



THE UNIVERSITY of  
NEW MEXICO

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**To:** Chaouki Abdallah, Interim President, University of New Mexico  
Harold Lavender, President, University of New Mexico Alumni Association

**From:** Manu Patel, Director, Internal Audit *Manu*

**Date:** October 6, 2017

**Subject:** Alumni Association's Karen Abraham Courtyard Project

In August 2015, to honor Karen Abraham's commitment and long-standing service to the University, the Alumni Association proposed that the courtyard area in front of Hodgin Hall be formally dedicated and named the Dr. Karen Abraham Courtyard. At the time, the Alumni Association committed to raise \$50,000 over the next three (3) years from private sources which would be used to renovate and beautify the courtyard; and, as of June 2017 the Association has raised \$52,302 for the courtyard project. For a detailed timeline of the Dr. Karen Abraham courtyard project, see the key dates and actions presented in **Exhibit 1**.

The courtyard naming request was presented by the Alumni Association to the naming committee on August 1, 2015, and was presented to the University President on August 21, 2015. The courtyard naming request was presented to and approved by the Board of Regents Finance and Facilities Committee on September 8, 2015. The full Board of Regents approved the naming request on September 11, 2015. However, formal approval of the construction project by the Board of Regents as detailed in Regent's Policy Manual Section 7.12 – Approval of Construction Projects was not obtained.

Regent's Policy 7.12 states that "In accordance with laws and regulations of the State Higher Education Department and Board of Finance as may be amended from time to time, the following construction projects shall be presented to the Board of Regents for approval:

Any alterations, site improvement, or other major project costing over \$300,000 or, for branches, over \$50,000. (Note: Higher Education Department approval is required for major projects costing over \$300,000; Board of Finance approval is required for major projects costing over \$750,000)."

The courtyard project is financed with the Alumni Association unrestricted funds, and since the Alumni Association is a 501(c)(3) organization and a separate legal entity from the University, the State procurement code requirements would not be applicable for the Alumni Association's Karen Abraham Courtyard renovation project.

The University of New Mexico Alumni Association is a Component Unit of the University. It is a not-for-profit organization incorporated on August 29, 1962 to provide and coordinate events and activities

for the purpose of maintaining a positive relationship between the University and its alumni. As a Component Unit, the Alumni Association is required to have its financial statements audited annually. The fiscal year 2015 financial statements were audited by KPMG, LLP, and were issued in October, 2015. The fiscal year 2016 financial statements were audited by KPMG, LLP, were issued in November 2016.

	FY 2014	FY 2015	FY 2016
Current Assets	\$ 9,410,630	\$ 9,248,362	\$ 8,947,356
Current Liabilities	\$ 18,783	\$ 4,371	\$ 94,873
Unrestricted Net Position	\$ 9,391,847	\$ 9,243,991	\$ 8,852,483
Total Operating Revenues	\$ 461,473	\$ 493,560	\$ 531,827
Total Non-Operating Revenues (Loss)	\$ 1,108,148	\$ 12,752	\$ 108,837
Total Operating Expenses	\$ 747,920	\$ 654,168	\$ 1,032,172

Source: Alumni Association Audited Financial Statements for FY 14, FY15 and FY16

The Alumni Association has complied with the IRS 990 reporting requirements. On Form 990 for FY16, the Alumni Association reported total assets of \$8.9 million and total revenue of \$775,457, of which \$211,243 is from investment income. Total expenditures were \$1,056,898. The Alumni Association also filed an income tax return for unrelated trade or business income. The FY16 Form 990-T showed unrelated business taxable income of \$11,877, and total taxes of \$1,782.

The Alumni Association made numerous public presentations relating to the planned courtyard, and presented the proposal to University staff, the naming committee, and historical preservation committee. The Association worked with the UNM Physical Plant department and the Planning, Design and Construction department to facilitate construction of the courtyard. The UNM Naming Committee made brief, informational presentations to the Board of Regents, and the Association discussed the courtyard naming proposal at the Finance and Facilities Committee and Board of Regents' meetings; however, a full presentation with cost details, and a request for Board approval of the renovation project was not made. See **Exhibit 3** for transcript excerpts where the courtyard was discussed at the September 8, 2015 Finance and Facilities Committee, and the September 11, 2015, and May 13, 2016 Board of Regents' meetings.

