



**NEW MEXICO STATE UNIVERSITY BOARD OF REGENTS
REGULAR MEETING
December 7, 2023 at 1:30 PM**

The meeting will be held in Room 001, Educational Services Center, 1780 East University Avenue, Las Cruces, NM and Webcast at the following address:
<https://nmsu.zoom.us/j/87541053528>

Regents of New Mexico State University

Chair Ammu Devasthali, Vice Chair Christopher T. Saucedo, Secretary/Treasurer Garrett Moseley, Dina Chacón-Reitzel, Deborah Romero

Non-Voting Advisory Members - ASNMSU President Citlalli Benitez, Faculty Senate Chair Gaylene Fasenko, Ph.D., Employee Council Chair Susanne Berger

University Officials - Interim President Jay Gogue, Ph.D., Provost Alan Shoho, Ed.D., Interim General Counsel Scott Field, J.D.

Minutes

A. Call to Order, Chairwoman Ammu Devasthali

Chairwoman Devasthali called the December 7, 2023, BOR meeting to order at 1:32pm

Pledge of Allegiance

Interim President Gogue led the Pledge of Allegiance

1. Confirmation of Quorum, Chairwoman Ammu Devasthali

Chief of Staff Adam Cavotta confirmed the Quorum noting that Regents Romero, Chacón-Reitzel, Moseley, Saucedo, and Devasthali were present in the board room. University officials present were Interim President Gogue and Provost Shoho. Advisory members present were ASNMSU President Benitez, Faculty Senate Chair Fasenko, and Employee Council Chair Berger.

2. Introductions, Associate Vice President Justin Bannister

Associate Vice President Justin Bannister confirmed that there were no special introductions for this meeting. Associate General Counsel Scott Field introduced Assistant General Counsel Andrea Walker, "The new Assistant General Counsel. She is a native of Southern New Mexico and graduated from NMSU in 1987 and is also a graduate of Baylor Law School and she came back to us, she worked for us in 2019 and 2020.

3. Approval of the Agenda, Chairwoman Ammu Devasthali

Regent Chacón-Reitzel asked to have item E-12 (Amendment to RPM 2.44 and Appendix – RPM 1.00-B, Article 7 – General Operating Principles 7.2) moved from consent to action.

Regent Romero asked that item E-10, (Disposition and Deletion of Property) be moved from consent to action items as well.

Regent Saucedo made a motion to approve the agenda with said amendments and Regent Moseley seconded. All were in favor and the agenda as amended passed.

B. Public Comment, Associate Vice President Justin Bannister

Associate Vice President Justin Banister confirmed that no one had signed up for public comment.

C. Approval of the Minutes and Confirmation of Prior Closed Sessions, Chairwoman Ammu Devasthali

Regent Romero made a motion to approve item C1 through C6 in one motion.

Regent Chacón-Reitzel seconded the motion; all were in favor and the motion passed.

- 1. Regular Meeting Minutes May 11, 2023**
- 2. Special Meeting Minutes May 31, 2023**
- 3. Special Meeting Minutes June 29, 2023**
- 4. Special Meeting Minutes July 14, 2023**
- 5. Special Meeting Minutes July 21, 2023**
- 6. Regular Meeting Minutes September 7, 2023**
- 7. Confirmation of Prior Closed Session on December 7, 2023**

Chairwoman Devasthali asked Chief of Staff Adam Cavotta to confirm the prior closed executive session.

The Board of Regents met in an online closed executive session at 10:00 am on December 7, 2023.

The closed meeting was called to discuss pending litigation as permitted under the closed meeting exemption of the New Mexico Open Meetings Act, NMSA Section 10-15-1, subsection (H)(7) and discussion of limited personnel matters concerning individual NMSU employees as permitted under the New Mexico Open Meetings Act, NMSA Section 10-15-1, subsection (H)(2).

Those board members who were present please certify that only matters of that nature were discussed.

Regent Romero answered yes.

Regent Chacón-Reitzel answered yes.

Regent Mosely answered yes.

Regent Salcedo answered yes.

Regent Devasthali answered yes.

B. Regent Committee Reports

1. Real Estate Committee Report, Regent Dina Chacón-Reitzel

The Regents Real Estate Committee has met twice since the last Board of Regents regular meeting.

On September 20, the committee heard some updates about Aggie Uptown and I understand Scott will be sharing some of this information today during his ADI report. The other items reviewed and approved by the committee at that meeting came to the full board for a special meeting on September 29.

The committee met also met on November 7 and considered a list of capital projects for campus improvements subsequently reviewed by the finance committee and you will see those listed on the consent agenda as items E-2 through E-9 for today's agenda.

We also had some updates about the New Mexico Reforestation Center, construction at Pan Am Plaza, and an update on the Tax Increment Development District (or TIDD). I think Scott will go into more detail about the Courtyard ground lease agreement that we also discussed, so I'll reserve my comments until that time. That concludes my report and I'll stand for any questions.

2. Audit and Risk Committee Report, Regent Ammu Devasthali
Regents Audit and Risk Committee Report for December 7, 2023

The Regents Audit and Risk Committee met once since the last Board of Regents regular meeting. On October 25, the committee met with Moss Adams, our contracted outside audit firm, for the external audit exit conference which concludes the annual process of financial statement audits required as part of the State of New Mexico audit rules.

We are currently awaiting approval from the New Mexico Office of the State auditor before bringing the full report to the board of regents for review.

That concludes my report and I'll stand for any questions.

