

Minutes of the Regular Meeting of
The Board of Regents of the University of New Mexico
October 26, 2023

12:00PM Luncheon Executive Sessions in Scholes Hall, Roberts Room
1:30PM Open Session in Scholes Hall, Roberts Room
Open Session livestreamed for public viewing

Members Present

Paula Tackett
Paul Blanchard
Randy Ko
Kim Sanchez Rael, Chair
William H. Payne
Jack L. Fortner, Vice Chair
Robert L. Schwartz, Secretary-Treasurer

Administration Present

Garnett S. Stokes, President; James Holloway, Provost and EVP for Academic Affairs; Teresa Costantinidis, EVP for Finance and Administration; Doug Ziedonis, EVP for Health Sciences and CEO of the Health System; Norma Allen, Controller; Joe Wrobel, Chief Finance Officer, HSC; Ellen Fisher, VP Research; Assata Zerai, VP Equity and Inclusion; Eric Scott, VP Student Affairs, Dan Garcia, VP Enrollment Management; Eddie Nunez, AD; Loretta Martinez, General Counsel; Connie Beimer, VP Alumni Relations; Francie Cordova, Chief Compliance Officer; Kevin Stevenson, VP HR; Terry Babbitt, President's Chief of Staff; Cinnamon Blair, Chief University Marketing and Communications Officer; deans and others

Advisors Present

Krystah Pacheco, ASUNM President; Leslie McFadden, Retiree Association, President; Grace Faustino, Staff Council President; Jaymie Roybal, President Alumni Association

Presenters

Sanjeev Arora, Director, Project ECHO
Loretta Martinez, General Counsel
Scot Sauder, Deputy
Norma Allen, University Controller
Jeremy Hamlin, Dir. University Budget Operations
Nadine Paisano, UNM Foundation
Teresa Costantinidis, EVP for Finance & Administration
Cris Elder, Faculty Senate President
Jeff Todd, President & CEO, UNM Foundation
Felicia Finston, Chair, UNM Foundation Board of Trustees

CONFIRMATION OF PRIOR SPECIAL MEETING IN EXECUTIVE SESSION

The Board of Regents met in closed session on September 27, 2023 from 2:00 to 4:00 PM on Main Campus in the Scholes Hall conference room 141. The meeting was held in closed session under the following Open Meetings Act (NMSA 1978) exception: discussion of limited personnel matters as defined in and permitted by Sections 10-15-1H(2). The discussion matter was limited to Board Secretary interviews. Regents present in person were Kim Rael, Paula Tackett, Bill Payne, Randy Ko, and Rob Schwartz; Regent Jack Fortner joined the meeting via Zoom; Regent Paul Blanchard was not able to attend the meeting. Also present in person were President Stokes, VP HR and General Counsel. The matters discussed were limited to those specified in the notice and agenda for the meeting; there were no matters upon which official action was taken.

CALL TO ORDER AND CONFIRMATION OF A QUORUM

Regent Chair Kim Sanchez Rael called the meeting to order at 12:03 pm in the Roberts Room in Scholes Hall and confirmed a quorum with 5 members present in person –Jack Fortner, Paul Blanchard, Paula Tackett, Randy Ko, and Kim Rael. Bill Payne and Rob Schwartz were present virtually via Zoom.

VOTE TO ADOPT THE AGENDA

- The motion to adopt the agenda passed unanimously with seven regents present and voting (1st Tackett; 2nd Fortner).

VOTE TO CLOSE THE MEETING AND PROCEED IN EXECUTIVE SESSION

(1st Blanchard; 2nd Fortner; roll call vote – all members voted yes)

The meeting closed at 12:05 PM. *[The doors to the Roberts Room were closed.]*

Executive Session agenda:

- Discussions of limited personnel matters as defined in and permitted by Section 10-15-1(H)(2), NMSA (1978);
- Discussions subject to attorney-client privilege pertaining to threatened or pending litigation, as permitted by Section 10-15-1(H)(7), NMSA (1978);
- Meetings of committees or boards of public hospitals where strategic and long-range business plans or trade secrets are discussed, as permitted by Section 10-15-1(H)(9), NMSA (1978);
- 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); and
- Discussion of personally identifiable information about a student, as permitted by Section 10-15-1(H)(4), NMSA (1978), as amended.

VOTE TO RE-OPEN THE MEETING

(1st Fortner; 2nd Tackett; roll call vote – all members voted yes)

The meeting re-opened at 2:05 PM.

CONVENE OPEN SESSION AND CERTIFICATION OF CLOSED SESSION

Regent Rael convened open session at 2:05 PM in Roberts Room and certified that the Board's closed session discussions were limited only to items on the executive session agenda. The board voted on three items discussed in Closed Session as follows:

VOTE TO APPOINTMENT EMILY MORELLI AS SECRETARY TO THE BOARD OF REGENTS

(1st Fortner; 2nd Tackett; roll call vote – all members voted yes)

VOTE TO APPROVE PRESIDENT STOKES' PRIMARY AND SUB GOALS

(1st Blanchard; 2nd Fortner; roll call vote – the item passed with a 6-1 (Schwartz) vote.

