A. **Call to Order, Chairwoman Dina Chacón-Reitzel**
   Chairwoman Chacón-Reitzel called the meeting to order at 9:03 AM.

   **Pledge of Allegiance, Led by the NMSU Student Veterans Organization**
   Courtland Tyler, President of the NMSU Student Veterans Organization, led the pledge of allegiance.

1. **Introductions**

   **Introduction of the Media and Elected Officials, Associate Vice President Justin Bannister**
   Two members of the media from The RoundUp were present, including Ch'ree Essary and Marianne Salas. No elected officials were in attendance.

   **Introduction of Strategic Chief Financial Officer, Ruth Johnston, Chancellor Dan E. Arvizu**
   Chancellor Arvizu introduced Ruth Johnston, noting that effective August 30, Dr. Johnston serves as NMSU's strategic chief financial officer to help set system-wide strategy, define financial objectives of individual entities within the university and drive operational effectiveness, while creating a climate of accountability. Prior to this new role, Ruth served as vice chancellor for University of Washington (UW) Bothell Planning & Administration where she provided leadership for administrative, financial, facilities, IT, human resource operations and governmental & community relations. Prior to UW Bothell, Johnston spent most of her career at the University of Washington Seattle leading in areas including housing and food services, continuing education, human resources, financial management and finance and facilities, and student fiscal services. Her last position at UW Seattle was associate vice president and chief of staff for the UW Planning & Management, with responsibility for units including organizational excellence, UW Sustainability and the business diversity program. Johnston holds a doctorate in organizational development and higher education, a master’s degree in human relations and a bachelor’s in counseling psychology. Ruth serves as first vice president on the Western Association of College & University Business Officers board of directors and recently joined the board of the National Association of College & University Business Officers. She teaches a variety of classes and workshops, and has consulted with higher education institutions, associations and some federal agencies.

   **Introduction of General Counsel, Roy Collins III, Chancellor Dan E. Arvizu**
Chancellor Arvizu introduced Roy Collins, noting that Mr. Collins is a native of Galveston, Texas. He has recently joined New Mexico State University as its General Counsel and Chief Legal Officer, after serving several years as an in-house attorney at University of Hartford, Idaho State University, Texas Southern University and DaimlerChrysler Corporation. He also served as an administrator at the Texas A&M University System in undertaking technology transactions. Collins also has experience in the aeronautic and aerospace industry as an engineer with General Dynamics Corporation and McDonnell Douglas Corporation. Along with these work experiences, he has served as Board Chair of two separate nonprofit corporations in Michigan and Texas, as well as Vice Chair of a nonprofit corporation in Connecticut, along with leadership roles in several faith-based organizations.

Roy received a B.S. in Mechanical Engineering from Southern University (Baton Rouge) in 1981, a J.D. from the University of Houston Law Center in 1986, and an LL.M. in Intellectual Property from the John Marshall Law School (Chicago) in 1991. Collins is a published author and past speaker on the subjects of intellectual property, technology transfer, electronic commerce, communications law and negotiation, including presentations to professional audiences in Arizona, California, Connecticut, Florida, Georgia, Idaho, Illinois, Kentucky, Maryland, Ohio, Texas and West Virginia. He is licensed to practice law in Texas, Michigan and Idaho, and is currently completing admission requirements for the State of New Mexico.

**Introduction of Physical Science Lab Director, Jim Chavez, Chancellor Dan E. Arvizu**

Chancellor Arvizu introduced Jim Chavez, who was not in attendance at the meeting, and noted that Mr. Chavez is currently the Director of the Physical Science Laboratory (PSL) at New Mexico State University. PSL is a multi-disciplined aerospace and defense-oriented scientific and technical organization. As Director, he is responsible for all personnel, programs and operations.

Prior to his position at PSL, Mr. Chavez was a Director at Keystone International providing global security consulting services for National Laboratories, Government Agencies, and others. He was also responsible for building National Security programs for Keystone International.

Mr. Chavez retired as Vice President of the Global Security Program at Sandia National Laboratories. As Vice President, Mr. Chavez was responsible for the work of more than 1300 employees and contractors. He also led a diverse portfolio that included projects in global WMD security, nonproliferation and arms control, weapon and force protection, critical asset protection, energy technologies, the nuclear fuel cycle, and geoscience.

In his 35-year career at Sandia, Mr. Chavez worked in a wide range of fields including energy research, nuclear security, intelligence analysis, nuclear counter terrorism, and nonproliferation and held a variety of positions at Sandia National Laboratories. Prior to becoming a Vice President at Sandia, he served as Director of the Monitoring Systems Center and Director of the Remote Monitoring and Verification Program with responsibility for the sensor system and ground stations for the United States Nuclear Detonation Detection System. Before that, he was Director of the Systems Assessment and Research Center with responsibility for intelligence programs that Sandia conducts for U.S. national security organizations. Other assignments at Sandia include Manager of Sandia’s Government Relations and Washington Office, Manager of the National Solar Thermal Test Facility, staff researcher on the development and demonstration of renewable energy technologies, research on nuclear reactor safety, and research on physical security for the U.S. State Department. In 2001, Mr. Chavez was selected as a Congressional Fellow for the American Society of Mechanical Engineers, where he worked for Representative Heather Wilson (R-NM) in Washington, DC as her Science and Technology Advisor.

Mr. Chavez earned his BS in Mechanical Engineering at the New Mexico State University and his MS in Mechanical Engineering at the University of California, Berkeley.

**Introduction of Provost & Senior Vice President of Academic Affairs, Carol Parker, President John D. Floros**

President Floros introduced Carol Parker, noting that Provost Parker comes to us from UTEP where she was
the Provost and formerly Senior Vice Provost for Academic Affairs at UNM. Previously, she was also a Fellow at Arizona State University for the American Council on Education where she gained depth of expertise in improving the academy. Provost Parker has a J.D. degree from Wayne State University Law School, a master’s degree in information science from The University of Michigan, and a bachelor’s degree in humanities from Michigan State University.

