

**New Mexico Bioscience Authority (BSA) Board of Directors
Regular Meeting
August 20, 2021, 11:30 AM – 1:00 PM
317 Commercial St. NE, Suite 311, Albuquerque, NM**

Draft Meeting Minutes

Present: Dale Dekker (Chair), Scott McLaughlin, Tom Kieft, Suzanne Quillen, Jennifer Gifford, Greg Byrnes, Christos Christodoulou, Richard Larson, Ari Vazquez, Tanner Schaub, Sheryl Arvizu, Myriah Tomar

Staff Present: Stephanie Tofighi, Ryan Cangioli, Sterling Nichols

#	Agenda Items	Board Actions
1.	Call to Order and Confirmation of Quorum	<p>The Chair called the meeting to order at 11:35 am. A Quorum was confirmed with all board members present except for Directors Tom Kieft and Suzanne Quillen who would be joining the meeting later at 12:30 PM.</p> <p>With Directors Kieft and Quillen joining the meeting later the chair requested that an adjustment be made to the order of the agenda items to allow full board participation during the closed session and subsequent open session votes. The Chair requested Agenda items 8, 9 and 10 to be moved down in the agenda so that Directors Kieft and Quillen could participate in closed session as they were scheduled to arrive at 12:30 PM.</p> <p>Chair Dekker then asked for a motion to postpone agenda items; 8) Vote to Close the meeting, 9) Closed Session, 10) <u>Vote to Certify that only matters described in Agenda 9 were discussed in closed session, and if necessary, final action with regard to those matters will be taken in open session (Roll Call Vote)</u> until 12:30 PM when directors Kieft and Quillen were to arrive.</p> <p>A motion to postpone Agenda items 8, 9, 10 until 12:30 PM was made by Richard Larson with a second from Sheryl Arvizu.</p>

		<p>A Roll call vote of all board members was called with nine in the affirmative, none in opposition, none in abstention and two absent. The vote was as follows:</p> <p>Arvizu-Affirm, Byrnes-Affirm, Christodoulou-Affirm, Dekker-Affirm, Gifford-affirm, Kieft-Absent, Larson-Affirm, McLaughlin-Affirm, Quillen-Absent, Schaub-Affirm Tomar-Affirm</p> <p>*Directors Quillen and Kieft arrived by 12:30 PM. There was no change in order of agenda items. Agenda items 8, 9 and 10 followed in succession of the agenda since it was 12:30 when Item 8 came up on the agenda.</p>
2.	<p>Approval of Minutes:</p> <p>June 21, 2021, BOD Meeting</p>	<p>The Chair called a motion to approve the June 18, 2021, BOD meeting minutes.</p> <p>A motion was made by Christos Christodoulou with a second by Sheryl Arvizu.</p> <p>A Roll call vote of all board members was called with seven in the affirmative, none in opposition, two in abstention and two absent. The vote was as follows:</p> <p>Arvizu-Affirm, Byrnes-Affirm, Christodoulou-Affirm, Dekker-Affirm, Gifford-Affirm, Kieft-Absent, Larson-Affirm, McLaughlin-Affirm, Quillen-Absent, Schaub-Abstain Tomar-Abstain</p>
3.	<p>Chair's Report</p>	<p>The Chair announced that due to the timing of the Labor Day Holiday, the September 17th, 2021, BOD meeting will be changed to September 24th, 2021, to allow ample time for the Executive committee to meet and formalize the agenda for the upcoming meeting.</p> <p>The Chair also introduced the new Bioscience Authority board member Tanner Schaub representing New Mexico State University (NMSU) in Las Cruces. Tanner is the Director of the Research Cores Program in the Office of the Vice President of Research at NMSU where he's been for 14 years. His current focus is on building and sustaining a large research infrastructure at the university. Tanner is an analytical chemist by training specializing in high resolution mass spectrometry with bio applications. His professional experience has been working as a staff scientist at the National High Magnetic Field</p>