VOTE TO NOT ACCEPT REQUEST TO HEAR A STUDENT APPEAL

(1st Fortner; 2nd Blanchard; roll call vote – all members voted yes)

Regent Rael affirmed UNM's Land Acknowledgement Statement by reading it aloud:

Land Acknowledgement Statement of the University of New Mexico

Founded in 1889, The University of New Mexico sits on the traditional homelands of the Pueblo of Sandia. The original peoples of New Mexico – Pueblo, Navajo, and Apache – since time immemorial, have deep connections to the land and have made significant contributions to the broader community statewide. We honor the land itself and those who remain stewards of this land throughout the generations and also acknowledge our committed relationship to Indigenous peoples. We gratefully recognize our history.

APPROVAL OF MINUTES

- The motion to approve the minutes of the August 10 regular meeting passed unanimously (1st Tackett; 2nd Blanchard).

PUBLIC COMMENT

Ernesto Longa, Professor, Law Library and President, United Academics - UNM, spoke in support of the residents' union and for a fair contract for resident physicians.

Joseph Garcia, PhD, Lecturer (Adjunct), Department of Chicana and Chicano Studies and UA-UNM Member Organizing Fellow spoke in support of faculty salary increases and better working conditions.

X read a statement on behalf of Emily Moss, UNM Professor of Music/Director of Bands, emphasizing the need for parking plan for the Fine Arts Building.

Public commenters in support of the UNM physician residents and fair contract negotiations: Danielle Rivera (also on behalf of Alisha Berry), Samantha Cooney, Manuel Martinez-Ramon, and William Wylie

Peter Cubra, Lawyer and founder of Advocacy Inc. and affiliated with Coalition for a Safer ABQ, advocated for health care for people without housing and who get arrested.

ADVISORS COMMENTS RELATED TO AGENDA ITEMS

There were no advisor comments related to agenda items.

PRESIDENT'S ADMINISTRATIVE REPORT

President Stokes' report highlighted an increase in enrollment, a new podcast called "It's [Probably Not] Rocket Science," the addition of 24/7 student mental health care, a Grand Challenges Initiative update, legislative planning for the upcoming session and recent events that elevate the Lobo experience, including the debut of "The Cherry on Top" hot air balloon at the International 2023 Balloon Fiesta.

REGENTS' COMMENTS

Regent Ko thanked the individuals who gave public comments for their thoughtful contributions. He also congratulated President Stokes for the fantastic, transformative work of establishing 24/7 mental health care for students.

COMMITTEE REPORTS

CONSENT DOCKET

1. BS in Human Biology (new)
2. Appoint Emily Moody, M.D, recipient of the Susan B. Tully Endowed Professorship
3. Establish ASUNM Quasi-Endowment Fund
4. Posthumous Degree for Herber Von Hass [BA History, with Minor in Military Studies]
5. NM Higher Education Department, Institutional Finance Division, 1st-Qtr Financial Actions Report and Certification through Sept. 30, 2023
6. Project Construction:
 1. Coronado Hall Restroom Renovation
 2. Coronado Hall Lobby and Main Entrance Renovation
 3. Coronado Hall Dormitory Roof Replacement
 4. UNM Predock Center Improvements
 5. Bandelier Hall East – Fire Alarm & Protection Addition
 6. Information Technologies Building (#153) Restroom Remodel
 7. Electrical & Computer Engineering/Centennial Library Roof Repairs Ph II
 8. Farris Engineering Center, School of Engineering Collaborative Space
7. Reappoint Louis Abruzzo to the Lobo Development Corporation Board of Directors, a non-positional director for a one-year term expiring Sept. 14, 2024
8. New UNM Alumni Association Board of Directors Members: Jamie Roybal (3-yr term) Sandra K. Begay (3-yr term) Amy Miller (3-yr term) Mark Herman (1-yr term)
9. Annual Renewal of Maui HPCC Lease

- 10. Utilization of Sales Proceeds from RS Gibson Transaction to Fund Extension of Alumni Road, between Gibson Boulevard and the AMAFCA Drainage Channel at South Campus
- 11. Build-to-Suit Lease for Gallup McKinley County School District at UNM-Gallup
- 12. CIP 3196 UH Main/ACC [Ambulatory Care Center] 3rd Floor Caring Cup Remodel
- 13. CIP 3203 OSIS [Outpatient Surgery & Imaging Services] CT Replacement
- 14. UNM Carrie Tingley Hospital Advisory Board Nomination of Healthcare Member, Dr. Richard Miller

- **The motion to approve all items listed on the consent docket passed unanimously (1st Fortner; 2nd Schwartz).**

HEALTH SCIENCES CENTER COMMITTEE

Project ECHO Proposal to Form a Subsidiary Entity to be established in Nairobi, Kenya to further Project ECHO's strategic objectives on the African continent

Regent Schwartz, co-Chair of the Committee, asked Sanjeev Arora, Director of Project ECHO presented the background and information on due diligence regarding establishing a subsidiary entity in Kenya, and Loretta Martinez, General Counsel, presented the resolution (Tab 9).