Introduction of Dean of Students, Ann Combes Goodman, Vice President Renay Scott

Vice President Scott introduced Dr. Goodman, noting that she is “coming home” as a fellow Aggie having graduated with both a bachelor’s and master’s degree, having also been a student athlete with the Women’s Golf Team, and a member of a sorority. Her past experience includes work at University of Central Florida, with most of her prior experience at Texas A&M where served as the Associate Director of Student Activities. Her doctorate is in Agricultural Leadership from Texas A&M.

2. Confirmation of Quorum, Chairwoman Dina Chacón-Reitzel

Board staff confirmed that all board members were present in the board room. The board has one vacancy due to the resignation of Jerean Camufiez Hutchinson. Four members present include Chair Dina Chacón-Reitzel, Vice Chair Ammu Devasthali, Secretary/Treasurer Luke Sanchez, and Regent Debra Hicks.

3. Approval of the Agenda, Chairwoman Dina Chacón-Reitzel

Regent Devasthali moved to approve the agenda with a second from Regent Sanchez. Motion passed.

4. Public Comment, Associate Vice President Justin Bannister

Mr. Rico Gonzales from El Paso Electric spoke in support of a program for solar energy and storage installation that will serve students in learning and in research, as well as the community. Mr. Gonzales thanked the Chancellor and the Board for working together toward the future of energy in Southern New Mexico and West Texas.

B. Approval of the Minutes, Chairwoman Dina Chacón-Reitzel

1. Regular Meeting of May 10, 2019

Regent Hicks moved to approve the Regular Meeting minutes for May 10, 2019 as presented with a second by Regent Devasthali. Motion passed.

2. Special Meeting of June 14, 2019

Regent Hicks moved to approve the Special Meeting minutes for June 14, 2019 as presented with a second by Regent Sanchez. Motion passed.

3. Confirmation of Prior Closed Executive Session of June 14, 2019

Regents Staff read the confirmation of prior executive session:

The Board of Regents met in a closed executive session at 2:15 PM on Friday, June 14, 2019 at New Mexico Higher Education Department, Taos Conference room, 2044 Galisteo Street Suite #4 Santa Fe, New Mexico to discuss the hiring of the Chief Legal Counsel as permitted under the personnel matters exemption the New Mexico Open Meetings Act, NMSA Section 10-15-1, subsection (H)(2). In addition, the board discussed a letter of intent for the acquisition of real property from a private entity as permitted by NMSA Section 10-15-1, subsection (H)(8) of the Open Meetings Act.

Board members certified by roll call vote that only matters of that nature were discussed.

Regent Hicks responded yes, Regent Chacón-Reitzel responded yes, Regent Devasthali responded yes, and Regent Sanchez responded yes.
C. Awards and Recognitions, Chairwoman Dina Chacón-Reitzel

1. Bold Aggies! Recognition of Aggie Accomplishments, Regents, Advisory Members, and University Officials

Regent Sanchez congratulated all the Aggies that did internships over the summer, noting a friend that did an internship in Texas, gaining leadership experience in the process.

Regent Hicks recognized that Athletic Director Mario Moccia’s birthday was yesterday.

Regent Devasthali recognized the staff involved in student housing that did an amazing job in making sure that Juniper Hall was ready for students to move in at the beginning of the fall semester and reflected on all of the activity that occurred during move-in day to make sure students got the help they needed.

Regent Chacón-Reitzel thanked Kathy Hansen and the staff at Arrowhead Center for inviting her to visit Arrowhead Center for an orientation and to meet with staff and students that participate in and benefit from the programs. Regent Chacón-Reitzel also promoted the Shark Tank competition scheduled for October 3, from 4 PM - 6:30 PM at the ASNMSU Center for the Arts.

2. Proclamation recognizing Commencement Staff for their contributions organizing commencement, Regent Luke Sanchez

Before reading the proclamation, Regent Sanchez described his Work study position working with the Commencement staff and noted how Marisela Marquez and Gabrielle Martinez “took him under their wing” and went above and beyond to help him at NMSU.

Regent Sanchez read the proclamation aloud as follows:

WHEREAS, Gabrielle Martinez and Marisela Marquez, have served with distinction for the planning, promotion, and supporting the commencement activities of New Mexico State University during the 2018-19 academic year; and credit that the ceremonies would not be a reality without the work of all those involved in the preparation and performance; and

WHEREAS, they hired, trained, and supervised student employees to take on a great responsibility in relation to all aspects of Commencement; and

WHEREAS, they collaborated with Shacoy Parra, Michael Smith and staff at the NMSU Pan American Center for crowd management and stage set up to ensure all guests needs are taken care of and the vision went as planned; and

WHEREAS, they collaborated with Melody Munson-McGee and president’s office staff for platform party preparations, internal communications, script writing; and

WHEREAS, they collaborated with all academic colleges to identify faculty marshals and encourage faculty attendance; and

WHEREAS, they collaborated with team leaders and volunteers from academic and administrative units across
WHEREAS, they collaborated with Jeany Llorente-Ontiveros from Marketing and Communications for working up until the late hour deadlines, ensuring accuracy of the Commencement Program prior to publication; and
WHEREAS, they collaborated with staff from Facilities and Services for set up and equipment management; and
WHEREAS, they collaborated with the Alumni Relations Office for the participation of their volunteers and ambassadors, to ensure all graduates are photo ready; and
WHEREAS, they collaborated with Parking and Police to ensure the safety of graduates and guests; and
WHEREAS, they collaborated with Carrie Hamblen, Nick Miller, and Jack Nixon, to announce the names of every graduate; and

NOW, Therefore, Be It Proclaimed in official session that the Board of Regents of New Mexico State University thanks and commends all staff and volunteers, but mostly, Gabrielle and Marisela, for their dedicated service and wishes them great successes in their future endeavors.