		<p>Laboratory in Florida and managing an analytical lab for 13 years at NMSU. With his current role at NMSU and the initiatives of the Research Cores Program, Schaub hopes his experience ties in with the BSA’s aspirations in enabling bio medical sciences across the state and contributing to workforce development.</p> <p>Following Tanner Schaub’s formal introduction, the chair concluded his report.</p>
4.	Presidents Report	<p>President Larson announced that he had three items to cover in his report to the BOD with the first being his presentation to the state’s Legislative Finance Committee in July.</p> <p>Larson along with current BSA leadership; Chair Dale Dekker, Vice Chair Sheryl Arvizu, Executive Director Stephanie Tofighi and Strategy-Policy Director Ryan Cangiolosi, met with key Legislative Finance Committee staff including David Abbey, Mark Valenzuela and several other staff members. The presentation was met with favorable enthusiasm as staff members Abbey and Valenzuela were impressed with the BSA’s recent accomplishments in establishing the Community Readiness Program, initiating an RFP process for co-investments, forming an affiliation with the business accelerator ASCEND in trying to expand their training within the state. Abbey and Valenzuela were equally impressed to learn of the enhancements made to the website by Executive Director Stephanie Tofighi to engage investors and entrepreneurs more effectively.</p> <p>Chair Dekker confirmed Larson’s comments of the LFC’s enthusiasm for the BSA stating that the state is anxious to support efforts to diversify the economy beyond oil and gas and that focusing on Bioscience presents a viable option. Vice Chair Arvizu added that she was pleased that the LFC staff seemed so enthusiastic about the BSA initiatives. She further expressed optimism as the current developments indicate a positive trajectory for the NMBSA.</p> <p>From the success in meeting with the Legislative Finance Committee, Abbey recommended Larson speak to the Rural Economic Opportunities Task Force (REOTF). Larson spoke to the (REOTF) in Gallup on August 4th. The meeting with the REOTF also went well as committee members and legislators</p>

		<p>were not familiar with the BSA but responded favorably to Larson’s presentation. The presentations to the Legislative Finance Committee staff and the Rural Economic Opportunities Task Force will be posted on the BSA website following the meeting.</p> <p>The final item President Larson addressed was his scheduled presentation to the interim Science, Technology, & Telecommunications Committee (STTC) which the BSA reports to. Larson will present to the STTC at the end of October to make monetary requests going forward.</p> <p>Director Tomar asked if there were any other specific recommendations from the committees that the BSA should address. Larson mentioned that Mission Accomplishment Committee Chair Tom Kieft will advise on the Board’s approach to see if there are additional priorities that the board would like to initiate during the upcoming Mission Accomplishment Committee Report on today’s meeting agenda.</p> <p>With the three items addressed, the President concluded his report.</p>
5.	Executive Director Report	<p>Executive Director Tofighi provided an update on the current BOD roster. Tofighi announced that new BOD and Finance Committee member Tanner Schaub completed his onboarding to fill one of the three vacant positions. Tofighi has also been in communication with the Legislative Council Service who is working with the state legislature to appoint board directors to fill the two vacant positions on the BOD. Tofighi said the next Legislative Council session is August 23, 2021, and we should receive updates from the council regarding filling the vacant positions.</p> <p>Tofighi announced that the layout of the BSA website has been enhanced to include updated information in the Community Readiness section. In the process of making changes to the web site, Tofighi has contacted NM municipal leaders and economic development organizations to restart or begin the Community Readiness Site Certification process. Tofighi and Strategic Policy Director Ryan Cangiolosi will meet</p>

		with Eric Montgomery of the Mesilla Valley Economic Development Alliance which serves Dona Ana County
6.	Presentation on NMBio	<p>Director Greg Byrnes, Executive Director of NM Bio spoke to the BOD about the work being done by his organization and introduced opportunities for the NMBSA and NMBio to collaborate.</p> <p>Byrnes was introduced to the BSA by Chair Dekker who called attention to the great value that Director Byrnes brings to New Mexico through his knowledge of the bioscience industry and his contributions to the GrowBio report which led to the development of the NMBSA. Chair Dekker reminded the Board that the NMBSA has already partnered with NM Bio on a couple of projects. He then encouraged board members to consider additional bioscience industry related individuals with different perspectives and from different industry clusters who would be beneficial to include as speakers at ensuing board meetings.</p> <p>Director Byrnes thanked the Chair and the Board voicing his appreciation and particularly making note of how these presentations offer the Board the opportunity to get to know what everyone is doing. He began his talk by providing background information about his 20-year career in Pennsylvania leading the attraction efforts for the greater Philadelphia region with a major focus on the biosciences making note that when he left, they were ranked 3rd in the nation only behind Boston, MA and San Francisco, CA. They have since dropped to #7 but still have an impactful industry. Byrnes identified that the reason they were so successful was because of collaboration. He went on to explain that NM Bio is a 501.c6 while the NMBSA is a 501.c3. NM Bio advocates for policies and supports a strong, vibrant life science community at the local, state, and federal level. Director Byrnes works closely with governmental affairs representatives from a number of biotech firms to educate rather than lobby elected officials on pending legislation that could impact the life sciences and health care industries. There are over 90 members of NM Bio, 8 strategic partners, and 10 community partners including NM Angels and WESST. As the Executive Director of NM Bio, Director Byrnes works to meet the needs of all its stakeholders. Discounted rates are available for members through the Bio Business Solutions Program and</p>