**Finding 1. Requirements to Obtain Regents Approval of Courtyard Renovation Project**

Throughout the course of the project, the association was working with University personnel to facilitate the project. It appears that the Association was not fully aware of Regents' Policy 7.12; therefore, the required approval by the Board of Regents was overlooked. However, the Association wanted to have an attractively landscaped courtyard for University and Association use.

**Recommendation:**

We recommend that in the future, the Alumni Association follow Regents' Policy 7.12, and seek Board of Regents' approval on projects costing more than \$300,000.

### **Management Response**

*The Alumni Association concurs with the recommendation. In the future, the Alumni Association will follow Regents' Policy 7.12, and will obtain the Board of Regent's approval for any construction projects. For the Karen Abraham Courtyard project, the Alumni Association executed a MOA with the Regents on September 1, 2016 which is included as Exhibit 5.*

### **Estimated Cost of the Courtyard Renovation Project**

The Karen Abraham Courtyard project landscaping design plans and fund raising (donations) activities for the Courtyard were displayed and discussed at the Alumni Board of Directors' quarterly meetings on October 15, 2015, February 12, 2016, and June 10, 2016 (See Exhibit 4 for the related meeting transcript). Furthermore, as a part of the Treasurer's Report at the June 10, 2016 Board of Directors' meeting, Dana Allen, Executive Director, reported that the Karen Abraham Courtyard expenses are reflected in the budget and should come in as projected. The estimated total cost of the Courtyard project as of September 1, 2016 was \$466,145. The Courtyard project was approved by the Board of Regents at the September 1, 2016 meeting along with a Memorandum of Agreement regarding the Karen Abraham Courtyard (See Exhibit 5).

### **Final Cost of the Courtyard Renovation Project**

The final cost of the Dr. Karen Abraham Courtyard based on all contractor invoices and cost submittals was \$470,208, as presented below (See Exhibit 2):

Architectural Design (MRWM Landscaping)	\$40,204
Topographic Survey (High Mesa Consulting Group)	6,350
Relocation of Trees (Santa Fe Tree Farm Landscaping)	5,029
Construction (Westwind Landscape Construction, Inc.)	
Demolition Phase	\$52,500
Construction Phase	303,862
Electrical Work	<u>13,050</u>
Total Construction Costs	369,412
Courtyard Signage	4,138
UNM Internal Services (UNM PPD)	<u>45,075</u>
Total Contract Costs	<u>\$470,208</u>

Of the \$470,208 total cost, \$465,433 was paid by the Alumni Association, and \$4,775 was paid by the Alumni Relations Office. See attached Exhibit 2, for a more detailed presentation of the budgeted cost of the Dr. Karen Abraham Courtyard.

cc: Tom Clifford, Chairman, Audit and Compliance Committee  
Alex O. Romero, Vice Chair, Audit and Compliance Committee  
Lt. Gen. Bradley Hosmer, Member, Audit and Compliance Committee  
Dana Allen, Executive Director, University of New Mexico Alumni Association

**UNM Alumni Association Courtyard Project  
Karen Abraham Courtyard Timeline  
2017-01**

<b>Date of Meeting</b>	<b>Description</b>	<b>Analysis</b>
7/10/15	<i>Alumni Association Executive Committee</i>	Discussion on ways to honor Karen Abraham's services to UNM. Proposals to be presented to the F&F Committee of the BOR for approval. Announcement would be at the retirement reception for Karen on Oct. 2 <sup>nd</sup> at the President's house.
7/22/15	<i>Alumni Association Executive Committee</i> Plaza naming requirements meeting minutes.	A fund was established at the UNM Foundation for project donation in the amount of at least \$50,000. Willie West, the Acting Associate Director of Environmental Services Division PPD, discussed two issues to be addressed. The first is that the Alumni Association needs approval from the University Historical Committee. Secondly, the fountain has inherent problems including plumbing issues.
8/1/15	<i>Alumni Association Memo to Amy Wohlert.</i> UNM Alumni Association Naming Request to rename courtyard for Dr. Karen Abraham.	UNM Alumni Association Board of Directors' request for the courtyard area to be renamed for Dr. Karen Abraham. The Board will commit to securing \$50,000 over the next 3 years from private sources which will be used to renovate and beautify the courtyard.
8/21/15	<i>Amy Wohlert, UNM Naming committee Memo to President Frank.</i> UNM Naming Committee requests sent to President Frank for approval.	The Naming committee has reviewed and voted to recommend approval to rename courtyard area at Hodgkin Hall "Dr. Karen Abraham Courtyard."
8/28/15	<i>Alumni Association Executive Committee</i>	Final approval of the naming will be at the Regent's meeting on Sept. 11 <sup>th</sup> . Raising funds for the project will begin with \$50K over a 3-5 year period of time.