Proclaimed this fourth day of September 2019, at Las Cruces, New Mexico.

3. Proclamation recognizing Liz Ellis for her service to NMSU as General Counsel, Regent Debra Hicks

Before reading the proclamation, Regent Hicks noted that he has been a joy and a pleasuring working with Ms. Ellis.

Regent Hicks read the proclamation aloud as follows:

WHEREAS, LIZBETH GRIFFIN ELLIS (Liz), alumnae of New Mexico State University and dedicated public servant committed to the NMSU mission, officially retired from New Mexico State University on June 30, 2019, after thirty years of exemplary service; and
WHEREAS, Liz gave of her time, talents and tenacity to NMSU in a multitude of ways, and in various capacities through the years, including as Professor, as Academic Department Head and as Interim Associate Dean for the College of Business, and ultimately, as the Chief Legal Affairs Officer for the NMSU System (aka “General Counsel”); and
WHEREAS, through her devotion to NMSU’s students, faculty and staff and her strong work ethic day in and day out, Liz demonstrated she is one of NMSU’s greatest supporters, advocates and champions; and
WHEREAS, Liz led the daunting 2015 charge to the Office of General Counsel to transform and re-invent the NMSU Policy Manual by separating true policy from organizational rules and procedures; and
WHEREAS, these documents are now known as the Regents Policy Manual and the Administrative Rules and Procedures, now launched on the internet of things; and

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WHEREAS, Liz was known to provide points of clarification regarding laws and regulations governing the Board of Regents such as OMA and IPRA as well as excellent interpretations of the NMSU Policy Manual on a regular basis; and

WHEREAS, she worked diligently to standardize the nomenclature for items presented to the Board of Regents; and

WHEREAS, Liz could often be found at Seminar on Friday afternoon after business hours; and

WHEREAS, Liz served the Board of Regents and the Administration faithfully with strong conviction, always a professional;

NOW, THEREFORE, Be It Proclaimed in official session that the Regents of New Mexico State University takes this opportunity to express sincere and grateful appreciation to LIZBETH GRIFFIN ELLIS and to wish her continued success and well-earned happiness in all of her future endeavors.

Proclaimed this Fourth Day of September, 2019 at Las Cruces, New Mexico.

4. Proclamation recognizing Christopher Saucedo for his service as a Regent of New Mexico State University,
   Regent Debra Hicks

Chairwoman Chacón-Reitzel noted that a tree planting ceremony was held earlier in the morning and the proclamations were presented and read to the past members of the board at that time and she asked if Regent Hicks could read the proclamations in the meeting recognizing their service.

Regent Hicks read the proclamation as follows for former Regent Christopher Saucedo:

WHEREAS, Christopher T. Saucedo has served honorably and with distinction as a member of the Board of Regents of New Mexico State University beginning on February 15, 2018; and

WHEREAS, his service to New Mexico State University and the citizens of our state has been distinguished by remarkable commitment to the highest standards of ethics and excellence in the university's education, research, and public service activities; and

WHEREAS, his ties to our university and our community are immensely strong, growing up in Doña Ana County, graduating from Gadsden High School, and eventually going on to earn a Bachelor of Business Administration from NMSU; and

WHEREAS, he served during a dynamic time at NMSU and jumped in with both feet to serve his alma mater; and

WHEREAS, he has helped to shape the future of the university's further growth and development by providing vital input to the assessment and search process for new leadership; and
WHEREAS, he played a significant role in furthering New Mexico State University as a system through the adoption of operating budgets and adopting a resolution supporting the Office of Strategic Initiatives; and

WHEREAS, he brought expertise and leadership to the Regents Committees by serving on the Regents Audit and Risk Committee, and Regents Financial Strategies, Performance and Budget Committee; and

WHEREAS, he imparted a forward-thinking philosophy for enrollment and retention, strategic planning, and institutional performance management; and

WHEREAS, his fellow board members expressed deep gratitude for his service and have said:

Regent Saucedo was able to grasp the complexity of the institution very quickly and offer both wise council and excellent leadership and brought a calming affect with his timely and wise council, which was both discerning and astute. He would consistently choose the right thing even if not politically popular; and

WHEREAS, he moved the university forward by approving new degree programs and numerous policies including the selection of the current Chancellor of NMSU, who stated:

Regent Saucedo’s thoughtful and deliberative approach to addressing issues both large and small during his time on the NMSU Board of Regents will have a lasting impact on the entire university system, and

WHEREAS, Regent Saucedo’s term on the Board ended on February 28, 2019.

NOW, THEREFORE, BE IT PROCLAIMED in official session that the Board of Regents of New Mexico State University thanks and commends Christopher T. Saucedo for his dedicated service and wishes him success in all future endeavors.

PROCLAIMED this Fourth day of September, 2019 at Las Cruces, New Mexico.