Regent Fortner added that he and Dr. Arora met with a member of the Kenyan parliament who has been very helpful in assisting with Project ECHO's proposal.

Regent Schwartz stated that the establishment of this entity in Africa would be beneficial to UNM and he thanked others for supporting it.

Regent Rael thanked Dr. Arora for his presentation and for Project ECHO's proposal.

There was discussion about the draft resolution and pending edits.

- **The motion to approve the Project ECHO Proposal to Form a Subsidiary Entity to be established in Nairobi, Kenya to further Project ECHO's strategic objectives on the African continent and the adoption of the resolution in substantive form before final edits passed unanimously (1st Blanchard; 2nd Ko).**

(Attachment A)

FINANCE AND FACILITIES COMMITTEE (F&F)

Regent Payne, Chair of the Committee, asked Norma Allen, University Controller, to present the Consolidated Financial Report – 4th Qtr FY 2023 through June 30, 2023 (Tab 3).

Regent Fortner had to leave the meeting at 3:32 pm, during Ms. Allen's report.

Regent Ko inquired about variances and tuition fees. Regent Blanchard inquired about SRMC deficit attributed to the continuing expense of traveling nurses. Regent Payne thanked Ms. Allen.

Regent Payne requested that Jenny Hamlin and Nadine Paisano present the Regents Endowment Overview.

Regent Blanchard inquired about the yield percentage of funds.

Regent Payne asked Teresa Costantanidis to give the Fall 2023 update on the UNM Combined Enterprise 10-Yr. Plan.

Regent Schwartz needed to leave the meeting at 3:52 pm.

There was discussion on debt-to-income ratio improvement and the format of reporting. Regent Payne asked Jeff Todd, President & CEO of the UNM Foundation, and Felicia Finston, Chair of the UNM Foundation Board of Trustees. Ms. Finston presented information on featured

donors, and Mr. Todd presented an update on the comprehensive campaign and FY24 Board priorities.

Regent Payne thanked them for presenting.

STUDENT SUCCESS, TEACHING AND RESEARCH COMMITTEE (SSTAR)

2023 SUMMER DEGREE CANDIDATES

Regent Ko, Chair of the Committee, asked Cris Elder, Faculty Senate President, to present the 2023 Summer Degree Candidates.

- **The motion to approve the 2023 Summer Degree Candidates passed unanimously with the remaining Regents (Ko, Fortner, Blanchard, Tackett, Rael) (1st Tackett; 2nd Rael).**

AUDIT AND COMPLIANCE COMMITTEE

On behalf of Regent Fortner, Chair of the Committee, Regent Tackett read a summary of the October 25 Audit Committee meeting.

REGENTS' ARCHITECTURAL REVIEW COMMITTEE (AD HOC COMMITTEE)

Regent Rael, Chair of the Committee, read into the record, a summary regarding the formation and charge of the ARC committee, and the names of committee members: Regent Rael, Regent Tackett, Regent Blanchard, President Stokes, Provost Holloway and Senior Vice President Teresa Costantanidis. The purpose of the committee is to ensure adherence to Regent Policy 2.10 and related policies and design standards and guidelines regarding the architectural character of the Albuquerque Campus (Central Campus, North Campus, South Campus) as well as the branch campuses, including reviewing and guiding the campus building design and construction process and recommending approval of architectural design for each new building to be constructed, altered or renovated on campus. The Committee is also responsible for recommending approval to the Board of Regents of design standards and guidelines.

ADVISORS COMMENTS

Cris Elder, Faculty Senate, read an email she received from a physician faculty member critiquing the culture of the Health Sciences Center in regards to the lack of release time from clinical duty. She felt that some points brought forth in the email were applicable to Main Campus sentiments.

Krystah Pacheco, President of ASUMN, reported on recent student engagement activities, and provided updates on the Student Fee Review Board and LoboLift.

Kyle Biederwolf made a presentation on behalf of Jamie Roybal, Alumni Association President, on recent Homecoming Activities.

Leslie McFadden, UNM Retiree Association President, reported on a memorial to presented at the 2024 Legislative session regarding remediation of the disparity between the PERA retirement fund and the ERB retirement fund.