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9/8/15	<i>Fund Raising Committee</i> The agenda for the 9/8/15 meeting.	On 8/19/15, the proposal was approved at the University Naming Committee meeting that Ann Rhoades attended. The fundraising committee discussed the plan to include PPD and the University Landscape Architect, timing, and coordination with the Foundation.
9/8/15	<i>F&amp;F BOR Committee Minutes</i> Approval of Naming Committee Recommendation for Hodgin Hall Courtyard.	Regents' approval was requested for the Naming Committee recommendation to rename the courtyard. The Alumni Association Board will commit to securing \$50K over the next 3 years from private sources for this naming, and the funds will be used to beautify and renovate the courtyard. The motion passed by unanimous vote.
9/11/15	<i>Full Board of Regents Minutes</i> Approval of Naming Committee Recommendation for Hodgin Hall Courtyard.	Amy Wohlert presented the request for the naming of the Hodgin Hall Courtyard space as the "Dr. Karen Abraham Courtyard." The motion to approve the Naming Committee recommendation for Hodgin Hall Courtyard passed by unanimous vote.
9/11/15	<i>Alumni Association Executive Committee</i>	Ann Rhoades announced that the BOR unanimously passed the proposal for the renaming of the courtyard without discussion. Rosalyn Nguyen created a comprehensive proposal for the Naming Committee. Victoria will try to get a Westwind Landscaping proposal.
10/1/15	<i>Alumni Association Executive Committee</i>	Baker Morrow of MRWM Landscape Architects estimates the project will cost between \$250K - \$325K.
10/2/15	<i>MRWM Landscape Architects' displayed conceptual design plans at President's House during the Karen Abraham's retirement reception.</i>	MRWM proposed project schedule from January 15, 2016 through April 15, 2016 for design development and construction documents and provided pictures and plans for the conceptual design. The Project cost estimates not provided.

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10/15/15	<i>Alumni Association Board of Directors</i>	Baker Morrow of MRWM made a presentation to the Alumni Association's Board of Directors. Morrow explained how the plaza will be officially renamed. The historic benches will be repositioned in an area to the east of the art annex and named the Courtyard of the Classes.
11/13/15	<i>Alumni Association Executive Committee</i>	MRWM Landscape Architects' estimate came in at approx. \$328,000. The target date for completion will be spring 2016.
12/11/15	<i>Alumni Association Executive Committee</i>	The proposed budget for the courtyard is \$339,000, based on cost provided by MRWM Architects. A. Karen Abraham referred the Committee to the BOR report which outlined the past few months Alumni Association activities.
1/15/16	<i>Alumni Association Executive Committee</i>	Donations to the courtyard fund as of 1/12/2016 are \$24,826.22.
2/9/16	<i>Alumni Association Executive Committee</i>	Ann Rhoades stated work on the courtyard will begin in April, 2016 with completion in June or July.
2/12/16	<i>Alumni Association Board of Directors</i>	Victoria Lujan gave an update for the first phase of tree removal and replantation which will begin next week. The patio, benches, and the fountain will be reconfigured with a completion date of July. Ann Rhoades indicated that donations for the Courtyard are almost \$30,000.
3/7/16	<i>PDC Presentation to the UNM Historic Preservation Committee. Relocation of "Student Gifts" in courtyard.</i>	The UNM Historic Preservation Committee directs review of all remodel, renewal and construction projects on UNM's main campus. The Alumni Association would like approval for the fountain to be redesigned to fit the plan and to be brought to code, and to relocate concrete benches.