5. Proclamation recognizing Jerean Camuñez Hutchinson for her service as a Regent of New Mexico State University, Regent Debra Hicks

Regent Hicks read the proclamation as follows for former Regent Jerean Camuñez Hutchinson:

WHEREAS, Jerean Camuñez Hutchinson has served honorably and with distinction as a member of the Board of Regents of New Mexico State University from March 9, 2015 to April 30, 2019, including many terms as Secretary-Treasurer; and

WHEREAS, her commitment, loyalty, and dedicated service to NMSU is strongly rooted in her time spent here as a student, graduating with Bachelor of Business degree from the College of Business and having earned the recognition of being inducted into the College of Business Hall of Fame in 2005; and

WHEREAS, she continued her service after graduation having been recognized for her service as the 2010 recipient of the James F. Cole Memorial Award for Service and the 2007 Spirit of Service Award; and
WHEREAS, her service to NMSU and the citizens of our state as a member of the Board of Regents has been distinguished by remarkable commitment to the highest standards of ethics and excellence in the university’s education, research, and public service activities; and

WHEREAS, she played a significant role in furthering NMSU as a system through the adoption of numerous operating budgets and approval of leases that created opportunities for public-private partnerships, including a hotel on University Avenue for which she strongly advocated for internships that would benefit NMSU students; and

WHEREAS, as Chair of the inaugural Student Success Committee, she incorporated a student-centric metrics driven approach in crafting and promoting the 3 G’s of Student Success, specifically Graduate on Time, Get a Job and Give Back; and

WHEREAS, in 2016 she orchestrated a vision of strategic alignment for Student Success by driving the board’s adoption and approval of the focused metrics for the prioritized six student success pillars based on research and analytics that would launch NMSU into the top quartile of its’ peers for Enrollment, Retention, Graduation Rates, Placement, Research, and Giving; and

WHEREAS, she demonstrated a vision of alignment by bringing together the Student Success Committee with the Regents Financial Strategies, Performance and Budget Committee in annual meetings; and

WHEREAS, her fellow board members have said:

NMSU owes this highly intelligent honored alumna a deep debt of gratitude. A strong supporter before becoming a regent, Jerean was unwavering and resilient even at personal cost in her belief in what NMSU can obtain. She remained Laser focused on growing the NMSU system through creative, aggressive and strategic planning driving the Six Pillars of Student Success. The Six Pillars of enrollment, retention, graduation, placement, research, and giving became the foundation of the vision 2025 strategic plan. Jerean focused on and cared about the heart of the institution, its students foremost, and regularly recognized Aggies for their accomplishments during ‘Guns Up’ at board meetings.

This amazing small business leader has not only had significant impact on the Las Cruces Community but has equally and forever impacted NMSU with her consistent focus on student success and ensuring affordable access to higher education for all New Mexicans. She was unwavering in her vision for NMSU to own its own backyard, grow, and be New Mexico’s premier institution of choice.

Jerean served with the highest level of passion, dedication, resolve, and integrity. She always put the university above herself and in-spite of great pressure she consistently did the best thing for NMSU and its many stakeholders.

WHEREAS, her service as regent representative on the Regents Student Success Committee, Regents Financial Strategies, Performance and Budget Committee, Regents Audit and Risk Committee, Honorary Degree Selection Committee, and Regent Representative on the NMSU Foundation Board of Directors has been carried out with diligence, passion, and commitment to excellence; and

WHEREAS, during her term of service she helped set the course of the university’s future by approving
numerous policies and through the selection of the current Chancellor of NMSU, who stated:

Her commitment to the success of our students is unparalleled and we thank her for all of her efforts that focused on helping students graduate on time, get a job and eventually give back to the university. We are a better university for her efforts and we are fortunate to have someone like her in our community.

NOW, THEREFORE, BE IT PROCLAIMED in official session that the Board of Regents of New Mexico State University thanks and commends Jerean Camuñez Hutchinson for her dedicated service and wishes her success in all future endeavors.

PROCLAIMED this Fourth Day of September, 2019 at Las Cruces, New Mexico.

D. Committee Reports

1. Real Estate Committee, Regent Dina Chacón-Reitzel

Regent Chacón-Reitzel reported that the Real Estate committee met three times since the last regular meeting on June 4, June 21, and August 20. During the meetings several potential real estate transactions were discussed including items F-8 – F-15 on the Consent agenda. These items are being brought forward to the board by the Real Estate Committee for approval. Also, it was noted that the committee discussed and was given a tour of Student Veterans’ housing.

2. Audit and Risk Committee Report, Regent Ammu Devasthali

Regent Devasthali reported that the Regents Audit and Risk Committee met twice since the last regular meeting. On May 29 the Audit committee met for the External Audit Entrance Conference conducted by KPMG on behalf of the State Auditor. The Entrance conference is an annual meeting conducted as part external audit process. KPMG has audited NMSU for the past 4 years and will continue to be the contracted auditor for the Fiscal year 2019 and Fiscal year 2020 audits.

The audit includes the financial statement audit for the institution, the single audit for federal compliance, the NMSU Foundation audit, the Arrowhead Center audit, and the KRWG TV and Radio audits.

KPMG reviewed the timeline and scope of audit procedures with the committee. The audit must be submitted to the State Auditor by November 1 and the Audit report will be delivered to the Regents Audit and Risk Committee in October.

The second meeting was held on August 21 and had three guest presentations. The first presentation was by NMSU Police Chief Stephen Lopez who briefly outlining the history of the Clery Act and identified the activities and policies that are in place in order to enhance campus safety.

The second presentation was conducted by the Director of the Office of Institutional Equity, Laura Castille, who presented an overview of the department responsibilities and activities related to Title IX compliance, Equal Employment Opportunity and supporting university’s commitment to non-discrimination.

The third presentation was presented by Associate Vice President for Human Resources, Gena Jones, who reported on the process of completing I-9 forms and moving toward an eVerify system.

These presentations were followed by Chief Audit Officer Ermelinda Quintela who provided an overview of the internal audit engagements by Audit Services over the past fiscal year including assurance reviews, compliance tests, investigations, and advisory and consultative services. The audit committee also approve the fiscal year 2020 audit plan.
The next Audit and Risk Committee meeting is scheduled for October 30, 2019. This will be the exit conference for the external audit process.

3. **Financial Strategies, Performance and Budget Committee Report, Regent Debra Hicks**

Regent Hicks reported that the Regents Financial Strategies, Performance and Budget Committee met once since the last regular meeting on August 21. The purpose of the meeting was to review the Bond Refunding which is presented as an action item (G-1) and the committee recommended approval of this item. Also discussed with the Research and Public Service project requests (Non I&G Budget Requests) which are on the consent items (F-1) in the agenda for today. The committee also recommended that the board approve the Non I&G Budget Requests.

