

**Minutes of the Regular Meeting of
The Board of Regents of the University of New Mexico
December 7, 2021; 9:00 AM
Virtual meeting via Zoom; livestreamed for public viewing**

Members Present

Douglas M. Brown, Chair
Kim Sanchez Rael, Vice Chair
Sandra K. Begay, Secretary/Treasurer
Jack L. Fortner
Randy Ko
William H. Payne
Robert L. Schwartz

Administration Present

Garnett S. Stokes, President; Douglas Ziedonis, EVP of UNM Health Sciences and CEO of the UNM Health System; Loretta Martinez, University Counsel; James Holloway, Provost and EVP for Academic Affairs; Teresa Costantinidis, SVP for Finance and Administration; Kate Becker, CEO UNM Hospitals; Michael Richards, Vice Chancellor for Clinical Affairs; Assata Zerai, VP for Equity and Inclusion; Eddie Nunez, AD; Terry Babbitt, President's Chief of Staff; Liz Metzger, University Controller; Mike Chicarelli, UNMH COO; Duane Arruti, CIO; Jamie Silva-Steele, President and CEO, SRMC; deans and others

Advisors Present

Mike Silva, Alumni Association President; David Saavedra, GPSA President; Greg Romero, ASUNM President; Scott Sanchez, Staff Council President; Finnie Coleman, Faculty Senate President; Tim Backes, Retiree Association President

Presenters

Bonnie White, CFO, UNMH; Lisa Lindquist, Director, LoboRESPECT Advocacy Center; Tiffany Lee, Chair and Professor, Native American Studies

CALL TO ORDER AND CONFIRMATION OF A QUORUM

Regent Chair Brown called the meeting to order at 9:01 AM and confirmed a quorum with all 7 members present, virtually via Zoom.

LAND ACKNOWLEDGEMENT STATEMENT

Regent Brown read aloud UNM's Land Acknowledgement Statement:

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.

VOTE TO ADOPT THE AGENDA

Before adoption of the agenda, Regent Kim Rael requested a modification: to move 'Comments from Regents' to after the President's Administrative Report.

The motion to adopt the modified agenda passed unanimously (1st Payne; 2nd Fortner; roll call vote – all members voted yes).

APPROVAL OF MINUTES: OCTOBER 19, 2021 REGULAR MEETING

The motion to approve the minutes of the October 19, 2021 regular meeting passed unanimously (1st Payne; 2nd Schwartz; roll call vote – all members voted yes).

PUBLIC COMMENT

Revathi A-Davidson, UNM student and retired healthcare and hospital administrator, spoke in favor of COVID-19 vaccination and testing requirements for entry to The Pit events.

Judith Brillman, Professor Emerita, UNM School of Medicine, spoke in favor of COVID-19 vaccination and testing requirements for entry to The Pit events.

Jacob Brown, UNM student, advocated for the graduate worker union.

Alana Bock, UNM graduate assistant, spoke in support for the graduate student unionization efforts.

Lisa Lindquist, Director of the LoboRESPECT Advocacy Center, gave an update on the Parent and Family Association activities and recognized the recently appointed Co-Chairs, Melinda Merriam and Heather Bratton. Ms. Lindquist presented each of the Regents the 2021 annual holiday ornament that the Parent and Family Association sponsors each year, from which the sales revenues fund scholarships.

PRESIDENT'S ADMINISTRATIVE REPORT

President Stokes opened her report highlighting recent events, awards, and notable recognitions. The UNM Department of Speech and Hearing Services launched a partnership with UNM Medical Group making its clinical services more widely available to New Mexicans. The clinic will provide speech-language pathology or audiology services to more patients, while also giving students practical experience in clinical care and healthcare practice management. In November, UNM Rainforest Innovations hosted the Business and Economic Summit: New Mexico's Statewide Recovery and Long-term Plan to focus conversations on the new Statewide Comprehensive Economic Development Strategy that was developed by the New Mexico Economic Development Department. In athletics, both the Women's Cross-Country team and the Women's Soccer team claimed the Mountain West championship. The Women's Cross-Country team also placed first in the NCAA Mountain Regional and earned a third-place finish at the NCAA Championship. In November, UNM celebrated National American Indian Heritage Month, and the UNM Gallup Branch Campus hosted the 2021 Diversity Summit to focus discussion around the practical ways to serve an increasingly diverse student population. UNM's Global Education Office hosted an