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3/18/16	<i>Alumni Association Executive Committee</i>	Ann Rhoades indicated that plans are well underway. Construction will start after graduation with the opening at the beginning of the 2016-17 school year.
4/21/16	<i>Alumni Association Executive Committee</i>	Sue Mortier advises the courtyard construction documents are 100% complete. She distributed an updated architectural plan. Westwind Landscape Construction, Inc. has been contracted. The project has 2 phases (Demolition and Construction) with a completion date prior to commencement of 2016-17 school term. There is ongoing discussion regarding the signage to be visible from Redondo Drive and to comply with new branding guidelines for University.
5/13/16	<i>Full Board of Regents @ Hodgkin Hall Meeting Minutes</i>	The redesign of Hodgkin Hall Courtyard was discussed and will be funded with Alumni Association funds and donations.
5/13/16	<i>Alumni Association Executive Committee</i>	\$38K has been raised from private gifts. The courtyard is projected for completion in August 2016.
6/10/16	<i>Alumni Association Board of Directors</i>	<p>Victoria Lujan stated that “Well half of the trees are actually relocated to Dane Smith but the cottonwoods are coming and being cut down. They are actually you know, lifting up at the roots and creating quite a bit of issues there, to the landscape and to other things that are beneath the concrete there. So they are being taken out.”</p> <p>Dana Allen “...One element that is in there that I do just want to talk about a little bit because it’s a big project and initiative of course of the association and it’s been discussed today and of course you all see it outside is of course the Karen Abraham Courtyard. That is an expense which with any construction</p>

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project you don't know what you don't know until you strike something and break it, so to speak but the good news is that with Victoria's help and with Ann's really good thoughtfulness and Tom's projection, that project is probably going to come in and around the anticipated projected budget."

Note: Internal Audit has reviewed the full Board of Regents minutes, and the full Board of Directors both written and audio recordings. It appears that the courtyard renovation project, including total costs was not discussed or presented to the full Board of Regents for approval. The cost was discussed at Alumni Association executive committee meetings, with varying ranges of total cost from \$250,000 to \$328,000 at various meetings. It does not appear the total cost was presented to the full Alumni Board of Directors.



**UNM Alumni Association  
Dr. Karen Abraham Courtyard Project  
Fiscal Years 2016 and 2017**

Contractor/Description	Contract Amount	Gross Receipts Tax	Total Contract Costs	VP Alumni Relations	Alumni Association
<b>MRWM Landscape Architects (Note-1)</b>					
Schematic Design	\$ 8,980	\$ 645	\$ 9,625		\$ 9,625
Construction Documents	25,775	1,853	27,628		27,628
Construction Phase Services	2,750	201	2,951	-	2,951
Subtotal	<u>37,505</u>	<u>2,699</u>	<u>40,204</u>	-	<u>40,204</u>
<b>High Mesa Consulting Group (Note-2)</b>					
Topographic Surveying	5,924	426	6,350	-	6,350
Subtotal	<u>\$ 5,924</u>	<u>\$ 426</u>	<u>6,350</u>	-	<u>6,350</u>
<b>Santa Fe Tree Farm Landscaping (Note-3)</b>					
Relocation of Trees (8 Ash Trees)	\$ 4,700	\$ 329	5,029	-	\$ 5,029
Subtotal	<u>4,700</u>	<u>329</u>	<u>5,029</u>	-	<u>5,029</u>
<b>Westwind Landscape Construction, Inc. (Note-4)</b>					
Demolition Phase	48,923	3,577	52,500		52,500
Construction Phase	283,156	20,706	303,862		303,862
Electrical Service	12,161	889	13,050	-	13,050
Subtotal	<u>344,240</u>	<u>25,172</u>	<u>369,412</u>	-	<u>369,412</u>
<b>Courtyard Signage</b>					
Monumental Sign	3,061	224	3,285		3,285
Interpretive Sign	795	58	853	-	853
Subtotal	<u>3,856</u>	<u>282</u>	<u>4,138</u>	-	<u>4,138</u>
<b>UNM Internal Services (Note-5)</b>					
PPD Landscape - Repair and Resodding	4,775		4,775	4,775	
PPD Mangement Fee	21,530		21,530		21,530
PPD Environmental - Courtyard Benches	16,940		16,940		16,940
UNM Parking - 10 Spaces	1,830	-	1,830	-	1,830
Subtotal	<u>45,075</u>	<u>-</u>	<u>45,075</u>	<u>4,775</u>	<u>40,300</u>
<b>Total Contract Costs</b>	<b>\$ 441,300</b>	<b>\$ 28,908</b>	<b>\$ 470,208</b>	<b>\$ 4,775</b>	<b>\$ 465,433</b>