3. Financial Strategies, Performance and Budget Committee Report, Regent Deborah Romero

The Regents Finance Committee met once since the last Board of Regents regular meeting.

The committee met on November 29 to review several requests, some of which you see on the consent agenda and the action items agenda for today's meeting. This includes a list of capital projects for campus improvements previously reviewed and approved by the Regents Real Estate Committee that are listed on the consent agenda as items E-2 through E-9 for today's agenda.

In addition, the administration presented the Quarterly Financial Certification Report, which is submitted to HED on a quarterly basis in compliance with statute and department rules. You'll see this item on the consent agenda as item E-11.

The committee also heard two proposals for student fees, including a program fee which is on the action item agenda as item F-2 and a course fee which is on today's agenda as item F-3. Items related to NMSU's Completion Agenda: The Role of Technology Distribution, presented by Vice President Renay Scott and NMSU Community College Chancellor Monica Torres. The budget office also provided a budget update and investment report.

Finally, you'll also see the Mid-Year Budget Revision Adjustment for Fiscal Year as action item F-4. This was not presented to the committee as it usually is because it was left off of the agenda by accident. I've allowed the item to come to the board today knowing that Dr. Rumford will be presenting it to the full board as an action item and that a work plan is being developed for financial items so that we don't miss any important deadlines with HED or any other state agencies.

That concludes my report and I'll stand for any questions.

4. Student Success Committee Report, Regent Christopher Saucedo

The Regents Student Success Committee met once since the last Board of Regents regular meeting.

The committee met on November 28 and discussed a variety of topics, including updates about challenges and opportunities at each of the NMSU community colleges, unified legislative priorities from the Council of University Presidents, New Mexico Independent Community Colleges, and the New Mexico Association of Community Colleges for the upcoming legislative session. We also had a high-level discussion of different approaches for tuition discounting policies and practices. NMSU Foundation also provided an overview of donor funded scholarships and there was an active discussion about Scholar Dollars and how to best promote, match and deliver scholarship aid to students. Finally, our committee co-chair, Amy Himelright, who is Director of Mental Health and Academic Counseling for Las Cruces Public Schools, shared a summary of a November 8 Webinar about Trauma and Loss Among College Students in a Post-Covid World.

The meeting was completely informational and exploratory with the hope of setting up our work plan for the next year. As a result, there are no items on today's agenda related to this committee, but I look forward to continuing to work with Provost Shoho, Vice President Scott, and NMSU Foundation in learning about how to best support our students through methods of attracting, retaining and graduating students to help them prepare for the future.

As we start meeting again in 2024, we can reflect on our history as a higher education institution and note that higher education offers a unique value proposition, holding the promise of unlocking individual potential and shaping a brighter future for society. Beyond acquiring specialized knowledge and skills, it fosters critical thinking, creativity, and problem-solving abilities, equipping individuals to become adaptable and resilient in a rapidly changing world. This, in turn, fuels innovation, drives economic growth, and promotes a more informed and engaged citizenry. Moreover, higher education serves as a catalyst for personal growth, nurturing intellectual curiosity, critical consciousness, and a deeper understanding of oneself and the world around us. The transformative power of education lies not only in the knowledge gained but also in the connections formed, the perspectives broadened, and the lifelong journey of learning that it inspires. Thus, higher education remains a valuable investment, enriching individual lives and contributing to a more just and equitable world.

That concludes my report and I'll stand for any questions.

C. Advisory Member Reports

1. Associated Students of NMSU Report, President Citlalli Benitez

ASNMSU President Citlalli Benitez reported that the fall 2023 semester was very fruitful and productive. She named some items that the activities department hosted all semester long. Some were hydration stations at the student tailgates, giveaways, the fan favorite build a bear workshop, the Back to the Beat concert, Homecoming, Noche de Luminarias to foster a vibrant student life and countless opportunities for all students to get involved on campus. The services department fostered new collaborations across the city for student discounts for all students. Pete's pickup numbers are the highest they have been since before the pandemic.

Our community outreach department hosted one of the biggest events of the year, Keep State Great, the largest community service event here on campus, more than sixty-five organizations participated, and more than 1,000 students participated in the beautification of our campus.

Governmental Affairs Department is working hard on our legislative priorities, the multipurpose field for Rugby, band, and intramural sports.

We are currently in collaboration with other student associations and governments across the state to foster support for things such as the Opportunity Scholarship, student wellbeing and campus safety.

The Student Senate finished off this November with 23 appropriation bills appropriating a total of \$45,111 for student travel. A total of \$102,310 was appropriated this semester. 105 students were on the Senate bills and 21 student organizations were impacted. The last Senate meeting up to \$51,000 was allocated to the ASNMSU Emergency fund to help those students most in need here on campus through the winter months.

2. NMSU Faculty Senate Report, Chair Gaylene Fasenko

Faculty Senate Chair Dr. Gaylene Fasenko stated that Faculty Senate will be having nominations for the Faculty Senate Chair so a new chair will be elected in early January for the academic year of 2024-2025.

She went on to state that Faculty Senate is still advocating on behalf of faculty at NMSU for increases in salary and recalled that they were very fortunate last year with the legislature allocating 6% across the board for all state employees but with some caveats. Funds were also provided for targeted faculty salary increases at the Las Cruces Campus which was about 1.16 million that was assigned to the provost to distribute this money in a fair manner to each of the colleges for the Deans to determine how to use the allocation, whether it be retention packages or merit increases. All the colleges have completed this but not all have notified on how the Deans decided to distribute the money. Along with the 6% increase from last year, employees were notified of a 10% increase in healthcare benefits. Starting January 2024 with a rumor that another increase in early summer of around 10% could be happening.