members are welcome to participate in NM Bio’s strategic partnering program. The Council of State Bioscience Associations includes counterparts to NM Bio in 46 other states. Their focus includes sharing best practices and conducting labor surveys. That Association also includes a group of Southwest states that meets regularly to discuss topics like the legislation that is happening in their states and to share regional best practices.

Director Byrnes then called attention to the results that had been shared earlier with the Board members regarding the NM Bio’s Get Vaccinated campaign which ran in publications like the NY Times, Wall Street Journal, and Politico along with major newspapers throughout the U.S. Pharma created the graphic and covered the cost and Director Byrnes wrote the editorial. Pharma reported that it was one of the most successful campaigns they had ever run among the hundreds they have conducted. NM Bio is now working with the editorial team from New York City based Pharma’s Almanac which is going to be visiting 50 states in the Fall in 50 days. Director Byrnes is now setting up their itinerary for their visit to New Mexico scheduling the founders of about six firms for them to film and interview. He’s also working with Governor Lujan Grisham’s office to try to include her in the day’s events to promote the state’s emerging bioscience industry.

Director Byrnes then directed his presentation to discuss collaboration, specifically collaboration between NM Bio and NMBSA, the business community, economic development organizations, and others. He expressed that collaboration should focus on initiatives of the NMBSA, NM Bio, and the NM Economic Development Department. He pointed out that even though bioscience has been identified as one of the state’s target industries for economic growth, it is not getting a top portion of financial support from the state. Director Byrnes shared that NM Bio has received ~\$5,000 per sponsorship and membership fees in the past five years and while he observed that NMBSA has received more in terms of legislative financial support, it is still miniscule in comparison to the millions of dollars being pumped into the bioscience industry in neighboring states which he forecasts will significantly impede New Mexico’s competitive edge if left unchanged.

Director Byrnes went on to introduce some possible collaborative opportunities between NM Bio and the NMBSA. He shared that NM Bio Board Member, Bob Feinberg at Colliers International, is updating the list of bioscience firms that were initially listed on the GrowBio report. Their long-term goals are to produce a quarterly publication that will focus on the bioscience sector and will be distributed nationally. It will be similar to a publication he created while in Philadelphia that Director Byrnes physically held up and showed to the other Board members over zoom. He stated that it was a quarterly publication that went out to ~3,000 individuals across the country. He pointed out that relative to work being promoted by Chair Dekker, in the middle of the 8-page publication, real estate sites were included that had the potential to attract interested cooperate real estate executives. It included information including the square footage of the building, the electricity, parking spaces, amenities within three miles, and location to transportation infrastructure. He then summarized that preparing and promoting a quarterly publication could be a collaborative venture between NM Bio and NMBSA. He recalled that the Philadelphia based publication was the result of collaborations between several area stakeholders who contributed to the final product and then served as ambassadors of the initiative through work done in their individual organizations and industrial conferences. Funding, if needed, typically would come from the real estate companies since they were basically receiving free advertising to be in the national publication.

Director Byrnes then recalled the 16-page editorial in Sites Selection magazine that NM Bio and NMBSA collaborated to develop. He introduced his goal to follow up that editorial with an 8-page one that would appear in the May/June edition and be distributed at the BIO convention in San Diego to commemorate bioscience growth in New Mexico which includes the establishment of a variety of new wet labs. He expressed a need to develop this type of advertisement on an annual, consistent basis in different publications including Site Selection, Business Facilities, etc. to promote New Mexico biosciences. He shared that he'd already sent emails to NM EDD Cabinet Secretary Alicia Keyes and Director of the EDD Office of Science and Technology and fellow NMBSA Board Member, Myrriah Tomar to participate in the 8-page