Source: UNM Alumni Association

**Notes**

1. MRWM Landscaping - Provided landscape design and consulting, including detailed schematic design, development phase consulting, and provision of construction documents, including plans, specifications, and final opinion of probable costs.

2. High Mesa Consulting Group - Performed a comprehensive topographical survey of the courtyard site, including existing structural and topographic surface features, excluding subsurface utility designations (line spotting) and private utilities.

3. Santa Fe Tree Farm Landscaping - Relocation and landscaping for 8 ash trees.

4. Westwind Landscape and Construction - Demolition phase project includes removal of existing vegetation and 6 cottonwood trees, salvage of historic fixtures, salvage existing electrical lighting. Electrical service includes removal of existing feeder and conduit, in ground pull boxes, installation of new in ground pull box and conduit. Construction phase is based on plans prepared by MRWM Landscaping architects, etailing grading and site preparation, electrical for lighting and fountain, concrete paving, installation of fountain, installation of curbs, ramps and bollards. Installation of salvaged historical fixtures, and plant materials, bluegrass sod and an irrigation system. Wall repair for skateboard damage and to re-stucco wall.

5. Internal services - UNM PPD Landscaping provided relocation of 3 elm trees, irrigation technician support, and landscape repair and resodding. UNM PPD Environmental services to provide 12 park benches, including assembly and installation in courtyard. UNM Parking & Transportation charge to reserve 10 spaces in the Reynolds lot during construction. UNM Planning Development and Construction charges a 5% management fee for overseeing the project.

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**9/8/15 F&F BOR Meeting:**

Jamie Koch the Chairman of the Board brought forward the next topic and asked Ann Rhoades to introduce herself to the room.

Mr. Chairman: "You're going to stay to hear this University Branding?"

Ann Rhoades: "Oh I want to stay for the Branding."

Mr. Chairman: "Cause we need to get some money from you all. How big is your endowment fund now?"

Ann Rhoades: "Seven, about eight million actually, easy cash."

Mr. Chairman: "Go ahead and tell us what you got here which is very good."

Ann Rhoades: "What we would like to do is request that our retiring director Dr. Karen Abraham, that we actually name the courtyard in front of Hodgkin Hall in her memory. She is one of the few people that has 45 years with one employer, which is the University of New Mexico. She received three degrees here and has been the head of the Alumni Association and worked for UNM for 45 years. So the courtyard right outside of Hodgkin, if you look at it we would like to name it in her honor and raise the money to redo that."

Mr. Chairman: "Well you already have a bunch of money."

Ann Rhoades: "I'm going to try to raise more, how's that. You love that don't you?"

Mr. Chairman: "Yeah I do."

Ann Rhoades: "I know David loves that."

The motion was made for approval and was unanimously approved.

**9/11/15 Full BOR Meeting:**

Amy Wolhert, on behalf of the Naming Committee, presented the naming request to President Fortner and the members of the Board.

"I'm bringing to you today a request for a naming of the Hodgkin Hall Courtyard Space as the Dr. Karen Abraham Courtyard. This was brought to us by the Executive Board of the Alumni Association and it was approved by the Naming Committee as well as approved by President Frank and it's coming to you because it is part of the external space of the University, and that requires Regent approval. While the Alumni Association is committed to raising funds to improve the landscaping for the courtyard, we're bringing it to you as a request for naming in recognition of extraordinary service and I think that all of us would agree her 45 year career at UNM, Dr. Karen Abraham know to us all as Karen, has brought so much to this University and particularly in her role as Associate Vice President for Alumni Relations and

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Executive Director of the Alumni Association. She has advanced our stature in our community in a multitude of ways.