Faculty Senate Budget and Resources Standing Committee have drafted a one-page document with faculty salary stats and attrition data to take up to the Legislature.

There is some news from November, that the Carnegie Foundation is very likely, if not already, has decided that they are going to make changes to how R1 institutions, R2 and so on are classified. In 2025, the cutoff for the R1 will be a university/institution, spending at least 50 million on research and awarding at least 70 doctorates. Based on this, an article predicted that NMSU will be R1 as of 2025. The dates are not exact, but NMSU is still behind in terms of salary in faculty in R2 and we have not even reached R1 levels yet. Dr. Laura Madson and Dr. Justin McDonald, co-chairs for the Faculty Salary Compensation Committee, have been working over the last few years to gain good data on where NMSU is at and where NMSU hopes to be in order to retain and attract good faculty. Even with the 6% raise which made a big dent in our position in terms of our peers, NMSU is still below the R2 market.

Faculty Senate Chair Dr. Gaylene Fasenko went on to present a graph which showed the cost it would take to bring all faculty salaries to a particular percentile for R2. The cohorts that NMSU is comparing the institution too are geographically restricted and is based on the fact that Las Cruces' cost of living tends to be lower than places like Southern California and the Northeast US. The graph also showed what it would take to bring NMSU faculty salaries up to the given percentiles as well as showing where faculty is right now in comparison and at the R2 institutions even after the 6% raise it would take NMSU \$891,000. If NMSU compares that to all R2 institutions in the U.S., NMSU needs to be at least at the 50th percentile of our peers, the data was collected based on faculty members CIP codes which standardized the salaries based on the faculty members, academic rank of instructors, assistant, associate and full professor as well as standardizing based on discipline since it is known that faculty in History do not make the same amount of money as those in business and engineering which is a societal factor. For NMSU to get to the fiftieth percentile of all R2s it would require just over 1.1 million dollars. Another stat on the graph shows the cost to get NMSU to R1 institutions that are geographically restricted as was described previously which NMSU would need 9.1 million dollars to get to R1 geographically restricted but if unrestricted and compare all R1 institutions across the U.S. it would be 9.7-9.8 million dollars and that gives NMSU an idea of where the university is at and where it needs to be. If NMSU becomes R1 there is great opportunities with that but there are also challenges and one of the challenges will be the difficulty of recruiting and retaining high quality faculty when the university.

She goes on to state that there have been several different papers on the research of enrollment and faculty departure has a significant financial and student success consequence for higher educational institutions, and

with the enrollment cliff coming it needs to be addressed across Higher education that it has to do with having a strong faculty relationship which is dependent upon the reduction in faculty turnover so that students can get to know their faculty from an incoming freshmen all the way through to a graduating senior. Also, in this study it mentions that it is not just necessarily salary that is a deciding factor, but cultural, workplace environment, collegiality, and climate; Is this a good place to work? Do I feel like I want to come to work? Or Do I feel like this is not a healthy place for me? In this study, 69% of faculty members stated that it was their work environment that actually was the reason for their departure and from this same study male faculty members tend to have a higher morale than their female colleagues. The research attributed that to females perceiving a lack of support, lower well-being, higher dissatisfaction. The report from the Faculty Compensation Steering Committee is in the binder for the Board of Regents to review.

On the same topic of female morale, a slide called “Glass Ceiling” was presented and stated that it was a symbolic and very systemic barrier that prevents women and minorities from rising to senior level leadership positions. From the U.S. Bureau of Labor and Statistics, women make up about 57% of the labor force but only 29% of executive positions. An article was introduced talking about the “broken rung” that is also a symbolic systemic barrier that prevents women and minorities from failing to get promoted. Out of entry level positions to go from full professor or to department head or associate dean or associate VP, there is a barrier and for every 100 male employees, 87 women receive a similar promotion and this drops to 73% for women of color. This is not rhetoric, this is fact. The article also mentions that corporate leaders tend to promote young male employees based on their potential, while young women are judged more on their track record.

Regarding this topic, NMSU website search shows that 36% of female are department heads, 46% females that are associate deans with male and female interims removed and then 0% female Deans. As an academic institution, when this data is available and know it is occurring, NMSU needs to do better.

NMSU has some leadership open, General Counsel, Dean of the Graduate School and Associate Provost for International Affairs as well as the NMSU President position. Affirmative Action is not choosing someone with lesser qualifications due to their gender or color, it is being aware of the internal, personal biases and making sure that certain groups are not held to different standards than others. Another stat presented was that of the research that female candidate with identical CVs to their male counterparts are less likely to be perceived as having leadership skills. That concludes the report.

There were no questions, but Chairwoman Devasthali made a comment about the Board of Regents commitment on working toward making things better for everybody on campus including female faculty as well as everyone else. She goes on to mention that during the upcoming legislative session they will be advocating strongly for faculty and grad student salaries.