International Education Week that featured fairs, lectures and food to learn about and celebrate the benefits of international education and exchange. UNM has been designated as a Fulbright Hispanic Serving Institution (HSI) leader by the U.S. Department of State's Bureau of Educational and Cultural Affairs, one of only 35 institutions in the nation to receive this honor. This year's Sarah Belle Brown Award winners went to Wendy Greyeyes, Celeste Cole and Rick Rockett for their impactful community service and volunteer efforts, emulating Sarah Brown's ongoing commitment to helping those in need.

President Stokes discussed a recent survey soliciting feedback on the UNM 2040 draft plan proposed vision statement, 2 options proposed for the University's mission statement, along with UNM's purpose and articulated values. The survey will remain open until mid-December.

In the area of UNM leadership, the new dean of the UNM School of Law has been selected. Camille Carey, who has been a member of the faculty since 2009 and holds the Karelitz Chair in Evidence and Procedure currently serves as the vice dean and associate dean for Academic Affairs at the law school and will assume the deanship on July 1, 2022. President Stokes informed the Regents of UNM's new Chief of Police, Joseph Silva and new Interim Chief Government Relations Officer, Nathan Bush.

President Stokes gave an update on the COVID pandemic that included a graph that tracks UNM Health System COVID positive inpatients. Dr. Stokes announced that UNM will require vaccine boosters for all faculty, staff and students, adding that the announcement to the broader UNM community and the timeline requirements were still forthcoming. The President discussed the University's COVID response practices over the past many months, involving the President and her leadership team and utilizing the expertise from members of a phased planning steering committee to address the myriad aspects of the University, including operations, health protocols, external communications, and coordinated financial planning during the pandemic.

President Stokes discussed the upcoming commencement events, two in person ceremonies this year that will also include the 2020 graduates! Both events will take place at The Pit - Thursday, December 16 for post-graduate degree awardees and Friday, December 17 for undergraduate degree awardees. President Stokes closed with another announcement that administration would start providing special regent briefings on selected topics. The sessions will be informational briefings that will allow for an extended time of discussion.

COMMENTS FROM REGENTS

Regent Fortner asked if a summary report from the Economic Development Summit would be submitted to the Regents. President Stokes and Regent Begay confirmed that the full 200-page report and a recording of the summit were available on the Rainforest Innovation website.

Regent Real said she was surprised the President Stokes didn't touch on legislative priorities given the date for the beginning of the session was soon. President Stokes responded that a document outlining the priorities would be sent to Regents soon.

Regent Rael requested a regent briefing around that topic. Regent Brown requested that the CUP (Council of University Presidents) priorities be included in the briefing.

Regent Begay commented that she was happy that her alma mater, the UNM Gallup Branch Campus, hosted the 2021 Diversity Summit. She also thanked UNM for honoring Native American Month, and she extended congratulations for the Form D agenda item, the Doctoral Degree in Native American Studies, that would be voted on later in the meeting.

Regent Begay responded to the graduate worker unionization advocates and thanked them for their voices, adding that she heard them and also clarifying that labor negotiations are with the administration and not directly with the Regents.

Regent Schwartz thanked President Stokes for her report and his Regent colleagues for their comments. He spoke about the importance of the topic of whether to require vaccination and testing records to enter Pit events, adding that there are two primary questions: 1) what is a matter of policy? and 2) what should this element of COVID policy be? Regent Schwartz said this is clearly a policy decision of the University and he regretted the discussion was not taken up.