		<p>publication endeavor. He also invited NMBSA to participate. Director Byrnes went on to describe how BIO not only shares the magazine at the convention, but how for every issue, they also publicize a state or city through a bubble banner that goes on the cover of the magazine that could be used to market the BSA or the state could use to market the Economic Development Department or the bioscience industry.</p> <p>Director Byrnes then went on to describe a pavilion that the NM Bio will be doing at the BIO convention in San Diego sharing an anecdote that when he was first considering moving to New Mexico he had gone looking for the NM pavilion at the BIO convention in Philadelphia only to find it in the international section between Mexico and Germany. He recalled that the two people who were there did not have a trade show booth or any New Mexico signage. Since taking over NM Bio as the Executive Director, Byrnes has vastly improved their presentation at national conventions which is now a 20'x30' pavilion that showcases the success of 18-24 New Mexico start-ups over the last three years with most of them reporting relative success. Since the event will be happening in San Diego this next year, Director Byrnes is asking Governor Lujan Grisham, Director Tomar, Cabinet Secretary Keyes, and a representative from the BSA to fly there to attend. In addition to presenting the regular booth and trade show, Director Byrnes would like to include entertainment to market the entire state and showcase the value of New Mexico bio to the rest of the world. In his conclusion, Director Byrnes expressed a need to get commitments early to prepare a 30'x30' pavilion that would include entertainment such as NM beer, wine, and food as well as an appearance by the Governor and participation by the Tourism Department to help cover the costs. He noted grants are available to support start-up business expenses to be in the booth but that they did not cover the costs of travel. Director Byrnes wrapped up his presentation by reiterating the need to collaborate in order to effectively gain traction for bioscience within the state but also nationally.</p> <p>Chair Dekker then opened the floor up to questions for Director Byrnes. President Larson commended Director Byrnes on all the work that he has done to encourage vaccinations which he articulated as being very important. He then noted</p>
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that Director Byrnes had not mentioned New Mexico Partnerships which is designed to do a lot of the promotional work that Greg noted as being necessary. He asked whether Director Byrnes had engaged with that organization or if he had plans to engage with them. Director Byrnes stated that that NM Partnerships was included in the development of the 16-page publication from last year along with several other economic development groups. He expressed that if they'd like to attend the BIO conference, he will welcome their attendance though in the past they had not shown interest in joining. He has plans to reach out to their new leadership to redevelop that collaboration.

Chair Dekker then mentioned that a key point that was taken away from the enthusiastic reception NMBSA received from the state legislative finance committee was support for the potential of biosciences in New Mexico and their willingness to consider funding opportunities and other support. He asked Director Byrnes whether his counterparts in the other 46 states could be a resource to put forth best practices relative to a state's role in terms of incentives, tax credits or other support we are not currently aware of that may be garnered from Director Byrnes' contacts that could be used to develop a pitch to the state and their economic development groups. Director Byrnes responded that given his experiences, the answer is yes. He then mentioned an individual who could be a good person to present to the NMBSA given his successful experiences at both Philadelphia and Maryland. His success was predominately the result of connecting Johns Hopkins and other universities with companies in Maryland and he's noted internationally for his ability to bring the right people and groups together to be successful. Director Byrnes offered to send out information about this noted individual to see if the BSA may want to invite him to present hopefully for free given his friendship with Director Byrnes.

Chair Dekker thanked Director Byrnes for that suggestion and voiced his appreciation to receive the information about the individual. He then updated the Board that he's been working with the Albuquerque Economic Development (AED) on their strategic planning committee. The AED is a regional economic development association primarily funded by business organizations in the region of Belin to Rio Rancho. He

described how AED has been making an effort to focus on the biosciences as one of their potential economic development thrusts. He then encouraged the members of the board to use their positions throughout the state to advocate for the biosciences in each of their communities specifically asking for them to inform their economic development organizations about the potential benefits and then making note that Director Tofighi could provide relevant resources when needed to help connect them to the appropriate people. Chair Dekker then transitioned to ask Director Tomar whether she could report anything about what the Stanford Research Institute’s study to develop a long-range state economic development strategy with a focus on diversifying the economy was doing in terms of the biosciences. Director Tomar responded that her office is in the process of reviewing the strategy right now, so she deferred comment at this time. Chair Dekker then asked when the strategy would be available for public comment. Director Tomar stated that she was not aware and would need to check with the people in charge of that process. She said that she is providing input for the strategy but because of her work with EPSCoR to develop a Science and Technology plan, she does not have a report on bioscience specifically at this time. Chair Dekker asked her to present to the NMBSA regarding what the state is considering in terms of their bioscience economic development thrust once the strategy is available for public comment.