3. NMSU Employee Council Report, Chair Susanne Berger

Employee Council Chair Susanne Berger stated that Employee Council hosted the annual employee appreciation picnic on Tuesday, October 31, 2023. The theme was Halloween with a pumpkin contest and a costume contest. She stated that the president, provost and Regent Moseley were in attendance and judged the contests which was greatly appreciated. She went on to state that events like this allow for the opportunity for employees to spend time together and experience in fellowship with coworkers as an Aggie family, Aggie family is not just a cliché, the Aggie family is alive and well. She goes on to state that this was a great opportunity to see everyone come together and thanked them for sponsoring and allowing the Employee Council to be the host. Chair Berger goes on to state that during the appreciation picnic, Employee Council awarded the 2023 A-Mountain Staff Award where nominees should represent the NMSU core values of leadership, excellence, access, diversity and inclusion and student centered. This is what LEADS 2025 stands for. This fall the award went to Victoria Bañuelos. She is the lead academic advisor in Pre-health at the Center for Academic Advising and Student Support, congratulations Vicky.

Chair Berger continues with the announcement that Employee Council is preparing for the upcoming elections in January 2024 where there are five vacant seats for voting members and one vacant seat for an alternative member and new members will join Employee Council during the meeting on February 8, 2024.

Chair Berger continues stating that Employee Council, with all employees, are appreciative of the 6% raise that went into effect on July first of this year and are hoping that the leadership continues to advocate for staff salaries as well as all employees' salaries and wages. Compensation continues to be a challenge on the faculty side as well. She mentions that an employee was offered a salary in a small Higher Education Institution of \$70,000, and that individual is being paid \$60,000 here at NMSU. She states that she does not think that NMSU can come close to matching what the small rural institute in New Mexico can pay.

Chair Berger goes on to mention the employees expressing concern regarding the 10% increase in medical and dental premiums that went into effect in January 2024 with a possibility of a second 10% increase. She goes on to tell the board that an employee told her they figured out that moving to our institute is going to increase their health care cost by x%. So not only are there issues with salaries, but now employees are also calculating how much more they have to pay if they move to NMSU. To address this problem as well as other compensation and salary grade issues, Employee Council, together with Faculty Senate have been collaborating with Interim Associate Vice President D'Anne Stuart with very good conversations.

Chair Berger goes on to report that Employee Council members continue to serve on several search committees such as for the new President, the new Controller and the new Chief Procurement Officer as well as along with staff are preparing for the upcoming commencement. That concludes my report and am open to questions.

D. Affiliated Entity Reports

Regent Devasthali requested to make an introduction:

Regent Devasthali," I would like to make an introduction. Dr. Sylvia Acosta was raised in El Paso, and as a child of migrant workers, Dr Acosta is a first-generation college graduate. She earned a doctorate in educational administration at New Mexico State University while serving as an assistant dean in NMSU's college of business. In her dissertation, *Corazon, Corazon*, her research was specifically focused on the philanthropic motivations and priorities of NMSU alumni throughout the country and their relational connectedness to their alma mater.

Her leadership journey includes transformative roles, such as Assistant Vice Chancellor of Constituent Development and principal gifts at the University of California, Irwin, where she raised 280 million dollars during her tenure, her impact has extended to the University of Texas at El Paso, where she led a 200 million dollar fundraising campaign and increased participation in alumni relations by over 200%.

As CEO of YWCA at El Paso del Norte Region, she eliminated a 20-year deficit and secured a historic 20-million-dollar gift. Her professional experiences have allowed her to develop a profound comprehension of the distinctive and complex multicultural composition that thrives throughout the State of New Mexico and the borderlands region. She is grateful and excited to be back here at NMSU. This is the homecoming for her. Everyone, please help me welcome Dr. Sylvia Acosta."

1. NMSU Foundation Inc. Report, CEO Sylvia Y. Acosta

Dr. Acosta thanked everyone and stated that she is glad to be back and presented a story prior to her report. Prior to her presentation she asked if anyone had questions on the presentation, she provided to everyone ahead of her presentation.

Dr. Acosta's presentation is on "NMSU Foundation Campaign Preparation." She starts by stating if we are ready for a campaign and her initial evaluation on if they are and logistically are ready for a campaign even though it has been five years since the last campaign and stated if the university is ready or foundation ready for the campaign. They are in the process of identifying when and how long it will take to move into the campaign. She stated that we are very far behind where we need to be and continues to list off what determines that.

Dr. Acosta states that one of the big issues is the disbanding of the Alumni Association Chapters throughout the county and that I created a bit of negativity but are in the process of rebuilding. She goes on to state that for the normal campaign process of pre-planning and planning phase, we are behind but are working to accelerate that and have had some really good progress moving in that direction in just the last two days and she will touch on that at towards the end of the presentation.

Dr. Acosta informs the board about her first three months and how she spent them assessing what they are doing, what they need to do, and how they are going to complete it. She identified IT and their Data Base as two of the main issues so they prepared an RFP and getting prepared to do a complete overhaul on their data and analytics as well as their information so they can get a clear understanding of what their prospect pool looks like.

Dr. Acosta goes on to mention that they have been focusing on staffing, training, engagement, and accountability. Accountability measures are incredibly important, and the visit numbers are incredibly low for a university that has been around for 135 years. Need to work on MOUs and the partnership to be able to move forward with other items that need to be taken care of. There has been relationship repairing with NMSU in the last three months working with the regents, deans, and university faculty leadership being incredibly transparent about the work being done and in asking for and supporting the work of various constituencies. She states that they are still functioning as a university from 40 years ago where you could name a school for 10 million or 5 million dollars and that is not the reality of life now. Dr. Acosta states that now that they are not under the university, they need the university to give them permission to be able to go out and off those building naming's or school naming's on behalf of the university and agree on the numbers jointly so they can move forward with making those requests.