Regent Rael agreed with Regent Schwartz regarding the vaccination and testing requirements discussion, adding that it is the Regents' duty to advance University policy, and emphasizing that it needs to be with a data driven approach. Regent Rael continued her comments and highlighted the SSTAR Committee informational items that were presented in committee. In committee, Dean Kasper gave an update on the nursing program expansion and the requirements to increase capacity in that program. Regent Rael said she wanted to look at ways to enhance resources so they can be catalyzed even faster for that program. Additionally, Dean Burley gave an update on the COEHS' teacher education program for New Mexico's teachers, and Pamela Cheek presented her collaborative Student Experience research findings. Regent Rael emphasized that these programs are all critically important to the University. Regent Rael added that she appreciated the written comments sent to regents as well as the public comments.

Regent Brown said that he appreciated Regent Schwartz' comments about the discussion on vaccination and testing requirements for attendance at The Pit, and he outlined examples of the complexities and considerations of such a mandate, including whether proof of having had the vaccine booster would be required and what to require for children and at what ages. He emphasized that an efficient process would need to be in place to be able to process in a timely manner the larger crowds. He added that being able to attend athletic events is a morale booster for the public.

President Stokes reminded the Regents that the vaccine mandate currently in place is an administrative policy for which the Regents' endorsement was requested.

APPROVAL OF CONSENT DOCKET

Regent Brown addressed the consent docket; there being no requests to remove any items for discussion, he asked for a motion to approve the items listed on the docket:

- A. [SSTAR]* Approval of Form C: CERT Honors College
- B. [SSTAR] Approval of Form D: Post Professional Doctoral Degree in Occupational Therapy (New)
- C. [SSTAR] Approval of ASUNM Constitutional Amendment
- D. [HSSC]* Approval of UNM Medical Group Election of Certain Directors: Nomination of Dr. Richard Miskimins to the UNMMG Board of Directors
- E. [F&F]* Approval of 1st Quarter Financial Actions Report and Certification through September 30, 2021; and Informational Item: 1st-Qtr Consolidated Financial Report through September 30, 2021
- F. [F&F] 1st Quarter Athletics' Enhanced Fiscal Oversight Program Report and Certification through September 30, 2021; and Informational Item: 1st-Qtr Athletics' Report by Sport through September 30, 2021
- G. [F&F] Approval of Project Construction:
 - 1. University Libraries Turnstiles
 - 2. Center for High Tech Materials Roof Replacement
 - 3. Computer & Information Resources & Technology (CIRT) Restroom Renovation & ADA Update

[END CONSENT DOCKET]

* [SSTAR] Student Success, Teaching and Research Committee; [F&F] Finance & Facilities Committee; [HSSC] Health Sciences Center Committee

The motion to approve the items on the consent docket passed unanimously (1st Rael; 2nd Payne; roll call vote – all members voted yes).

APPROVAL OF POSTHUMOUS DEGREE: JERRY SURVEYOR – MASTER OF PUBLIC ADMINISTRATION (MPA)

Lisa Lindquist presented the item. The School of Public Administration respectfully requested consideration of the Posthumous Degree for Jerry Surveyor. Mr. Surveyor was an outstanding student, having started the MPA program in 2014 and completed 39 of 42 hours toward the degree. The faculty of the School of Public Administration voted unanimously to support granting a posthumous degree to Mr. Surveyor.

The motion to approve the posthumous degree, Master of Public Administration, for Jerry Surveyor passed unanimously (1st Rael; 2nd Schwartz; roll call vote – all members voted yes).

APPROVAL OF FALL 2021 DEGREE CANDIDATES

Finnie Coleman presented a total of 1836 candidates for fall 2021 awards for all UNM certificates and degrees.

The Regents enthusiastically congratulated the degree candidates.

The motion to approve the Fall 2021 degree candidates passed unanimously (1st Rael; 2nd Begay; roll call vote – all members voted yes).