Director Tom Kieft joined the meeting at 12:12pm.

Chair Dekker then encouraged Director Byrnes to send a proposal to Director Tofighi detailing how the NMBSA could support the work he suggested for the BIO Conference. He conveyed his appreciation of the work Director Byrnes and the NM Bio have been doing regarding their involvement and insight into the bioscience industry. Director Tofighi reminded Chair Dekker and Director Byrnes to send any information to her and that she would then distribute it accordingly to the Board rather than having any documentation sent directly to Board members by Board members. Director Gifford then entreated Director Byrnes to consider New Mexico Agriculture when planning the Entertainment portion of the pavilion at the BIO Conference. She stressed that NM Agriculture and Animal Health are intertwined with bioscience. Regarding NM

		<p>Textiles, she could provide wool and wool products to present to bolster the whole picture of New Mexico. Director Byrnes readily appreciated the suggestion and went on to share that BIO has lately increased the agricultural sector presence at their conferences and identifies it as being one of their top priorities. He encouraged Director Gifford to work with him to organize some zoom meetings with speakers from BIO who could talk to Las Cruces and NMSU students and faculty regarding their Ag/Bioscience initiatives. Chair Dekker thanked Director Byrnes for his presentation.</p>
7.	<p>Presentation regarding the NMBSA Executive Director and their employment relationship with UNM and the NMBSA</p>	<p>Ari Vazquez from the UNM Office of University Counsel and Mike Brown, Human Resource Manager of UNM Client Services presented on the Executive Director’s position and their employment relationship to UNM to the BOD for more clarification.</p> <p>Vazquez began the presentation stating that the BSA was created out of statute and that by statute the BSA was administratively attached to UNM and affiliated with organizations such as the UNM Health Sciences Center. As being administratively attached, Vazquez said UNM provides operational services such as Procurement, Fiscal, Legal, Administration, Human Resources, Information Technology which the BSA will utilize.</p> <p>Mike Brown provided more specifics on the Executive Director position following Vazquez’s introduction. Brown said the executive director position is titled as Strategic Support Manager according to UNM’s Human Resource classification. The Strategic Support Manager position is listed as a Grade 15 salary structure with employment processes governed by UNM Policy and Procedures.</p> <p>Brown briefly explained the hiring process for Strategic Support Manager/Executive Director</p> <p>Posting – The Position is posted on the UNM Job Boards Web site.</p> <p>Submittal – Prospective candidates submit applications to the UNM Jobs Website</p> <p>Review- The department reviews, interviews and selects applicants as they are responsible for conducting the hiring process.</p>

	<p>Selection- The Department provides their selection to UNM Human Resources who facilitates the hire</p> <p>Offer- UNM Human Resources provides an offer letter stating the terms and conditions, start dates and end dates. The offer letter is issued to the selected candidate instructing them to attend a UNM Employee Orientation event.</p> <p>Probation- All new UNM employees are required to serve a six-month Probationary period. During the six-month period employees can be released for Cause or No Cause. Also, UNM and or the department has the right to extend the probationary period for various reasons.</p> <p>*Brown provided the 2020 Covid-19 pandemic as an example of UNM’s authority to extend the probationary period.</p> <p>Director Scott McLaughlin asked if the Executive Director position for the BSA is considered ‘Contracted out’ in which Ari Vazquez clarified by stating that in terms of the executive director position the ‘contract’ status is different than a traditional contractual agreement found in the Public/Private sphere. Vazquez specified that by statute the NMBSA is mandated to be administratively attached to UNM. The Executive Director is a UNM employee. Vazquez said that by statute the BSA has limits regarding the Executive Director position and has no authority in decision making regarding personnel actions. Both Brown and Vazquez stated that the relationship between the Board and UNM is collaborative with shared governance which allows the BSA to provide input with the understanding that UNM has the ultimate authority in decisions.</p> <p>Director Tomar asked who performs the evaluations for the 6-month probationary period and if the BOD has input on evaluations or is the process performed unilaterally. Brown stated that the Supervisor, by title, who is also a UNM employee, would be the authority in performing evaluations concerning the employee’s probationary period. Vazquez confirmed that by title the ‘Supervisor’ performing the evaluations for the probationary period concerning the Executive Director of the BSA would be President Larson as he holds the title of Executive Vice Chancellor (EVC) of the UNM Health Sciences Center and the Executive Director reports to the EVC as an UNM employee. Brown added that Larson, as supervisor, who is a UNM employee, has the final decision on</p>
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		<p>evaluations despite BOD input. Vazquez followed, stating that the board can have input, but the ultimate decision is made by UNM according to statute which allows Larson authority as 'Supervisor'.</p> <p>In response to Brown's and Vazquez's clarifications, President Larson raised a point that evaluation decisions can be made unilaterally, and that the BOD does not vote or take any HR action in relation to the Executive Director position which Vazquez confirmed.</p> <p>Director Christodoulou asked if the BOD has the right to review an evaluation if disciplinary action was taken. Vazquez responded to Christodoulou's question stating that such a request would be determined on a case-by-case basis. Brown added that a request to review an evaluation regarding disciplinary action is not possible in that it violates confidentiality by releasing an employee's personnel file. Vazquez confirmed Brown's statements also stating that state law limits certain information to be released from an employee's personnel file.</p> <p>The Chair concluded the presentation regarding the Executive Director position after all questions from the BOD were answered and proceeded to move into closed session.</p>
8.	Vote to Close the Meeting (Roll Call Vote)	<p>The Chair confirmed that Directors Quillen and Kieft were present and asked for a motion to move into closed session.</p> <p>The Chair sought a motion to move into closed session for the discussion of limited personnel matters, as permitted by Section 10-15-1.H(2), NMSA (1978), specifically the background and basis for the proposed Re-Ratification of the Consensus Statement first voted on by the Board on September 11, 2020, and then ratified at a separate Board meeting on September 18, 2020, which was as follows:</p> <p>'We, the Board of Directors of the NM BioScience Authority (BSA), acknowledge that Ms. Sue Prelozni is an employee of the University of New Mexico with duties assigned to support the NM BSA. She was hired with the input of the NM Bioscience Authority board of directors as a UNM employee. The NM Bioscience Authority has taken no action to recognize her as an officer of the company, in particular the Chief</p>