Dr. Acosta next discusses how they need to identify key campaign leadership and need it on both sides as well as from donors and alumni. They feel they have a good plan in place for this and have some ideas of who they think may be able to lead the campaign but that it will take a bit more engagement with those external individuals who are excited about reengaging with NMSU and she feels that is due to President Gogue and Regent Ammu for meet with, engaging with, speaking with and participating with the donors and she thanked both of them for that support.

Dr. Acosta went on to discuss the staff and how they went down to 16 employees but are back up to over 50. She states that they need to increase their visits and that they are on a two-year lag but are improving and creating accountability measures that may not have been as clear as they should have been for the team. The Prospect Pool is about 600 million; in order to pull off a campaign, it is one in every five individuals that can give a gift. As the clean-up is in process the numbers will change due to the very old data.

Dr. Acosta discussed rebuilding alumni relations by starting watch parties. She stated that President Gogue and Chairwoman Devasthali challenged her by sending an email on what Montana State was doing and surpassed their 8 watch parties by doing 21 in over 17 cities and the energy was everywhere. She believes with excitement this is the first step in reconfiguring their Alumni Association and reconfiguring their alumni

chapters and their affinity groups throughout the country. Many of the alumni that were spoken to have not just an affinity for athletics, but for their college, and we need to be able to combine those two, how can we ask for a gift that supports both. She goes on to mention that they plan to do walk throughs with the deans and identify rooms or buildings that are available for naming or should be named. She states that they are identifying the campaign leadership and that there is a national leader as well as a local leader and then a university leader and then the Foundation Board will have to have a leader. The good news is that the relationship between the Foundation and the University is stronger than it has been in a while. Dr. Acosta goes on to state that they are hiring a Vice Presiding of Development and Alumni Relations, the name was changed purposefully in order to elevate alumni relations to the same level as development fundraising and alumni go together. She goes on to inform the board that they removed some roles on the upper level due to them being top heavy and needed more people out making calls, talking to people so they have restructured to hire more development officers. She goes on to inform the board that they are doing assessments and budgeting on how they are utilizing that money and how it can go to support the university in the best way possible. Other changes are that Marketing Communications is now Advancement Communications because marketing belongs to the university and should not confuse the two. She goes on to state that they had what is called a Unit Development Officer and Regional Development officers, and the Regional Officers were doing three times the visits that the in Unit Development Officer so she started working with the deans and now will not have In Unit Development Officers, all will be Development Officers with both regional and local responsibilities and will abide by the same metrics so that visits will increase.

Dr. Acosta asked if there were any questions so far.

Regent Chacón-Reitzel did not have a question, just commented on how fun the watch party she attended was and how great the excitement from the crowd was and thanked Dr. Acosta for her efforts.

Regent Romero commented as well on the excitement of the efforts that Dr. Acosta and her team are putting forward and bringing enthusiasm that has been needed for quite some time and is excited to see where it goes from here.

Dr. Acosta goes on to tell their plans for the tailgate and how NMSU is the flagship for the state since we represent the entire state and thanked the board for the privilege to come back and work with them.

2. Arrowhead Center Inc. Report, Director & CEO Kathryn Hansen

Regent Devasthali stated that Director& CEO Kathy Hansen was not present but submitted her report and if anyone has questions regarding her report, please send the question to Chief of Staff Adam Cavotta and he will forward them on to Kathy Hansen.

3. Aggie Development Inc. Report, CEO Scott Eschenbrenner

CEO Scott Eschenbrenner informs the board that he has invited Dr. Hertzman from the Hotel Restaurant and Tourism Management Program to give a report on their relationship with the Courtyard Marriott Hotel group after he provides some brief updates.

Maverik Convenience Store Update:

- Construction Completion at the end of February 2024.
- NMSU Golf Course - 15th Hole relocation construction is complete and finalizing grow in period.

Crimson Corner - 6.8-acre Parcel next Pan Am Plaza Shopping Center:

- Starbucks started construction in October with anticipated completion in late summer.

- EV3, Inc. an electric vehicle charging station developer has leased a four-station vehicle charging facility on 3,000 square feet of land adjacent to the Starbucks location. Owner is securing federal grant funding and no current delivery date for operation.

Design Guidelines Document for Aggie Uptown efforts

Tax Increment Development District (TIDD) Update:

City of Las Cruces Work session on October 23, 2023:

- Questions from Councilors:
 - Need to see background information on financial analysis – which was provided to staff multiple times
 - Project would take away City staff resources and Councilor's priorities for focus on Metropolitan Redevelopment Districts on El Paseo and West Picacho Avenue.
 - Concerns about equality and who benefits
 - Native American Issues
 - Open space values
 - Impact on City finances
 - Timing of election cycle and aggressive schedule
- NMSU representatives reiterated that the MOU just starts the collaborative process with the city to answer these and other questions and concerns
 - Financial impact is only positive
 - Cost for City staff and consultants time are reimbursable through the TIDD revenues
 - Project schedule can be adjusted
- Mayor stated his support in moving forward with the Non-binding MOU and announced that he would place this item on the November 6th agenda, one day before the election.
- Councilors vigorously objected to the action and suggested more time to review and discuss the project before moving forward with the MOU.
- NMSU has indicated that leadership is not willing at this point to spend additional funds and resources without an MOU indicating the Cities cooperation and interest in this effort.
- NMSU sent a formal letter with drawing NMSU's offer to collaborate with the City at this time through the Joint TIDD MOU.