4. **Student Success Committee Report, Regent Luke Sanchez**

Regent Sanchez reported that the Regents Student Success Committee met on August 1. In this meeting there was a first read of the proposed changes to the Student Success Committee Charter to ensure that the charter aligns to our current strategic plan and reiterating the committee’s oversight of the entire student journey at NMSU. Four presentations were given, including a presentation NMSU LEADS Goal 1 by President Floros. Vice President Scott gave an overview of current enrollment numbers, Aggie Welcome and Orientation, Graduate School recruitment efforts and an action plan to maximize enrolled students. Graduate and undergraduate retention numbers were discussed. Associate Vice President Ricard Rel presented on the State Funding Formula, and Provost Parker delivered a presentation on past Student Success initiatives, including a “fantastic” presentation on General Education Reform by NMSU Director of Assessment, Dr. David Smith. No actions were taken by the committee in this meeting and the next meeting is planned for November.

E. **Recurring Reports**

1. **NMSU Faculty Senate Report, Chair Becky Corran**

Chair Corran noted that Faculty Senate will meet for the first time on September 5 and will be considering proposal for four new degree programs in the College of Education to help meet the need for educators in the state.

2. **Associated Students of NMSU Report, President Evan Conner**

President Connor reported that the ASNMSU Community Outreach department has been busy welcoming new students to campus for orientation events, including a well-attended Welcome Back concert featuring student DJs and an internationally known artist. Public Relations Department is finalizing advertising opportunities that will be available to student organizations using student media outlets on campus. Finally, the ASNMSU Senate met until midnight on August 29 working on legislation for student organizations.

3. **NMSU Employee Council Report, Chair Sonia White**

Employee Council Chair Sonia White announced the date for the Employee Appreciation Picnic on October 25 and it will be held at Preciado Park on the NMSU Las Cruces campus from 11 AM – 1 PM. The ‘A’ Mountain Staff award will be presented at the picnic.

4. **Aggie Development Inc. Report, President & CEO Scott Eschenbrenner**

President Eschenbrenner announced the beginning of construction for infrastructure projects as a part of Aggie Uptown development on University Avenue. The project is expected to continue through December.

5. **Arrowhead Center Inc. Report, Director & CEO Kathryn Hansen**

Director Hansen noted new awards from external sponsors. Working with NMSU Foundation, Arrowhead Center was awarded $50,000 from PNM to support StudioG Student Business Incubators at NMSU Alamogordo, UNM, Santa Fe Community College, and Western New Mexico University. Arrowhead also
received $125,000 award from Small Business Administration (SBA) to help New Mexico small businesses win Federal dollars for research and technology commercialization grants. Arrowhead is also announcing their first inductee into the NMSU Entrepreneur Hall of Fame, Frank Seidel, who is graduate of the NMSU College of Engineering ('81), Foundation Advisory Board member, and has a successful engineering technologies services business, as well as being a generous supporter of Arrowhead Center and the College of Engineering. The ceremony will be held during homecoming week. Dr. Hansen also announced a grand opening and signing ceremony on September 11th at Spaceport America Headquarters in Arrowhead Park. The MOU signing ceremony marks the beginning of a relationship student engagement, research, community engagement and economic development between NMSU and Spaceport America. AgAssembly Day will be on September 26th at the Farm and Ranch Heritage Museum and it celebrates the conclusion of a 5-month long Agriculture and Food accelerator sprint. Some of the business that will be pitching for a $20,000 award are startups in biomaterials, innovative foods, supply chain technologies, robotics, and equipment. Five of the teams have an NMSU student, faculty, or staff member on the team. Partners include the NMSU College of Agricultural, Consumer, and Environmental Sciences, Brackish Groundwater National Desalinization Research Facility, Amazon Web Services, IN² (which is a Wells Fargo innovation incubator, co-administered by the National Renewable Energy Laboratory). Samara Hernandez was noted as a new “shark” that will take part in the Shark tank event on October 3rd.

6. **New Mexico Department of Agriculture, Cabinet Secretary & Director Jeff Witte**

   Secretary Witte deferred his report to the work session in the afternoon.

F. **Consent Items, Chairwoman Dina Chacón-Reitzel**

   Regent Devasthali moved to approve the consent agenda items as presented with a second from Regent Hicks. Motion passed.

1. **Non I&G Budget Requests for FY21, Assistant Vice President Ricardo Rel**

2. **Name the John Whitlock Hernandez Hall, room 240B, as the Bud and Sharon Waters Civil Engineering Media Room, Interim Vice President Tina Byford**

3. **Name the Metals/Jewelry Facility in the new Devasthali Hall, Room 130, as the Rio Grande Jewelry and Metallsmithing Studio, Interim Vice President Tina Byford**

4. **Name the Drawing Facility in the new Devasthali Hall, Room 232, as the Glenn and Sally Drawing Studio, Interim Vice President Tina Byford**

5. **Name the Sculpture Facility in the new Devasthali Hall, Room 124, as the J. Paul Taylor Sculpture Studio, Interim Vice President Tina Byford**

6. **Disposition/Deletion of Property, Senior Vice President Andrew Burke**

7. **Temporary Investments Report for the Quarter ended 06/30/2019, Senior Vice President Andrew Burke**

8. **Las Cruces: DACC Workforce Development Center Reroof and Parking Lot Project, University Architect Heather Watenpaugh**

9. **Las Cruces: Campus-Wide Tunnel System Repairs Phase VI, University Architect Heather Watenpaugh**

10. **Las Cruces: Fire Station Bay Doors, University Architect Heather Watenpaugh**

11. **Alamogordo: Student Services Building-First Floor Renovation, University Architect Heather Watenpaugh**

12. **Las Cruces: Therapeutic Riding Renovation, University Architect Heather Watenpaugh**

13. **Las Cruces: ASNMSU Crime Prevention through Environmental Design (Safety and Security Campus-Wide),**
14. Las Cruces: Renovations to Athletic Facilities, University Architect Heather Watenpaugh

15. Las Cruces: Baseball Training Facility, University Architect Heather Watenpaugh

G. Action Items, Chair Dina Chacon-Reitzel

1. Resolution No. 2019-03: Resolution Declaring the Board of Regents’ Authorization to issue system Refunding Bond Series 2019, Senior Vice President Andrew Burke

Vice President Burke introduced Erik Harrigan, Managing Director, RBC Capital Markets and Katherine E. McKinney, Attorney, Modrall Sperling who will provide an overview presentation on the bond refunding proposal.