		<p>Executive Officer. As a UNM employee with duties assigned to support the BSA, we believe that Ms. Prelozni is subject to human resource and personnel actions from UNM.'</p> <p>And to discuss and determine where appropriate, of matters subject to the attorney-client privilege pertaining to pending litigation, specifically Case No. D-202-CV-2021-00459, in which NMBSA is a participant, pursuant to Section 10-15-1H(7), NMSA (1978),</p> <p>Upon a motion by Christos Christodoulou and second by Suzanne Quillen A Roll call vote of all board members was called with eleven in the affirmative, none in opposition, none in abstention. The vote was as follows:</p> <p>Arvizu-Affirm, Byrnes-Affirm, Christodoulou-Affirm, Dekker-Affirm, Gifford-affirm, Kieft-Affirm, Larson-Affirm, McLaughlin-Affirm, Quillen-Affirm, Schaub-Affirm Tomar-Affirm</p>
9.	<p>Closed Session</p> <ul style="list-style-type: none"> • Discussion of limited personnel matters, as permitted by Section 10-15-1.H(2), NMSA (1978) including Re-Ratification of the Consensus Statement first voted on by the Board on September 11, 2020, and then ratified at a separate Board meeting on September 18, 2020, including a full reproduction of the statement to be discussed and approved by 	

the Board, as follows:

‘We, the Board of Directors of the NM Bioscience Authority (BSA), acknowledge that Ms. Sue Prelozni is an employee of the University of New Mexico with duties assigned to support the NM BSA. She was hired with the input of the NM Bioscience Authority board of directors as a UNM employee. The NM Bioscience Authority has taken no action to recognize her as an officer of the company, in particular the Chief Executive Officer. As a UNM employee with duties assigned to support the BSA, we believe that Ms. Prelozni is subject to human resource and personnel actions from UNM.’

- Discussion, and determination where appropriate, of matters subject to the attorney-client privilege pertaining to threatened or pending litigation, specifically Case No. D-202-CV-2021-00459, in