I'd just like to say three things that show why this courtyard is a particularly fitting remembrance for all that she has done for UNM and that is because she has been very dedicated to the physical space for our alumni. So she's overseen two remodels of Hodgkin Hall, the most recent in 2005 and Regent Cook, we know the tremendous role you had in making that come about but that place is a beautiful building now that we can all enjoy. She's also lead the relandscaping of the area around the Alumni Chapel and the memorial wall in that area, making that very beautiful for our campus. And finally, most recently the huge bronze U that sits outside Hodgkin Hall and is lit up for various events is another focal point for our alumni and current students at UNM. So she has done so much. This is just a small way we can carry on her legacy at UNM and I think we're all very proud to recommend approval to you."

The request was moved and had unanimous approval.

**5/13/16 Full BOR Meeting:**

Ann Rhoades, President of the Alumni Association, started the Comments from Regents' Advisors.

"An old picture of Hodgkin and some of our graduates, it looked a little different last night when we had 600 here for a wine and cheese party. A good point is 190,000 graduates we have now that are active and I wanted to make the point that 43% of those are young alumni, critical part of the graduate program. You know this was a transition year... This year we were lucky enough to recruit Dana Allen as the new Executive Director and Vice President.

One of the things we did this year thanks to the Regents and their approval in the fourth quarter of last year, we got approved changes to the courtyard. This time when you came in, you probably saw the renovations going on and when you come back you will see something that David is very happy the Alumni Association is raising funds for and not one penny will come from UNM, it will come from the Alumni Association funds. It should be completed for the students when they come back in August and it will greatly enhance this building and the whole campus."

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**6/5/2015 UNM Alumni Association BOD Meeting**

The written minutes of the June 5, 2015 Alumni Association Board of Director meeting did not contain any discussion of the Karen Abraham Courtyard. IA did not listen to the audio recordings of this meeting.

**10/15/15 UNM Alumni Association BOD Meeting (Time 2:31:25 – 2:44:48)**

Ann Rhoades introduces Baker Morrow to show the Board how they would honor Karen Abraham. She gave a brief description of Morrow who has been an architect that has helped at UNM. He maintains and has worked on Hodgin Hall and the Alumni Chapel and helps keep the rich history at UNM. He will explain what the Alumni Association is doing for Karen's memory.

**Baker Morrow** "Well good morning folks, I was told at the last moment to cut this from two hours to ten minutes. I can't begin to tell you what a pleasure it is for me to do something in honor of Karen Abraham. And we are very honored in my office, Morrow Reardon Wilkinson Miller, to be working on a courtyard project for her. Now all of you as you came in this morning of course came through that tent area in the Hodgin Plaza, the courtyard just to the East but one interesting thing about this plaza area or this courtyard area is how old it is. We have the Art Annex building right here and we're looking toward it here from its western end. Here at Hodgin itself we're sitting in the middle of this historic UNM, the historic UNM district and we have above and beyond that, back behind Hodgin to the west, Tight Grove and off to the east over in this direction, we have Sara Reynolds Hall. We've come to realize that since UNM was founded in 1889, these buildings and the open spaces associated with them, really form UNM's historic district. So the area in front of the Art Annex and a little bit to the east of Hodgin Plaza is a suiting tribute to Karen for all of the work that she's put in these past few years. It's a historic landscape in its own right, it's always been part of the fabric of the UNM campus and to remodel it and update it is an exciting proposition. Now over the last few weeks several people have asked me what in the world are those old concrete uprights out there in the front area and what about those stone constructs, is the fountain original; questions like that. Well one aspect of having a plaza that's as old as this and this courtyard area or plaza area actually really date back over a hundred years, is that the objects that you find in such an old landscape often end up kind of out of context, the years pass, the decades pass and what we discover is that historic early classes, graduating classes here at UNM, the class of 1908, the class of 1922, were very grateful to UNM as we all are as modern alumni and what they did as graduating classes was create these benches, these old fountains, these old sundials and other memorials to commemorate their time at UNM and their appreciation of what the university has meant to them. One of the challenges with this new courtyard is to make sure that we take all of those historic features and display them to best effect. We want to put them out in the public eye. So here south and east of the Art Annex, we've been able to create a brand new courtyard that we're going to call the Courtyard of the Classes and we'll take the old benches and the old stone constructs, display them very nicely in a courtyard setting, have interpretive plaques and interpretations present so that when people show up they can actually visit the plaza and find out what the history of these early classes at UNM has been and we think that's a very important aspect of this. In the plaza itself, in this