Before turning the presentation over, Vice President Burke noted two reasons for requesting the bond refunding. The first is there is an opportunity to garner significant net present value savings due to the interest rates in the market. The interest rates presently being lower than what they were back in 2010. In addition, restructuring the debt of the bookstore building to lower the debt service payment to be more in-line with expenditures for the bookstore would not require the university to depend on other revenues to cover the difference, particularly in required student fees.

Mr. Harrigan noted that RBC is the university’s municipal advisor and provided a presentation. In his presentation Mr. Harrigan noted that typically tax-exempt bonds have an optional redemption date of 10 years or earlier where bonds can be refunded or restructured, which applies to both the 2010B and 2010C bonds being discussed today. Both savings and restructuring or reasons to move forward with the change. It was noted that the university has an attractive debt profile. 2010 B Bonds were taxable Build America Bonds and the university receives an interest rate subsidy from the U.S. Treasury. At the time, the Build America bonds provided a lower interest rate than traditional bonds. Since that time, and as a result of sequestration, the university has not received the full interest subsidy with assumptions going forward that the university will receive 100% of the subsidy. Based on current market, 1.2 million dollars savings can be realized. This is 6% savings, above the 3% industry standard for determining if a refunding is warranted. The annual debt service on the 2010B Bonds after the refunding will drop from 2.32 million to 2.18 million (based on current market rates) or approximately $130,000 annually. For the 2010C bonds, which is related to the bookstore, and the average rate on what is currently outstanding is just over 6%. These bonds were also sold as taxable, but with no subsidy because of the use of the facility allowed the university maximum flexibility in managing the bookstore. These would be refunded with taxable bonds. The refunding would generate about $802,000 in present value savings or about 9.9% of the par amount being refunded. This does take into consideration a restructuring of the original 2010C bonds that were scheduled to mature in 2030 and extending the debt ten years to 2040 so that the annual debt service on the refunding would be closely align with revenue that the university receives from the bookstore currently. Currently the annual debt service on the 2010C bonds is about 1.1 million dollars with the restructure and extension the debt service would drop to approximately $595,000 which would be about $500,000 annual debt service savings for the first ten years, but that debt service would continue on for another ten years thereafter. Mr. Harrigan showed a chart for the numbers behind the Build America bond refunding, noting that subsidy and savings from the refunding are presented for the total savings about 1.3 million dollars. Mr. Harrigan showed another chart the shows the restructuring for the 2010C bonds, noting 1.1 million in current debt service requirements with restructuring an extension there would be annual debt service of approximately $595,000 and the university would see about $500,000 for the first ten years, but because of the extension there would be a cost for the remaining ten years. On a nominal basis the savings would be negative, about $865,000, but on a present value basis, taking today’s dollars, it would be positive at about a little over $800,000. Mr. Harrigan showed another chart which graphed a line that represents the debt profile would like after the refunding for outstanding debt service currently.
demonstrating savings from the refunding but 2031 – 2040 a slight cost. Considering bond time sales, there are two points in the year that are best time under normal market conditions to be in the market where there is the most amount of money chasing the least amount of bonds being sold. That is why it is recommended the university sell the bonds in October in order to capture what has historically been the best time to be in the market to sell municipal bonds. Mr. Harrigan presented a time schedule that started from the present date and would go on to Higher Education Department, State Board of Finance approval in mid-October, and pricing in late October and refunding in late November. Once pricing occurs, those would be the rates that the university would pay going forward. Mr. Harrigan presented a couple of slides on the market, noting the demand for municipal bonds, further noting that there has been positive inflows of capital since about November of last year. Combined with what is being seen in the interest rate market which is a significant decline in interest rates at historic lows, this makes it a good time to be in the market. The refunding estimates are conservative numbers.

Regent Hicks asked Dr. Burke if the payment for the building had changed since the bonds were initially issued. Dr. Burke responded that at the time the sale was made in 2010 the projects for enrollment were higher than were achieved and also the bookstore market has changed hardback books to Internet sales. While the current vendor has adapted to this change, the change was a bit slow. Regent Hicks asked for a ballpark amount of what the difference is and Dr. Burke responded that it is about $500,000 which is the savings projected through the refinance. Reserves have been used to cover the difference up to this point. Mr. Harrigan approached Dr. Burke last year, but the market conditions weren’t as good as they are now and there was hesitation to extend the debt, but market conditions are better and it allows NMSU to better use that money for other auxiliary services going forward. Regent Hicks also asked if we expect any complications for required approvals. Mr. Harrigan noted that in 2017 there was a similar process and the savings were not as substantial in that case and he doesn’t anticipate any issues because of the interest rates currently.

Regent Hicks moved to approve Resolution No. 2019-03, a resolution declaring the Board of Regents’ authorization to issue system refunding bond series 2019 with a second by Regent Devasthali. Motion passed.

