

New Mexico Bioscience Authority (BSA) Board of Directors

Regular Meeting

September 21, 2018, 11:30 am-1:00pm

400 Gold Ave SW, Suite 1200

Albuquerque, New Mexico

Present: Richard Larson (Chair), Jeffrey Arterburn, Greg Byrnes, Dale Dekker, Dan Hicks, Thomas Kieft, Suzanne Quillen, Stuart Rose Wayne Savage,

Absent: Christos Christodoulou, Matthew Geisel, Immo Hansen,

Others Present: Catherine Penick, Ryan Cangioli, Amy Farnbach Pearson

#	Agenda Items	Board Actions
1.	Call to Order and Confirmation of Quorum	The Chair called the meeting to order at 11:34 am pm in the conference room on the 12 th floor of the Simms Building at 400 Gold Ave SW, Suite 1200. <i>A quorum was confirmed.</i>
2.	Approval of Previous Minutes	The Chair asked if there were corrections or amendments to the minutes from the previous board meeting of July 20, 2018. There were no corrections or amendments. MOTION by Dale Dekker: <i>Move to approve the minutes of the July 20, 2018 meeting</i> Seconded and carried without dissent.
3.	Chair's Administrative/Executive Committee Report:	a. <u>University of New Mexico ASCEND Grant</u> – The University of New Mexico has landed a lead role on a \$3.5 million effort to bring bioscience inventions to market by building a business accelerator for the bioscience industry in New Mexico and 7 states in the Western US. The presence of the NMBSA was critical to having the economic environment needed to obtain the grant. UNM is leading the project called “Accelerating Solutions for

		<p>Commercialization and Entrepreneurial Development in the Mountain West” (ASCEND), which aims to help faculty obtain federal funding to support public-private start-up companies in the bio industry.</p> <p>b. <u>Change in Meeting Location</u> – Due to remodeling on the 12th floor of the Simms building, an alternate meeting location for the NMBSA board will be identified for board meetings. Directors will be notified of the alternate meeting location once it is identified.</p> <p>c. <u>Proposed Changes to NM Angel Tax Credit</u> – John Chavez of the NM Angels recently informed Chair Larson that the New Mexico Angels have been asked to support some changes/enhancements to the New Mexico Angel Tax Credit. During the 2018 legislative session a bill was introduced by Carl Trujillo (D) and Nathan Small (D) that would have allowed out-of-state investors to use the tax credit. The proposal passed the House but not the Senate. Following further discussion, the Board agreed to adopt a unified position following an informed presentation of the proposed changes.</p> <p>ACTION ITEMS:</p> <ul style="list-style-type: none"> • Research proposed changes to NM Angel Tax Credit and report back to the board at the next meeting. (Greg Byrnes) • Invite John Chavez to future board meeting to discuss proposed changes and gain input from NMBSA board. (Richard Larson) <p>d. <u>EDAct Grant Initiation</u> – Due to continuing administrative delays by the City of Albuquerque, funds from the EDAct grant have still not been released despite the award being approved by the City Council in 2017. As of August 27, 2018, the EDAct grant agreement had been routed for a second legal review to the City of Albuquerque attorney. It is anticipated that once the final executed agreement is issued, it will take up to two weeks to generate a purchase order. It will then require City CAO signature. Once the PO# is issued, the NMBSA will be contacted to submit an invoice requesting payment. The total grant award is \$100,000 and will fund the creation of the NMBSA “Community Ready Program” with the City of Albuquerque as</p>
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		the first municipality rated on an industry scale for its bioscience readiness ability to have a bioscience company startup or relocate to Albuquerque.
4.	Board and Officer Review	<p>a. Celina Bussey was recommended to Speaker Egolf’s office for potential nomination to the NM Bioscience Authority. She has been recommended to fill the seat vacated by Brian Birk earlier this year. The plan is to have the new addition to the Bioscience Authority reviewed at the Legislative Council meeting on October 15, and the official letter of appointment sent to the Authority immediately following.</p> <p>b. The Board reviewed the NMBSA roster which was distributed in advance of the meeting. The Spaceport and NM Economic Development Director positions have the potential to change with the new governor. In accordance with Article IV, Section 6: President: the President shall serve a term of 4 years. Dr. Richard Larson is currently in his second year as President.</p> <p>MOTION by Dale Dekker: <i>Move to reaffirm the current Corporate Officers - Richard Larson as President and Greg Byrnes as Secretary.</i></p> <p>Seconded and carried without dissent.</p>
5.	Annual Review of Bylaws and Amendments	<p>The bylaws were reviewed and amended by unanimous vote at the July 20, 2018 board of directors meeting as follows:</p> <ul style="list-style-type: none"> • Amendment 1 - Removed the following phrase: <i>he/she shall be custodian of the Seal of the Corporation and shall affix and attest the Seal to any and all documents specifically or generally authorized by the Board to be executed on behalf of the Corporation under its Seal.</i> • Amendment 2 - Amended the first sentence of Article VI, AUDIT to read: <i>In compliance with <u>N.M. Stat. § 57-22-6</u>, if the Corporation receives total revenues in excess of five hundred thousand dollars (\$500,000), an annual audit of unlimited scope of all of the operations of the Corporation shall be</i>