	<p>which NMBSA is a participant pursuant to Section 10-15-1H(7), NMSA (1978),</p>	
<p>10.</p>	<p>Verification of Closed Meeting</p>	<p>The Chair sought a motion and a second to certify that matters discussed in the closed meeting were limited only to those specified in the motion for closure and in the agenda.</p> <p>A motion was made by Sheryl Arvizu with a second by Tom Kieft.</p> <p>A Roll call vote of all board members was called with eleven in the affirmative, none in opposition, none in abstention. The vote was as follows:</p> <p>Arvizu-Affirm, Byrnes-Affirm, Christodoulou-Affirm, Dekker-Affirm, Gifford-affirm, Kieft-Affirm, Larson-Affirm, McLaughlin-Affirm, Quillen-Affirm, Schaub-Affirm Tomar-Affirm</p> <p>The Chair also motioned to approve the item discussed in closed session pertaining to a discussion of limited personnel matters as permitted by section 10-15-1.H2 NMSA (1978) specifically the background and the basis for proposed re-ratification of the consensus statement first voted on by the board on September 11, 2020, and then ratified at a separate board meeting on September 18th, 2020, which was as follows:</p> <p>‘We, the Board of Directors of the NM Bioscience Authority (BSA), acknowledge that Ms. Sue Prelozni is an employee of the University of New Mexico with duties assigned to support the NM BSA. She was hired with the input of the NM Bioscience Authority board of directors as a UNM employee. The NM Bioscience Authority has taken no action to recognize her as an officer of the company, in particular the Chief</p>

		<p>Executive Officer. As a UNM employee with duties assigned to support the BSA, we believe that Ms. Prelozni is subject to human resource and personnel actions from UNM.’</p> <p>A motion was made by Suzanne Quillen with a second by Jennifer Gifford.</p> <p>A Roll call vote of all board members was called with ten in the affirmative, none in opposition, and one in abstention. The vote was as follows:</p> <p>Arvizu-Affirm, Byrnes-Affirm, Christodoulou-Affirm, Dekker-Affirm, Gifford-affirm, Kieft-Affirm, Larson-Affirm, McLaughlin-Affirm, Quillen-Affirm, Schaub-Affirm Tomar-Abstain</p>
11.	Mission Accomplishment Committee	<p>At the beginning of the Mission Accomplishment Committee report President Larson raised a point of order that the meeting had ran beyond the scheduled time of 1:00 PM and if BOD members were willing to stay to address the remaining items on the agenda:</p> <p>Item 11) Mission Accomplishment Committee Item 12) Executive Committee Report Item 13) Finance Committee report Item 14) Adjournment</p> <p>The Chair asked if the BOD was willing, and the BOD agreed to continue. Director Quillen left the meeting.</p> <p>MAC Chair Tom Kieft began his report reviewing the ASCEND proposal. Kieft explained that ASCEND (Accelerating Solutions for Commercialization and Entrepreneurial Development) is a Business Accelerator HUB consisting of seven western region states and 11 Universities recognized by the National Institute of Health (NIH).</p> <p><u>Western Region ASCEND HUB States</u></p> <ol style="list-style-type: none"> 1. Alaska 2. Hawaii 3. Idaho 4. Montana 5. Nevada 6. New Mexico