APPROVAL OF FORM D: NATIVE AMERICAN STUDIES [NAS] DOCTORAL DEGREE PROGRAM

Tiffany Lee presented the item. The vision is for the doctoral candidates to become leaders in academia and/or policy researchers in Indigenous communities. The focus is on critical Indigenous thought, sustainable community building, and comparative studies in government, policy, identity, and sustainability. If approved, this would be only the 4th Ph.D. program of its kind in the country. The State and the 24 Pueblos and Tribes of New Mexico have a pressing need for Ph.D. level graduates that are prepared to work toward healthier and fully engaged communities. Native American Studies is an interdisciplinary field allowing the students' advanced research areas to prepare them for careers in a preferred focus and expertise, such as in the area of law, health, or education. The program will require successful completion of 66 credit hours; students must take 18 credit hours of required core courses. Projected revenue and costs projections for the first six years were provided. The estimated program costs will include salary for full-time faculty, learning resources, technology equipment, administrative support, and program development. The plan is to collaborate with other UNM entities to prevent duplication of efforts and funds. External sources of funding from the NM State Legislature, grants, and other entities were included in the budget forecast. It is anticipated the department will apply for and pursue other funding initiatives in the future.

The NAS Department offers a B.A. degree program which has graduated over 200 majors and minors. It also offers a master's degree which was launched in fall 2019 and has enrolled 26 students, 10 of which have graduated.

Regent Rael clarified that this program, presented in the Regents' SSTAR Committee, could have gone on the consent docket for approval, but explained that since it was such an important program, she wanted it to be presented to the full Board.

Regent Begay spoke in support of the program adding that this is an indication of the leadership needs for solving the complex issues of the Native American communities.

Regent Payne asked if the overall vision of the program was that most of the students would emphasize their focus on tribes in the southwest, or would it include those in Alaska or other parts like the U.S.? Dr. Lee responded that the focus would primarily be on the southwest but national and worldwide issues would also be addressed.

The motion to approve the Form D Native American Studies Doctoral degree program passed unanimously (1st Begay; 2nd Fortner; roll call vote – all members voted yes).

APPROVAL OF UNM HOSPITAL CAPITAL ITEMS:

1. UH Main Interventional Radiology Room 4 (IR-4) Equipment Replacement (\$575K)
2. Lamberton Tenant Improvement (NTE \$3m)
3. Senior Health Clinic (\$950K increase, revised project total \$9.7m)
4. Comprehensive Movement Disorder Center (\$950K increase; revised project total \$9.7m)
5. UNM Hospital New Hospital Tower [NHT] Vertical Expansion (\$41m)

Mike Chicarelli presented the items; Bonnie White presented details of the financial forecast for the new hospital tower vertical expansion project. Kate Becker was also available to answer questions.

Regarding Item 1, the UH Main Interventional Radiology Room 4 (IR-4) Equipment Replacement - an existing scanner needs to be replaced so the construction will involve renovating the room to accommodate a newer scanner model with its associated equipment. For the construction services, the project would be procured through a Vizient Job Order Contract (JOC), and the professional design services would be procured through the Cooperative Educational Services (CES) Contract. The total project budget is estimated to not exceed \$575K, and the source of funding would be the UNM Hospital Capital Improvement Funds.

Regarding Item 2, Lamberton Tenant Improvement – the project focuses on upgrades to the flooring, ceiling, lighting, security, and internal finishes. The renovation will provide the necessary upgrades of clinical and non-clinical spaces to meet current code requirements. Pricing for the project was secured utilizing the Vizient Job Order Contract (JOC). The total project budget is estimated to not exceed \$3 million. The source of funding would be the UNM Hospital Capital Improvement Funds. To allow for the build of UNM's new Crisis Triage Center (CTC), the Programs for Children and Adolescents (PFCA) and Physician Access Line (PALS) will be relocated to the Lamberton facility, allowing for the CTC project to advance.

Regarding Item 3, Senior Health Clinic (revised project total) – the original project scope included design and construction services to construct a new Senior Health Clinic for UNM Hospital. As the new work has progressed, the construction phase of the project has encountered multiple unforeseen conditions, construction material cost increases, and cost estimates below actual bids received. This request is for additional funding to address these costs and provide contingency funding to support the remainder of the project. New Mexico's demographic trends indicate that there is a significant increase to the aging population and is expected to continue to rise over the next 10 years. The surge in the aging population results in the need to address senior health services by expanding the capacity with a new Senior Health Clinic. This new clinic will provide improved functionality to support an increase in examination and support spaces contained within a single facility to deliver essential senior health services. Both the professional services and the construction services will be purchased through the UNMH request for proposals process. The total construction budget is estimated to not exceed \$9.7 million; the source of funds would be from the UNMH Hospital Capital Improvement Funds. This is an increase of \$950K from the original \$8.75 million request that was previously approved by the Board of Regents at its September 17, 2019 meeting.