		<p><i>conducted by a Certified Public Accountant, and a copy of that audit report and any support documents requested shall be made available to the board.</i></p> <p>The original bylaws as well as Amendments 1 and 2 were sent to the board in advance of the meeting. The Chair asked if there were any further recommendations for revision of the bylaws. There were no further suggestions for revisions.</p> <p>MOTION by Dale Dekker: <i>Move to accept the Bylaws and Amendments 1 and 2 without further revision.</i></p> <p>Seconded and carried without dissent.</p>
6.	Annual Review of Articles of Incorporation	<p>The Articles of Incorporation were sent to the board in advance of the meeting. The Chair asked if there were any recommendations for revision of the articles. There were no suggestions for revisions.</p> <p>MOTION by Stuart Rose: <i>Move to accept the Articles of Incorporation without revision.</i></p> <p>Seconded and carried without dissent.</p>
7.	Annual Review of Open Meetings Act Resolution	<p>The Open Meetings Act Resolution as amended on February 16, 2018 was sent to the board in advance of the meeting. Chair Larson informed the group that since adoption of the first amendment to the resolution dated February 16, 2018, the NMBSA website has gone live and the meeting agendas and notices are posted directly to that website at nmbioscience.com. Chair Larson suggested that the resolution be further amended to change the references to the Growbio.com website in Sections 1D and 2D to the New Mexico Bioscience Authority website at nmbioscience.com.</p>

		<p>MOTION by Dale Dekker: <i>Move to amend the Open Meetings Act Resolution as amended on February 16, 2018 by changing references to the Growbio.com website in Sections 1D and 2D to the New Mexico Bioscience Authority website at nmbioscience.com.</i></p> <p>Seconded and carried without dissent.</p> <p>ACTION ITEMS:</p> <ol style="list-style-type: none"> 1. Send amended Open Meetings Act Resolution to appropriate public newspapers/publications in Albuquerque area including Kevin Robinson-Avila (Albuquerque Journal Staff Writer) and Colin Krabbe (Albuquerque Business First Technology Reporter). (Staff) 2. Send amended Open Meetings Act Resolution to appropriate public newspapers/publications in southern part of the state. (Wayne Savage)
8.	Review Draft Annual Report of Activities to Governor and Legislature	<p>The draft annual report to the Governor and Legislature was sent to the board in advance of the meeting. Chair Larson asked solicited comment or suggested edits from the board members. Director Dekker suggested we add the new ASCEND grant in the section of the report titled “Partnerships”. He also suggested including the reason for the governor’s line item veto in the section titled “Funding”.</p> <p>MOTION by Dale Dekker: <i>Move to accept the Draft Annual Report of Activities to the Governor and Legislature with the addition of ASCEND as a partner and stated reason for state funding veto.</i></p> <p>Seconded and carried without dissent.</p> <p>ACTION ITEM: Make above modifications to draft report and send to Governor and Legislative Council by October 1 (Chair Larson/Staff)</p>

5.	Governance Committee Report (Larson)	<p>Chair Larson identified representative members of the board to join him in discussing and identifying potential legislation for the upcoming legislative session.</p> <p>ACTION ITEM: Directors Larson, Rose, Byrnes and Dekker will convene by conference call to identify potential legislation related to the NMBSA. They will report back to the full board in October. (Richard Larson)</p>
6.	Partnership Committee Report (Dekker)	<ol style="list-style-type: none"> 1. Director Dekker recommended that Eric Prossnitz from UNM Health Sciences Center be invited to a future meeting of the NMBSA to summarize the ASCEND grant. This will allow board members to collectively determine opportunities for partnering with UNM to further the goal of building a bioscience accelerator in New Mexico. The board concurred with his recommendation. <p>ACTION ITEM: Invite Eric Prossnitz to attend a coming NMBSA board meeting to present on the ASCEND grant project.</p> <ol style="list-style-type: none"> 2. Director Dekker proposed that the NMBSA hold an informational sessions in Albuquerque and other key areas of the state to inform state and community leadership about the goals of the NMBSA, the Authority's legislative agenda and statewide efforts. Potential audiences in the Albuquerque area would include, interim committees of the legislature, Albuquerque Economic Development Department Board (contact: Paul Silverman), NM Partnerships (contact: Tim Nitty). <p>Director Savage identified the Greater Las Cruces Chamber and the Las Cruces Economic Development Department as well as the Dean Burrell College of Osteopathic Medicine as potential audiences. He recommended that the NMBSA also have a presence at the annual Inventors and Entrepreneurs Workshop at NM Tech (contact: Peter Anselmo).</p>