2. Hemp Manufacturing Rule, Cabinet Secretary & Director Jeff Witte

Secretary Witte presented background on the Hemp Manufacturing rule. Secretary Witte noted that in the 2019 the legislature passed the governor signed into the law the Hemp Manufacturing Act. This act gave NMDA the authority to regulate Hemp laboratories that are testing Hemp, and breeders that are in the breeding program to develop additional varieties of Hemp. There were hearings held across the state in June in Albuquerque and Las Cruces. Earlier this year the Hemp regulations were approved and since then 104 continuous licenses (green houses) were approved to date with over 7 million square feet of growing area. Three hundred outdoor licenses were issued for over 7 thousand acres. The regulations provide protections for the labs that measure the amount of THC and breeders of different hemp varieties. If the Hemp is tested to be over .3% THC (known as being ‘hot’) this rule will protect those laboratories and breeders. Regent Hicks asked about certified laboratories and why the language regarding certification of laboratories is not in the rule. Secretary Witte called on Brad Lewis, NMDA Division Director, to respond to the question. Mr. Lewis indicated that rule is written generally because of the dynamics of the industry and the testing and we are waiting on USDA to give us guidance. His office has provided Secretary Witte and the board the opportunity to make those changes as new information becomes available over the next two to three months. Regent Hicks followed to clarify that is still a consideration going forward. Secretary Witte responded that everyone across the country is waiting for USDA’s proposed regulations to come out on industrial hemp. Secretary Witte noted that the rules are currently with the Office of Management and Budget (OMB) for their review. USDA has suggested that the regulations will be in place by January 2020 and once that takes place there will be a lot things triggered and NMDA will probably need to come back to the regents to amend or initiate hearings to come back with proposed amendments to the original growing rule as well as this rule. The current proposal and rules are to protect laboratories and growers under current conditions. Regent Hicks
encouraged Secretary Witte to use ASTM standards whether they are certified or not.

Regent Hicks asked NMDA about if plants need to be destroyed, what would the process look like, because that is a risk to us? Mr. Lewis responded that it is a risk and hot plants have been encountered and they have been destroyed. Warning letters and informational letters have been sent for recommendations for testing. It shouldn’t be a surprise that hot plants will be destroyed.

Chairwoman Chacón-Reitzel commended the team for the hearing process and noted there is potential for the industry and looks forward to seeing NMDA before the board when the federal regulations are established.

Secretary Witte thanked Mr. Lewis, and Tiffany Rivera, and Scott Field for their help with the process.

Regent Devasthali noted that she read in the transcripts that there were many concerns raised about the grower’s cost as a result of destroying the hot plants. Secretary Witte noted that this is a difficult issue and pointed out the federal regulations any plant that is planted as hemp and is over .3% THC must be destroyed and until that is changed there is no choice but to follow the law. Testing is encouraged on a regular basis, at least once a week so that they know when the THC level is approaching .3% so that it can be harvested before it goes hot. Other states such as Colorado and Nevada have the same issue. In Nevada, as much as half will be destroyed. There are a couple responsibilities are the part of the grower and they know it is a plant that can go hot. Seed source should be understood to make sure the male seeds are planted and not the female seeds and weekly testing should be done.

Chairwoman Chacón-Reitzel asked if sufficient research was available for seed research? Secretary Witte noted that there may not be the amount of research on this topic as expected, but there is much discussion about New Mexico certified seed programs and some private laboratories have done there own research. Chairwoman Chacón-Reitzel noted that she has heard from growers that are concerned that they are getting right seed and want to make sure their investment is more secure.

Regent Hicks asked if there are quickie tests that can be done by the growers (rather than send it to a laboratory) and how much they cost. Mr. Lewis noted that there are instant test kits on the market and the retail for about $13,000 – $26,000. NMDA is working with laboratories that can typically get results back within 48 hours. Secretary Witte noted that it seems likely that rapid test kits will become more available going forward for growers and law enforcement. Regent Hicks asked what circumstances may allow for license fee waivers? This hasn’t been done, but if there were a small amount of plants not for sale then NMDA might consider it. Chancellor Arvizu noted that we look at this as an economic development opportunity, saying also that the promise is large with the risk being high. It’s clear that if we are going to attract investors, we need to reduce the risk. That is what the work of NMDA is all about and working closely with the private sector is an important part of the maturing of this industry. Chancellor Arvizu praised Secretary Witte and Deputy Secretary Anthony Para for their work on this rulemaking process.

Regent Devasthali commented that this is an emerging market and we need to past some of the regulatory hurdles, but there is also great potential for fiber and other uses.

Secretary Witte noted that New Mexico has provided a good foundation for the future of hemp. Continued work with other regulatory entities in New Mexico will be needed to ensure growth.

Regent Hicks moved to approve the Hemp Manufacturing Rule as presented with a second by Regent Devasthali. Motion passed.

H. Informational Items, Chairwoman Dina Chacón-Reitzel

1. Appointment of Labor Management Relations Board, Chairwoman Dina Chacón-Reitzel

Chairwoman Chacón-Reitzel announced the re-appointment of the Labor Management Relations board.
Serving as recommended by Chancellor Arvizu is Fermin Rubio, serving as recommended by the AFSCME Local 2393 President is Larry Patrick Martinez, and serving as recommended by both Mr. Martinez and Mr. Rubio is Peter Gregware. These members are to serve effective September 1, 2019 for a term of one year.