Regarding Item 4, Comprehensive Movement Disorder Center (revised project total) - the original project scope included design and construction services to construct a new Movement Disorder Center for UNM Hospital. As the new work has progressed, the construction phase of the project has encountered multiple unforeseen conditions, construction material cost increases, and cost estimates below actual bids received. This request is for additional funding to address these costs and provide contingency funding to support the remainder of the project. Both the professional services and the

construction services will be purchased through the UNMH request for proposals process. The total construction budget is estimated to not exceed \$9.7 million; the source of funds will be from the UNMH Hospital Capital Improvement Funds. This is an increase of \$950K from the original \$8.75 million request previously approved by the Board of Regents at the September 17, 2019 meeting.

Regarding Item 5, UNM Hospital New Hospital Tower [NHT] Vertical Expansion - the project request is to expand the NHT vertically by adding two additional levels. The expansion would provide for the shell of two floors that would be completed at a later date to include 84 universal beds. It will increase the current project by approximately 113,562 sq. ft. The current NHT Project includes a seven-level hospital tower comprising approximately 570,000 GSF with 96 beds. Pre-pandemic benchmark data showed New Mexico's health care system was under-bedded by more than 1,000 acute care hospital beds compared to other states. UNMH anticipated the need for future expansion and, at the time the NHT was designed, UNMH requested a foundation design that would accommodate construction of additional floors beyond the floors originally intended to be built. It was UNMH's goal to conserve resources by having the foundation laid during the building of the NHT, with the intention that in the future, beds could be added to the NHT. After the design was complete, the pandemic began, with the result that the demand for acute health care in New Mexico has never been greater. UNMH had consistently maintained more than 95% capacity prior to the pandemic and during the pandemic has been between 125% and 150% of its capacity. Even post-pandemic, the demand for care in the state is expected to continue to increase as the population ages. Given these factors, UNMH is proposing to construct the shell of the additional two floors at the same time as construction of the originally planned NHT. The NHT contractor estimates that expansion will not affect the completion timing or occupancy. If the floors are added now, the overall cost will be reduced since the construction teams are mobilized and on location. It is estimated that costs would be an additional \$35 million if the expansion were postponed until after completion of the original scope of the project. Additionally, expansion prior to opening the new tower will reduce disruption to patient care. The expansion project cost is estimated to not exceed \$41 million; the source of funding would be the UNMH Capital funds set aside for the New Hospital Tower. If approved, the existing purchasing agreements, previously completed RFPs for construction, design and related services, will be amended to include the expanded project scope.

Kate Becker discussed timing issues related to the future staffing of the new hospital of the needed nurses and physicians in residency, clarifying that the current projection is for all beds to be fully open by the year 2027.

The Regents expressed support of the expansion project. Regent Brown inquired about the planning for the hospital's helipad. Dr. Chicarelli explained that a direct line to the ER is needed from the helipad, and the current plan is to have 2 helipads, one for the pediatric side and one for the new tower for adult critical care.

The motion to approve the UNM Hospital capital items as listed and presented passed unanimously (1st Schwartz; 2nd Ko; roll call vote – all members voted yes).

APPROVAL OF 4 REAPPOINTMENTS TO THE UNM SANDOVAL REGIONAL MEDICAL CENTER [SRMC] BOARD OF DIRECTORS

Jamie Silva-Steele presented the item. On December 3, 2021, the SRMC executive committee approved the recommendation for reappointment of Christopher Guest MD (Chief of Medical Staff), Joanna Boothe (Sandoval CO Resident), Charlotte Garcia (Sandoval CO Resident), and Dava Panana (Sandoval CO Resident), as Class C Directors to the SRMC Board. All terms commence January 1, 2022 and go through December 31, 2023.