ADJOURN

There being no further business, Regent Rael asked for a motion to adjourn the meeting; Regent Blanchard motioned; Regent Tackett seconded; all were in favor; the meeting adjourned at 4:39 PM.

Approved:



Kim Sanchez Rael, Chair

Minutes originated and finalized by Emily Morelli

Attest:



Robert L. Schwartz, Secretary-Treasurer

Attachment A

BOARD OF REGENTS OF THE UNIVERSITY OF NEW MEXICO

RESOLUTIONS AUTHORIZING ESTABLISHMENT OF INTERNATIONAL SUBSIDIARIES IN KENYA FOR PROJECT ECHO AND AUTHORIZING THE IMPLEMENTATION THEREOF

WHEREAS, Project ECHO was created at the UNM Health Sciences Center inspired by the way clinicians learn from medical rounds during residencies and since its inception the ECHO Model has evolved into a learning framework that applies across disciplines for sustainable and profound change; and

WHEREAS, Project ECHO has expanded its “hub and spoke” model of learning across the United States and into over 150 nations, with a goal to have touched three billion individuals by the Year 2025 and in furtherance of its mission to democratize implementation of best practices for health care and education to underserved people all over the world; and

WHEREAS, because the landscape for activities on the African continent has changed in the last several years, Project ECHO desires to open an office in Nairobi, Kenya, through a subsidiary entity to give Project ECHO a direct presence as an African entity to ensure furtherance of its strategic mission; and

WHEREAS, the Board of Regents (the “**Board**”) concludes that, based upon due diligence by the administration of the University presented to the Board, it is in the best interest of the University to establish, through one or more subsidiaries formed under the laws of Kenya, a presence in Kenya to serve as a base of operations in Africa;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The proposal by Project ECHO to establish a legal entity presence in Kenya is hereby accepted and approved; and

2. The University and the UNM Health Sciences, through the Authorized Officers (as defined below), are authorized and directed to take all steps necessary to form (a) a private limited company under the Kenyan Companies Act, 2015 (the “**LLC**”) under a corporate name authorized by the President of the University or her designee and approved by the Companies Registry in Kenya, and (b) a company limited by guaranty under the Kenyan Companies Act, 2015 (the “**CLG**”) under a corporate name authorized by the President of the University or her designee and approved by the Companies Registry in Kenya, and to take such steps as may be necessary to

gain approval of the LLC and the CLG by the appropriate authorities in Kenya including, without limitation, the preparation, execution and filing of Form CR1 (Application to Register Company Limited by Shares or Guarantee or is Unlimited for the LLC and the CLG, respectively), Form CR2 (Memorandum of Association) for the LLC and the CLG, respectively, and such other documentation as may be required under applicable laws, rules and regulations of Kenya; and

3. Upon issuance of the Certificate of Incorporation indicating approval of the LLC, the University through the Authorized Officers (as defined below) are authorized to take all steps necessary to implement the purposes and business of the LLC as contemplated in these Resolutions, the Articles of Association and as required under the applicable laws of Kenya; and

4. Upon issuance of the Certificate of Incorporation indicating approval of the CLG, the University through the Authorized Officers (as defined below) are authorized and directed to take all steps necessary to implement the purposes and business of the CLG as contemplated in these Resolutions, the Articles of Association and as required under the applicable laws of Kenya, including transfer of the University's ownership shares in the LLC to the CLG and the consolidation the LLC into the CLG; and

5. The Board hereby authorizes the President to appoint the individuals holding the following positions to serve as the initial officers and directors of the LLC and the CLG:

(a) The Executive Vice President for Health Sciences and Chief Executive Officer of the UNM Health System;

(b) The Vice President of Finance & Administration for the Health Sciences Center; and

(c) The Executive Director of Project ECHO.

6. The Board hereby authorizes the President to appoint a company secretary, a resident director, or a contact natural person with permanent residence in Kenya, as required by the Kenya Anti-Money Laundering and Combating of Terrorism Financing Laws (Amendment) Act, 2023, for the LLC and the CLG; and

7. The Board hereby designates and authorizes the following: the President, Executive Vice President for Finance & Administration, the Executive Vice President for Health Sciences and Chief Executive Officer of the UNM Health System, and the Vice President for Finance & Administration for the Health Sciences

Center (each, an "Authorized Officer," and, collectively, the "Authorized Officers") to do all such acts as they deem appropriate to carry out the purposes and intent of the foregoing Resolutions; and

8. The Board hereby ratifies the actions and determinations taken by the Authorized Officers and/or any one of them, in connection with the establishment of the LLC and the CLG, respectively, prior to the date hereof.

ADOPTED AND APPROVED at a duly called meeting on this 9 day of November, 2023.



THE REGENTS OF THE UNIVERSITY OF NEW MEXICO

By: _____
President of the Board of Regents

ATTEST:

By: _____
Secretary and Treasurer