2. Chancellor’s Report, Chancellor Dan E. Arvizu

Chancellor Arvizu announced that the State of the University Address will be held on October 14. The census for enrollment is on Friday, noting that it is likely to reveal that we have stabilized enrollment at NMSU. Chancellor Arvizu noted the efforts to get Juniper Hall ready in time for students to arrive and he praised the campus-wide effort. Chancellor Arvizu recognized Vice President Scott and the Student Affairs and Enrollment management team, including Seth Miner, Jennifer Hodges, and Vandeen McKenzie for their contributions to a successful start of the semester. Chancellor Arvizu recognized Ricardo Rel and noted that discussions with legislators and state officials have been positive. El Paso Electric project was discussed, including the solar and storage on Arrowhead Park that will be an exemplar for sustainable energy. Chancellor Arvizu recognized ASNMSU President Conner and Vice President Burnside for championing sustainability on campus. The Arrowhead Park, which is also an Economic Opportunity Development Zone, is slated to be a net zero energy campus, that will serve as a research and engagement tool for students and provide energy. Chancellor Arvizu will participate in a meeting with the Public Regulatory Commission (PRC) on September 11 before the energy summit in Carlsbad. NMSU is looking at energy holistically and the sustainability campus on Arrowhead land is an example of how NMSU can educate and inform public policy. Joint grant proposals with university in Israel on produced water is being advanced and NMSU can be a leader in produced water research and in New Mexico. Chancellor Arvizu noted work with New Mexico Secretary of Energy Sarah Propst, participating in a resource planning exercise for a multi-state effort with tri-state, which is a large conglomerate of co-op electrical producers who are putting together a resource planning process that includes many states, including New Mexico. Chancellor Arvizu participated in the Collation of New Mexico Educational Leaders with the Lt. Governor Morales, New Mexico Workforce Solutions Secretary Bill McCamley, and New Mexico Higher Education Secretary Kate O’Neill and discussed how higher education can help create better outcomes in public education. Chancellor Arvizu met with several CEOs on potential partnerships, including Tim Leach with Concho Resources, George Whitesides with Virgin Galactic, and Sandia Laboratory Director.

3. President’s Report, President John D. Floros

President Floros started by recognizing several people who were instrumental in getting Juniper Hall ready for students to arrive, including Interim Association Vice President for Facilities and Services Alton Looney, University Architect Heather Watenpaugh, and General Counsel Roy Collins.

President Floros discussed the NMSU LEADS 2025 Strategic Plan, noting that four major groups have been appointed that will address the four goals of the strategic plan. President Floros discussed the steps taken so far to implement the strategic plan. For Goal 1: Enhance Student Success and Social Mobility, it was noted that co-champions for the goal are Dr. Scott and Dr. Cifuentes, covering both graduate and undergraduate students, as well as research. For each team, there is diversity of membership that will help shape the plan going forward, including the potential development of new or revised KPIs. For Goal 2: Elevate Research and Creativity, the champions will be Dr. Cifuentes and Dr. Hansen. The team leaders will help advance this goal for research and economic development. For Goal 3: Amplify Extension and Outreach, the champions will be Dr. Boren and Mr. Savage, who will harness the research we do both at NMSU and through Arrowhead partnerships and leverage it to provide amplified extension and outreach, to students, community, and state. For Goal 4: Create a Robust University System, the champions are Dr. Burke and Dr. Johnston. Provost Parker serves on all the goal teams and there are other members that serve on more than one team. Teams are charged to communicate within teams, to the university, and outside of the university.

President Floros discussed a meeting with senior leadership including Deans, Community College Presidents,
Vice Presidents and the Chancellor’s and President’s direct reports for a strategic planning retreat. Discussions revolved around how to implement the plan at each college, campus, and administrative unit. Next there will be another gathering of middle management, including Associate Deans, department heads, Associate Vice Presidents, and Directors that will be on October 18th with the goal of communicating the plan and empowering leadership to make changes necessary in their units to enable adoption of the plan. President Floros noted that there is a sense of optimism among on campus and announced of the reestablishment of the Health and Wellness Center to serve faculty and staff.

President Floros concluded by praising Dr. Scott and Dr. Cifuentes for their efforts in promoting enrollment of graduate and undergraduate students and research.

4. **Provost’s Report, Provost Carol Parker**

Provost Parker noted that as her first report to the Board as Provost she wanted to use the opportunity to share about her background and experience. Provost Parker shared that she has been a research attorney, holding various staff roles and Wayne State University, Michigan State University, and Michigan Court of Appeals where she practiced appellate law. Provost Parker noted that she came to New Mexico in 2004 and started work at University of New Mexico where she was a tenured Professor of Law. Before coming to NMSU she also spent some time working at UTEP. Provost Parker noted her pleasure of being here and noted the quality of life, friendly people, and returning to a more rural life. Provost Parker noted that she was raised on a dairy farm in Michigan and she is part of a fifth-generation farming family. Her background has taught her the value of hard work and self-sufficiency. Provost Parker noted that she was not encouraged to go to college and worked in an automobile factory after high school, and later got an office job in the city. She noted that she is passionate about adult learners (so called non-traditional students), based on her experiences returning to school when she was a working adult. She described her journey going through college, taking classes on the evenings, going back and forth between community college and the university, with many starts and stops along the way. She noted a female mentor that encouraged her to complete college by allowing her to go to classes during the work day. Provost Parker described her personal connection to student success with respect to her experiences going through college. Provost Parker stated that she believes strongly that public research universities need to provide access to students who wish to complete their education. As Provost, she noted she is in a position to influence polices and tactics and to help faculty become more involved in these efforts. Achieving greater access, such as through scheduling, which enables greater access for non-traditional students, is her motivation and passion and she believes that public land grant research universities are the highest expression of what can achieved in our society through education.

I. **Announcements and Comments, Chairwoman Dina Chacón-Reitzel**

Regent Hicks welcomed all of the new staff and Chairwoman Chacón-Reitzel noted that we are all part of one team and the board is here to help everyone achieve their goals.

J. **Adjournment, Chairwoman Dina Chacón-Reitzel**

Regent Devasthali moved to adjourn with a second from Regent Sanchez. Meeting adjourned at 11:16 AM.

Meeting Minutes Approved on December 5, 2019 by the New Mexico State University Board of Regents.

Dina Chacón-Reitzel  
Board of Regents Chair

Luke Sanchez  
Board of Regents Secretary/Treasurer