The motion to approve the reappointments of Joanna Boothe, Charlotte Garcia, Dave Panana, and Christopher Guest to the SRMC Board of Directors passed unanimously (1st Fortner; 2nd Ko; roll call vote – all members voted yes).

ADVISORS' COMMENTS

Finnie Coleman, President, Faculty Senate, commented on the Faculty Handbook policy C07 revisions that were tabled in SSTAR Committee saying the revisions will go back to the next SSTAR Committee after University Counsel has reviewed them.

David Saavedra, President, GPSA, congratulated the upcoming graduates and reported on recent GPSA activities including a focus on relations with North Campus peers because a large part of GPSA's constituency calls North Campus home. Additionally, a major focus for GPSA now and going forward are Legislative Priorities for the upcoming session. Historically, GPSA has advocated and lobbied for one-time funding that goes toward capital outlay projects and the improvement of our campus. This year, it will ask the legislature for funding to support graduate and professional students in the areas of, 1) New Mexico Graduate Achievement Scholarship, 2) a Health Sciences Student Grant, and 3) a New Mexico Research Grant. Additionally, the Student Fee Review Board completed its cycle and made its recommendation to the Budget Leadership Team which was unanimously approved and will eventually be presented to the Regents.

Greg Romero, President, ASUNM, congratulated the upcoming graduates and reported on recent ASUNM activities including work with the UNM Government Relations team and university planning regarding capital outlay requests as well as continued support and advocacy for the Lottery Scholarship fund.

Scott Sanchez, Staff Council President, reported that 99.6% of staff are compliant with the UNM COVID Vaccine Mandate, which is a testament to staff's commitment to keeping campus safe, delivering high quality education and services to the community. Mr. Sanchez congratulated the campus community on nearly completing the fall semester and he thanked the UNM IT and HR departments for their unwavering support of Staff, Students, and Faculty during these tumultuous times. Mr. Sanchez reported on the annual Staff-as-Students event where over 100 staff were able to register for classes in the Spring 2022 semester and the recent Gerald W. May Outstanding Staff award.

Mike Silva, Alumni Association Board President, reported on a successful 2021 Homecoming Week that was full of Lobo activities, along with upcoming graduation events and the newest publication of the Association's Mirage magazine with a feature article on alumna, Deb Haaland, U.S. Department Secretary of the Interior.

- *5-Minute Break in the virtual meeting at 11:00 AM*

VOTE TO CLOSE THE MEETING AND PROCEED IN EXECUTIVE SESSION (roll call vote)

1. Discussions, and where appropriate determination, of matters subject to attorney-client privilege pertaining to threatened or pending litigation, as permitted by Section 10-15-1H(7), NMSA (1978)
2. Discussions of bargaining strategy preliminary to collective bargaining and collective bargaining between a policymaking body and an employee bargaining unit, as permitted by Section 10-15-1H(5), NMSA (1978)
3. Discussion of "limited personnel matters" as defined in and permitted by Section 10-15-1.H(2), NMSA (1978) – regarding an appeal

VOTE TO RE-OPEN THE MEETING AND CERTIFICATION THAT ONLY THOSE MATTERS DESCRIBED IN THE CLOSED SESSION AGENDA WERE DISCUSSED AND IF NECESSARY, FINAL ACTION WITH REGARD TO CERTAIN MATTERS WILL BE TAKEN IN OPEN SESSION

The meeting re-opened at 11:58 AM; Regent Brown certified that only matters described in the executive session agenda were discussed during closed session and confirmed that there was one item upon which the Board would take action in open session.

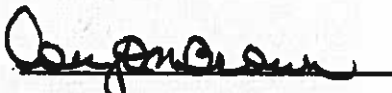
The motion to not accept a request for discretionary review of an appeal (dated October 11, 2021) passed unanimously (1st Schwartz; 2nd Fortner; roll call vote – all members voted yes)

ADJOURN

There being no further business, Regent Brown asked for a motion to adjourn the meeting; Regent Rael motioned; Regent Fortner seconded; all were in favor; the meeting adjourned at 11:59 AM.

Approved:

Attest:


Douglas M. Brown, Chair


Sandra K. Begay, Secretary/Treasurer