Next Steps:

- Explore possible participation with Dona Ana County
- Eliminates annexation process
- TIDD still viable but with reduced financial benefits from \$375m to \$135m.
- At a later date, as determined by NMSU, offer to hold individual meetings with the Mayor and Councilors on the project.
- Evaluate path forward again next year by identifying opportunities and obstacles and schedules

Hotel Update:

- HRTM Director, Dr. Hertzman to provide you with an annual report on the relationship between HRTM and Total Management Systems the Courtyard by Marriott Hotel.

Regent Devasthali had a question about the fence coming down on Las Alturas and what that meant.

CEO Scott Eschenbrenner let her know that they needed to take the fence down to work on the ponding area and have room to work on that, and then stated that he is getting a bid to put in a fence barrier between the golf course and the Maverick.

Regent Romero had a comment on the TIDD referencing her knowledge of it happening at UNM and suggested that her reach out to UNM for help.

CEO Scott Eschenbrenner stated who they were having the bill sponsors attend to help out and thanked the regents and turned it over to Dr. Hertzman.

Academic Department Head and Director of Hotel Restaurant and Tourism Management Dr. Jean Hertzman began her presentation to discuss the relationship between her department and the Las Cruces University, LLC which is the government body for the Courtyard by Marriott project.

She states that when the lease agreement was signed with the University, and agreement was also signed with HRTM and what was involved is that the hotel would provide jobs and internships for the students and provide guest speakers for classes, allow property tours, have a representative on the school's board of advisors and work together on other projects that benefit the students. She states that she is happy to report that all of those areas are working well. She goes on to state that corporate officers are frequent guest speakers in their classes and in the Introduction to Hospitality Management and Facilities Management classes do site visits every semester to the property as well as a rotation of them coming and speaking about their different topic areas, such as finance, franchising and sales. The hotel management has purchased a full set of reservations for the international dinner series this semester and our chef artis dinners in the spring. They have worked together on community events, and they sponsored the homecoming float a couple of years ago. They have worked with their National Society of Minorities and Hospitality, their largest student club, to hold events and sponsor community events such as doing breakfast for the Las Cruces Police and Fire departments a year or two ago. She goes on to stat that over the past four years, by records with Amy Miller the general manager and an NMSU alum, it was estimated that there have been over 35 students and alumni working at the hotel, 8 students have done their summer internships there, an average of 2 per summer, which HRTM does have a 400-hour internship requirement for every HRTM student. As an example of the relationship, Katherine Voles, who is the assistant general manager at the Courtyard by Marriott, when t through the program and words as a student and inter and now is the assistant GM, along with Brianna Delgado who just graduated last year is their sales coordinator. She goes on to give more examples of other student success that have gone through the program and how Amy Miller was the 20212 General manager of the year for the entire country and that brought some nice press to the program and ended her presentation by taking any questions from the board.

Regent Chacón-Reitzel did not have a question but made a comment on the program and internship and how it is a great model and hopes that NMSU follow that model. But then asked Dr. Hertzman what the department's needs are that they may have.

Academic Department Head and Director of Hotel Restaurant and Tourism Management Dr. Jean Hertzman responds by thanking Dr. Acosta and can work with their department and their newest representative, Vernon King, who she has been meeting with already. She states that they received a grant from the Marriott Foundation of \$400,00.00 for over 4 years that helped them with their outreach recruiting and professional development activities and allowed them to consolidate un the label of Marriott Hospitality Future Center. She goes on to state that they are on the last of that funding which was also used for a Program Specialist position as well as some renovations for the office, student outreach, workshops, student travel opportunities etc. So, they are looking for replacement funds for those and other needs.

E. **Consent Items, Chairwoman Ammu Devasthali**

Regent Moseley made a motion on the Consent Agenda as amended and Regent Chacón-Reitzel seconded the motion. All were in favor and the motion to approve the Consent Agenda as amended passed.

1. Collective Bargaining Agreement (CBA) between Regents of New Mexico State University and United Electrical, Radio and Machine Workers of America, Associate General Counsel Jeff Jensen

2. **Alamogordo: Reidlinger Science Center HVAC Upgrades**, *Associate Vice President for Facilities and Services Raghu Raghavan*
3. **Las Cruces: NMSU Women's Soccer Field Upgrades**, *Associate Vice President for Facilities and Services Raghu Raghavan*
4. **Alamogordo: Rohovec Roof and Exterior Improvements**, *Associate Vice President Raghu Raghavan*
5. **DACC: DACC Health Building Stucco Repairs**, *Associate Vice President Raghu Raghavan*
6. **Grants: Martinez Hall Exterior Improvements**, *Associate Vice President Raghu Raghavan*
7. **Las Cruces: Campus Wide Safety, Road, and Drainage Improvements**, *Associate Vice President Raghu Raghavan*
8. **DACC: DACC Espina Campus Parking Lots**, *Associate Vice President Raghu Raghavan*
9. **Las Cruces: College of Agricultural, Consumer, and Environmental Sciences Student Learning Center**, *Associate Vice President Raghu Raghavan*
10. **Disposition/Deletions of Property**, *Interim Vice President D'Anne Stuart*
11. **Quarterly Financial Certification Report**, *Chief Budget Officer Kimberly Rumford*
12. **Amendment to RPM 2.44 and Appendix – RPM 1.00-B, Article 7 – General Operating Principles 7.2**, *Interim General Counsel Scott Field*

RECESS (10 MINUTES) was scheduled but not taken.

