10-15-1.H(5), NMSA (1978)
- C. Discussion of "limited personnel matters" as defined in and permitted by Section 10-15-1.H(2), NMSA (1978) ---- regarding: employee appeal; President's Goals
- D. Discussion of personally identifiable information about a student, as permitted by Section 10-15-1.H(4), NMSA (1978), as amended
- E. Discussion and determination where appropriate of potential purchase, acquisition, or disposal of real property, as permitted by Section 10-15-1.H(8), NMSA (1978)
- F. Discussions subject to attorney-client privilege pertaining to threatened or pending litigation as permitted by Section 10-15-1(7), NMSA (1978)

#### VOTE TO RE-OPEN THE MEETING AND CERTIFICATION

The meeting re-opened at 1:26 PM; the doors to Roberts Room were opened. Regent Brown certified that only those matters described in the closed session agenda were discussed; the following actions were taken in open session:

**The motion to approve the candidates recommended for Honorary Degrees passed unanimously (1<sup>st</sup> Lee; 2<sup>nd</sup> Schwartz).**

The motion to approve the President's goals as amended, and to make the final copy available to the public, passed unanimously (1<sup>st</sup> Schwartz; 2<sup>nd</sup> Begay).

The motion to exercise discretion not to hear the appeal of a student, dated October 30, 2019, passed unanimously (1<sup>st</sup> Doughty; 2<sup>nd</sup> Lee).

The motion to exercise discretion not to hear the appeal of an employee, dated November 13, 2019, passed unanimously (1<sup>st</sup> Schwartz; 2<sup>nd</sup> Lee).

The motion to approve the lease agreements for the Women's Health Clinic in Gallup and the Behavioral Health Clinic and Offices at the Airport Submarket, in order to satisfy the new Higher Education Department approval requirements, passed unanimously (1<sup>st</sup> Doughty; 2<sup>nd</sup> Lee).

ADJOURN

There being no further business, Regent Brown asked for a motion to adjourn; Regent Doughty motioned; Regent Lee seconded; motion passed unanimously; the meeting adjourned at 1:29 PM.

Approved:

Attest:



Douglas M. Brown, President



Sandra K. Begay, Secretary/Treasurer