	<p>7. Wyoming</p> <p>Kieft said that the ASCEND program is in its final year of funding with the second phase of program funding available to be requested through a proposal submission to the NIH. Kieft said there was potential opportunity for the BSA to work with ASCEND and expand the program throughout New Mexico. ASCEND presented to the Mission Accomplishment Committee in July and left a favorable impression.</p> <p>Chair Dekker, who serves on the Mission Accomplishment Committee (MAC) along with MAC Chair Kieft agreed to include ASCEND on the next meeting agenda; September 24th, to discuss how they can collaborate with the BSA.</p> <p><u>Collection of Board Member Suggestions to address 2017 SB 478 Authority Powers and Duties of the NMBSA</u></p> <p>MAC Chair Kieft said that the form distributed to BOD members is to collect ideas on how to address the 10 points of <u>2017 Senate Bill 478 Authorities Powers and Duties of the NMBSA</u>. Kieft encouraged BOD members to try and address all 10 points if possible. Chair Dekker, who is on the MAC, added that the BSA is required to submit an annual report to the legislature and the feedback from this exercise can be part of a larger report from the MAC to gauge how the BSA is adhering to the enabling legislation.</p> <p>President Larson, who is tentatively scheduled to present to the STTC at the end of October said that the feedback from the BOD on addressing the 10 points could be included in the STTC presentation.</p> <p>Chair Dekker asked if the suggestion forms would be sent to the board to which Executive Director Tofighi stated that the suggestion forms were included in the August 20th BOD meeting packet that was distributed on the Monday before the meeting; August 16th 2021. Tofighi agreed to send the forms again if the BOD agreed.</p> <p>MAC Chair Kieft wanted to confirm with MAC member and Chair Dekker that the solicitation of ideas from the BOD members was to not focus so much on the retrospective but more in the present and future to which Dekker agreed.</p>
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		<p>MAC Chair Kieft called for a motion to accept the MAC report on the premise that the ASCEND group will present to the BOD at the next meeting and that the forms for the solicitation of ideas addressing the 10 points of 2017 Senate Bill 478 will be distributed to BOD members again for review.</p> <p>The motion to accept was made by Tom Kieft with a second from Richard Larson.</p> <p>A Roll call vote of all board members was called with ten in the affirmative, none in opposition, none in abstention and one absent. The vote was as follows:</p> <p>Arvizu-Affirm, Byrnes-Affirm, Christodoulou-Affirm, Dekker-Affirm, Gifford-Affirm, Kieft-Affirm, Larson-Affirm, McLaughlin-Affirm, Quillen-Absent, Schaub-Affirm, Tomar-Affirm</p>
12.	Executive Committee Report and Recommended Actions	<p>At the beginning of the Executive Committee Report Director Christos Christodoulou left the meeting.</p> <p>The Chair mentioned that Zoom communication has been very efficient in place of meeting in person due to the challenges of presented by Covid-19. With Zoom, statewide participation in meetings is possible. The Chair said Zoom adaptation has also eliminated the need to plan for a full day of travel to meet in person favoring BOD members located throughout the state.</p> <p>Due to the success and efficiency of Zoom the Chair announced that the board will continue to meet virtually for scheduled BOD meetings in the near future and adhere to the Attorney General’s guidelines and actions. The Chair mentioned that having an annual BOD meeting in person is possible and will discuss plans for such with the BSA committees.</p> <p>The Chair called for a motion to proceed ‘Virtually’ for BOD meetings in the immediate future with a motion made by Richard Larson and second made by Greg Byrnes.</p> <p>A Roll call vote of all board members was called with nine in the affirmative, none in opposition, none in abstention and two absent. The vote was as follows:</p>

		<p>Arvizu-Affirm, Byrnes-Affirm, Christodoulou-Absent, Dekker-Affirm, Gifford-Affirm, Kieft-Affirm, Larson-Affirm, McLaughlin-Affirm, Quillen-Absent, Schaub-Affirm, Tomar-Affirm</p>
13.	Finance Committee report	<p>President Larson stated that for the August 20th report he would be presenting for Finance Committee Chair Sheryl Arvizu as the August 12th Finance Committee Meeting had two attendees which did not attain quorum. The two members in attendance were President Larson and new BOD member Director Tanner Schaub.</p> <p>Larson said that he would provide an update on the RFP but could not provide a recommendation for the financial statements as a quorum was not attained.</p> <p>The June and July financial statements were reviewed by Director Schaub and President Larson with no changes in the budget.</p> <p>President Larson called for a motion to accept the finance report and to form a voluntary task force of 4-5 BOD members that would review and screen all responses to the RFP while providing final recommendations to the BOD. Sheryl Arvizu provided a second to the motion.</p> <p>A Roll call vote of all board members was called with nine in the affirmative, none in opposition, none in abstention and two absent. The vote was as follows:</p> <p>Arvizu-Affirm, Byrnes-Affirm, Christodoulou-Absent, Dekker-Affirm, Gifford-Affirm, Kieft-Affirm, Larson-Affirm, McLaughlin-Affirm, Quillen-Absent, Schaub-Affirm, Tomar-Affirm</p> <p>Following the Roll Call Vote, President Larson told Chair Dekker that he would need to ask for volunteers now since the screening will need to happen before the next meeting. Chair Dekker said that he would rely on the discretion of the Directors to volunteer. He instructed the Directors to communicate with Stephanie regarding their intent to join the task force and that he would follow up to make sure there were four or five members on the committee.</p>

14.	Adjourn	<p>The Chair called for a motion to adjourn the meeting</p> <p>A motion was made by Tom Kieft with a second from Scott McLaughlin</p> <p>A Roll call vote of all board members was called with nine in the affirmative, none in opposition, none in abstention and two absent. The vote was as follows:</p> <p>Arvizu-Affirm, Byrnes-Affirm, Christodoulou-Absent, Dekker-Affirm, Gifford-Affirm, Kieft-Affirm, Larson-Affirm, McLaughlin-Affirm, Quillen-Absent, Schaub-Affirm, Tomar-Affirm</p> <p>The Chair adjourned the meeting</p>
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Respectfully submitted by Sterling Nichols and Stephanie Tofighi