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new front area, that's newly to be remodeled, we'll be able to take the fountain and put it back into context. We'll create a beautiful new entry from the street, from Redondo" ... "We'll create a beautiful new entry from Redondo coming in and we'll also have a very nice east west passage that will expand the reception area of Hodgin Plaza out into this landscape and as we are developing it, we'll be able to put additional spaces for people to enjoy the plaza, the courtyard with seating and chairs. So we'll expand the reception area. We would like to have a very nice commemoration plaque for Karen. It would be right up here at the entry off Redondo and we will also have at the entry between this new courtyard and the Hodgin courtyard a plaque that introduces the historic district that talks about all the buildings and what these open spaces are, how they date and relate, the very origins of UNM. These green spaces didn't just happen on their own. They were really part of President Tight's plan, President Zimmerman's subsequent plans and all of the University's presidents and alumni who have come since the 30's actually. So we have a new courtyard space that's planned. We think it's going to be very exciting." ... "Here is Karen's plaque right there and there is the general introduction to the historical district. So we think the expanded seating area, the brand new walkways, the new walkway along the east side of the Art Annex, the Courtyard of the Classes which will do so much to introduce UNM and the historic district with a nice new view from Central of something exciting happening back here. We think all of these things will contribute very nicely to the history and the development of this historic district and will serve as a proper commemoration of all of Karen's wonderful service these last decades here at UNM. So we're quite excited to do this. I think it's going to be an extraordinary place for alumni, existing students, professors and staff. I'd be happy to answer any questions you may have, if you have time Ann. I think I'm right on time. I have two minutes okay.

**Breda Bova** "I'm curious, the Art Annex building, is that still used?"

**Karen Abraham** "Yes, actually it was the old 1922 library until Zimmerman opened up in the 70's. So what we'd love to do is find a donor that would want to renovate. There's 12 art students give or take. It's a studio but it's not being used in a way that it could. So if we could get it to be a community reception area or Ann had suggested a Foundation office but redo it and bring back as a historical building and a library and use it. I would love it as a community center. So that you use Hodgin for some of your things, you have a courtyard and you also have the library and the plaza area that would be more celebratory in terms of how we use it. So I am obviously pleased but what I'm really pleased about it that this project continues to tell a story of the university and tells the history and then puts Hodgin Hall in the right perspective of where it stands and what it means. So I'm thrilled about it." Karen made a joke about her concept idea for the fountain which must have been a picture she showed.

**Baker Morrow** "I'm happy to see that Karen. By the way Dr. Bova, the Art Annex use to be in the 60's, when I was a student, the architecture program headquarters. So it's been a lot of things over the years but it's a key part of this historic district."

**2/12/16 UNM Alumni Association BOD Meeting (Time 2:06:33 – 2:11:30)**

Ann Rhoades introduced Victoria Lujan who is directly in charge of the Courtyard Project, to talk about the status of the courtyard.

**Victoria Lujan** "I'm Victoria Beserra-Lujan and I am the Events Coordinator here, also the Building Manager for Hodgin Hall and the Alumni Chapel and so I have just been working very diligently obviously

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on booking the chapel. It's a beautiful space and now is wedding season and so we have a lot of folks booking the chapel and so making those arrangements there. Hodgkin also is a very busy space as you can see. We have a ton of different rooms that occupy meeting space for departments here on campus or other organizations that utilize the spaces and so I'm constantly booking the rooms here. The courtyard is a special project that I'm working with Ann and James and others and one of the first steps that we'll be doing as Ann said, is we're removing nine trees out front as the first phase to start grading the area and those will be replanted. So they're not going away which is a good thing and so we will start there and then we will be looking at the plans here in the next few weeks about how we're going to start. We have 65% completion on the plans and so we'll be tweaking things from there but we're going to have a wonderful patio, extended patio, the fountain will be redone there. They're removing the, those cinderblock benches that you see outside, if you've ever noticed but they're actually class benches and we're moving them to around the parking lot area where it's going to be the Courtyard of Classes. So in there, they'll have an explanation of what that means and why those benches were placed there and what they were made for and so it really does hold the tradition of what some of these are representing and so that was important to Karen to keep these traditions and so they were able to put it into this plan which will fit very nicely there. So we hope to have that done July, yeah July and assuming everything goes well which so far it is, we're on pace to have it completed by then. So thank you all for coming."