		<p>The importance of including the agricultural biotech component in this effort was also discussed. Director Savage suggested that Rolando Flores, Dean of the College of Agriculture at NM Tech would be a good partner in this regard. He has a solid understanding of the connection between agriculture and bioscience. It was suggested that a 15 minute presentation to Dean Flores can be made in person or by video conference at a future meeting and potentially tied in with an NMBio event.</p> <p>ACTION ITEM: Arrange for a 15 minute presentation to Dean Flores from NM Tech College of Agriculture at a future NMBSA meeting- either by Zoom or in person. (Wayne Savage will make initial contact and Staff will follow up with arrangements)</p>
7.	Real Estate Committee Report (Byrnes)	<p>a. Chair Larson discussed two organizations whose uniquely different models have been effective in nurturing the bioscience industry in their states:</p> <ol style="list-style-type: none"> 1. Lab Central is a public-private partnership that builds shared wet lab space designed as a Launchpad for high-potential life-sciences and biotech startups. The company has been highly successful in providing early seed space to these startups and then moving them to larger spaces. With 4 sites in the Boston area, the company initially expanded to Philadelphia and more recently at Princeton. Chair Larson met with representatives from the company while in Boston earlier this spring. They recently contacted him and expressed an interest in coming to Albuquerque for the purpose of evaluating the city as a future site. Chair Larson asked the group for recommendations for the best real estate professional to participate in the site visit. Chair Dekker recommended Jim Wible, a land, industrial and investment advisor with Maestas & Ward who also has an extensive background in commercial real estate and extensive knowledge of the industrial space in Albuquerque. 2. ChangeLab Solutions is a California non-profit company that stimulates business through their focus on law and policy innovations for healthier communities. Chair Larson suggested that the board explore this company further

		<p>ACTION ITEM: Send link to both Lab Central and ChangeLab Solutions websites to board members. (Staff)</p> <p>b. Director Byrnes announced that Indica Labs, a homegrown pathology software company, has chosen Albuquerque for its new headquarters. The expansion will create up to 58 new jobs and is being supported by New Mexico’s closing fund, LEDA.</p>
8.	Finance Committee Report (Larson)	Nothing to report.
9.	Announcements	<p>Director Byrnes announced the following:</p> <ul style="list-style-type: none"> • NMBio’s Knowledge Fair and Expo will be held October 29, 2018 from 8 am – 4:30 pm at CNM’s Training Center in Albuquerque. The Expo will attract entrepreneurs, research scientists, business executives, venture capitalists, angel investors, thought leaders, tech transfer specialists, economic development professionals, journalists, and academic leaders. Attendees from across the state will have the opportunity to meet leaders of established and startup bioscience companies, suppliers, service providers, and innovators. Exhibitors and attendees alike will be able to make strategic connections, establish new collaborations, socialize with industry colleagues, and discover companies working on cutting edge research and bringing new products to market. • NMBio is also planning a ½ day educational event on November 15, 2018 from 1-5. NMBio will be presenting national trends in the bio industry and bringing in people from other states to discuss how they grew their state’s bio sector. Invited guests will include legislative leaders as well as the governor elect, board members from NMBio and the Bioscience Authority, the Mayor of ABQ (and perhaps mayors from Sandoval county and Santa Fe) and leading economic development professionals. Chair Larson will give

		<p>a short overview of NMBio¹'s bioscience sector. The venue has not yet been confirmed.</p> <p>ACTION ITEM: Put together a one page summary focusing on other state's legislative successes in the area of biosciences area and bring back to the board in October. (Greg Byrnes)</p>
10.	Adjourn	Meeting adjourned at 12:50 pm.

Respectfully submitted by Catherine Penick, September 21, 2018.

Approved by the New Mexico Bioscience Authority Board of Directors October 19, 2018.