- F. **Action Items**, *Chairwoman Ammu Devasthali*
1. **Authorization for Conferral of Degrees and Certificates**, *Provost Alan Shoho*
 2. **Program Fee: RXPP**, *Professor Casey McDougall*
 3. **Course Fee: HRTM 2120/HRTM 363**, *Director Jean Hertzman*
 4. **Mid-year Budget Revision Adjustment for Fiscal Year**, *Chief Budget Officer Kimberly Rumford*

Regent Devasthali started with the consent items that were moved to the action items, namely the Disposition/Deletions of Property and asked Interim Vice President D'Anne Stuart to explain the process for developing the list, and then specifically the classification of the stolen or destroyed vehicles and equipment.

Interim Vice President D'Anne Stuart responded by stating that it is a state requirement to report property that is being removed from the capital asset list. She goes on to state that the majority of the items are typically disposed of by selling to the public through surplus property and the process occurs by departments that identify surplus items where are considered worn out, unusable, or obsolete. She lets them know that they can see the age of the items on the list where the year of purchase should be listed. She goes on to explain the department's process of submitting items to surplus property warehouse, determine if it is on the capital asset list which would be anything over \$5,000 or over which are tagged and inventoried on an annual basis. Those would come forward for approval to dispose of. The Regents historically dispose of the listing, it goes to the state auditor, and wait 30 days for the response, at this point in time they would offer those to the public before they ever bring them to the Board of Regents. There is also an internal process in which they try to repurpose anything that is salvageable within the organization. A column has been added for the status and additional details on the surplus so that when they bring them forward you have a good idea of what those items are. She goes on to state that they do have on occasion, stolen equipment or property. The destroyed is a new category and not sure if that is the proper way to present that information. The destroyed vehicle was in an accident and was totaled and the case risk

management takes physical custody of the property and does not give it back, so they are not in possession of the property. These items still need to go through the approval process to be removed. She goes on to give other examples of the destroyed property and what not and when done asked if there were any questions from the board. There were none.

Regent Romero makes a motion to approve item number 10 from the consent agenda.
Regent Mosely seconded the motion; all were in favor and motion carried.

Regent Devasthali moved on to the next item that was moved from Consent to Action which is action item #12 the Amendment to RPM 2.44 and Appendix – RPM 1.00-B, Article 7 – General Operating Principles 7.2

Interim General Counsel Scott Field address the item and states that ASNMSU and in line with other universities I the state are requesting a change in the regents policy to allow for NMSU to pay the students regents a stipend and the request was made by ASNMSU and supported by several former student regents, as the position of student regent takes a lot of time of the student regent is really impractical, if not impossible for the student regent to maintain a part time job like many of our students do to support themselves , so this was a way of at least allowing the university the opportunity to provide a stipend if it so chooses.

Regent Devasthali commented that they have tried to do this in the past and were told that due to an anti-donation clause and asked how this will move forward now?

Interim General Counsel Scott Field responded that he looked into it and does not feel that the anti-donation clause is an issue since NMSU is receiving benefits from the regent serving and attending functions for the university. He states that he is not concerned about that. The other issue would be conflicts of interest and this stipend being paid directly by the university to the regent so the same conflict of interests and issues that arise just by sitting on the board of regents apply here so he does not see those as major hurdles and it does align with what other universities around the state doing.

Regent Devasthali asked it will be paid from I&G funding.

Interim General Counsel Scott Fields stated that the how has not been determined, this is just changing the regent's policy manual to allow for it to happen.

Regent Dina Chacón-Reitzel posed a question to the student regent and the ASNMSU president asking about the scholarship that was passed to be used by the student regent and why it is not adequate, and the stipend is being requested instead?

ASNMSU President Citlalli Benitez responded stating that the current scholarship is equivalent to that of an ASNMSU Senator, and she feels it is not sufficient enough for the esteem and level of prestige as a student regent as well as considering their time and that most of them are graduate students played a part in her opinion of the stipend.

Discussion goes on between the regent, student regent and ASNMSU president regarding the amount of the stipend versus the amount of the scholarship to compare the amounts to determine what is best or if they will be getting both or in lieu of one or the other and who pays for which to determine what would be best for the student regent and what process is the best way to follow through with it if it is approved.

Regent Dina Chacón-Reitzel made a motion to postpone decision on item #12.
Regent Romero seconded the motion.
Regent Mosley abstained.

Others were in favor and the motion passed.

Regent Devasthali moves on to the next item of business in the action items which is the Authorization for Conferral of Degrees and Certificates presented by Provost Alan Shoho. He goes on to bring forth for consideration for approval, the candidates for the fall 2023 graduation commencement program where there are 1,605 students who are going to graduate and of that are 418 at the community college and 1,187 are at the Las Cruces campus, of that 268 are graduate students which will be at the Friday night graduation and 923 are undergraduate student for the Saturday graduation. With that he put forward for their consideration.

The regents made comments and congratulations to all the students involved.

Regent Devasthali makes a motion that the board of regents authorize the conferral of degrees and certification for the fall 2023.

Regent Moseley seconded the motion, and all were in favor, motion carried.

Regent Devasthali moves on to the next item on the agenda, Program Fee: RXPP which will be presented by Professor Casey McDougall. He goes on to introduce himself and then explains the program and how it is paid by program fees. He states that what he is asking for is that university accounts receivable automatically puts those fees on so that they can get into the coffers and keep the program running.

There were no questions from the regents regarding this action item and Regent Romer made a motion for approval for the program fee for the RXPP program.

Regent Saucedo seconded the motion, all were in favor, motion carried.

Next item on the list is Course Fee: HRTM 2120/HRTM 363 presented by Director Jean Hertzman.

Director Jean Hertzman begins her presentation to the board stating that they are requesting a course fee increase for HRTM 2120 which is the Food Production and Service Fundamentals class and HRTM 363, Quantity Food Production Service which both require two food and beverage classes for the HRTM program. Both of the lab fees were \$100, and they are requesting to raise all four to \$150. They have been \$100 since their approval in 2013 so with inflation an increase is needed.

Regent Dina Chacón-Reitzel made a motion to approve the increase for course fee HRTM 2120/HRTM 363.

Regent Moseley seconded the motion.

All approved, motion carried.

Next and final item on the action item agenda Mid-year Budget Revision Adjustment for Fiscal Year, Chief Budget Officer Kimberly Rumford

Chief Budget Officer Dr. Kim Rumford stated that she was there to present the budget adjustment request for the middle of the year and goes on to state the reasons why including that the initial budget estimates had contingency funds, so the fund balances are significantly different toward the close of the year. There were no questions from the regents regarding this action item, so a motion was made.

Regent Romero made a motion to approve the BAR and submit it to HED.

Regent Dina Chacón-Reitzel seconded the motion.

All were in favor and the motion passed.

G. Informational Presentations

1. **Summary of Revisions to the Administrative Rules and Procedures of NMSU (ARP) for the period September 1, 2023 – October 31, 2023**, *University Policy Administrator Ermelinda Quintela*

Regent Devasthali states that Ermelinda Quintela is not present and Interim General Counsel Scott Fields will present on her behalf.

Interim General Counsel Scott Fields informs the board that the informational report is submitted pursuant to ARP 1.10-part 55B and includes a summary of the approved policy actions between Sept. 1, 2023, and Oct. 31, 2023. The first amendment was to ARP 5.55 Grade Reports upon approval of the president, operational policy, was amended effective Sept. 26, 2023. The requested amendment removes the PR progress in graduate research grade and replaces it with S, as a permanent notation on the student's transcript to designate final degree certification. This amendment promotes operational efficiency across the graduate school, university student records, and graduate academic departments without impacting quality due to continued checks and balances. The second amendment was to ARP 1060-Review a Faculty Grievances; upon approval of the president, the operational policy was amended effective Sept. 26, 2023. The requested amendment increases the elected faculty grievance review board membership from 13 to 25 to reduce the burden on the members due to board volume and teaching loads.

H. **Report from the New Mexico Department of Agriculture to the Regents of New Mexico State University (Board of Agriculture)**, *Cabinet Secretary & Director Jeff Witte*

The report from Cabinet Secretary & Director Jeff Witte started with him giving an update on the tearing down of their old building and moving forward with the new one being on schedule and then moved on to highlight that they are in the process of finalizing their strategic plan for 24 through 28 at the Department of Agriculture. He explained that they brought in several outside constituents and then did an internal sweep as an example of their process. He goes on to state that there are a lot of marketing and promotions going on around the state, country, and region including Mexico. He touches on that this is the holiday season and that New Mexico Ag products are good ideas and he mentions that they have published the second edition of their holiday lookbook which is a web-based book at www.elevateag.com. He goes on to report that during the bowl, they will be running their spirit ad campaign highlighting New Mexico Ag products. He wanted to highlight the resilient food systems infrastructure program USDA is allocating to New Mexico 4.6 million dollars to be used over three years. Their staff has been working with the economic development department and partnership. He closed with graduation and commented on the great benefit of employees being able to take classes and that he has three employees, Joel Johnson, Taryn VanWassenhove, and Mario Terminel are graduating members of the professional staff at New Mexico State University this semester.

I. **NMSU System Report**, *Interim President Jay Gogue*

Interim President Gogue started his presentation with December 7, as Pearl Harbor Day and that NMSU lost some Aggies on that day over 80 years ago. Then he went on to touch on the campus and the board trying to identify priorities for the legislative session. Faculty and staff salaries are important and how do they do a better job with their graduate students and NMSU Global? He goes on to mention the maintenance from electrical on campus to steam systems on campus as expansive projects that deal with our research and science centers throughout the state. He mentions that they are looking for a way to assist athletics in the non-revenue sports such as women's sports and try to make some progress in those areas. He goes on to mention the reforestation project and how they are a part of it but do not have authority. A request over 80 million dollars is the next step and that the legislators need to be aware that the 80 million is not a New Mexico State University project and that it is a statewide project. He also mentions that they have established an external athletic advisory committee and they use various reports where they received about 20 recommendations and they report them to the Secretary of HED.

J. Announcements and Comments, Chairwoman Ammu Devasthali

1. Good News for NMSU!

We are graduating 1,605 students

Thanks to Jeff Witte for helping with a very difficult situation with the livestock hauler accident in November. Congratulations to the first-generation graduates, it is a proud and humbling moment that needs to be recognized.

In NMSU's first year in Conference USA they had three teams appear in a conference championship game.

There is a new facility for Santa Fe 4-H

An NMSU student was elected as Vice President to the National 4-H organization.

K. Adjournment, Chairwoman Ammu Devasthali

Regent Mosley made a motion to adjourn the meeting, Regent Saucedo seconded the motion. All were in favor motion carried. Meeting was adjourned at 3:54pm.

Meeting Minutes Approved on March 28, 2024 by the New Mexico State University Board of Regents.



Ammu Devasthali
Board of Regents Chair



Garrett Moseley
Board of Regents Secretary/Treasurer