**Ann Rhoades** "One of the things you should know is typically it takes a lot long to get things like this done at UNM like any government or organization, sometimes it takes longer but because of Victoria's work it has been incredibly faster than normal and we can't wait to see it. So hopefully in July when James is president we will have a grand opening or a grand event. So thank you so much."

**Unknown** "And also with the class benches, sort of tie in with the Route 66. So they'll have visibility over there, they really want to tie that in with the history of Hodgkin Hall and Route 66. So they are going to put some plaques and stuff over there as well."

**Ann Rhoades** "And also in your packets you have a list, the foundation printed a list. As you know we have the donations going to the foundation that are for the courtyard fund and these are the people that have already given for that fund and by the way I think it's about almost \$30,000, correct? I think we just got an update and it's almost \$30,000. Our goal was to raise fifty so we will have another E-blast going out or has it gone out? It went out. So hopefully we're still on target for the fifty but we have, the executive committee has approved the completion of it and so but we are trying to raise \$50,000 then we will match it through the funds of, from the alumni association. So we're on target we should have again in July, which will be fabulous. It will absolutely, if you haven't seen the plans, you need to look at them because it will really highlight Hodgkin which is already a jewel but it will make it, the entrance to it just fantastic."

**6/10/16 UNM Alumni Association BOD Meeting (Time 24:38 – 33:00, 44:00-46:00)**

**Ann Rhoades** "Did you see all the old pictures of Hodgkin in the past? I love that but as you came in today what did you notice? Michele talked about it, the fence is up and I can tell you with Victoria's help, where's Victoria, in the back. She has been terrific and it's only because of Victoria that fence went up."

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Every day she has been very instrumental in making sure that it works and I'm sorry, I forgot let the team introduce themselves starting with Victoria our courtyard queen."

The team included Victoria Lujan, Susan Maceachen, Maria Wolfe, Cortney Webb, Camille Pansewicz, Kim Feldman, Katherine Myers, Kathie Scott, and Jane Algermissen.

**Ann Rhoades** "One of the things you will notice is this is a very small team and I'm sure Dana has found out quickly since coming in February that for this small of team, I will tell you, they are outstanding. It has been a pleasure to work with them this year and I am just amazed at what they accomplish and do so much and last night I watched them running around every single one of them and doing what they do best and they do it always with a smile. So thank you all very very much.

**Unknown** "I have a question for Victoria. Are they cutting down all of the trees out there?"

**Victoria Lujan** "Well half of the trees are actually relocated to Dane Smith but the cottonwoods are coming and being cut down. They are actually, you know, lifting up at the roots and creating quite a bit of issues there, to the landscape and to other things that are beneath the concrete there. So they are being taken out.

**Ann Rhoades** "Those that we could save, were saved and everyone from the landscape department tried to save every one of them but there were some that were impossible to save. We relocated many of them around campus and you can see they're lovely where they have put them, frankly I think they make a big difference. I've walked it just to see it but we tried to save every one but it was impossible and you will see the, when you see the final finished product you'll see why we did it and actually there's some we couldn't save because you literally wouldn't be able to put down the sidewalk and do the rest of the new courtyard renovations. So good question though, because I asked the same thing. I love trees. Let's talk a little bit about our year since this is my last formal meeting, I'll be here but last formal meeting. One of the things that I think everyone would agree is we're very glad that Dana joined us this year. We spent, Randy and Bryan and I and Ruth served on the committee to find a new leader and that was very difficult to do but we are so glad that we got Dana and you've probably seen some of the effect of her being here already. So I would tell you that's a great thing we did this year. She's brought great new ideas and literally just kind of quietly says wouldn't this be a good idea, so has quickly started making some changes I think will be very impactful. The other thing is of course you've seen the courtyard, honoring Karen we chose to do that because Hodgkin was her baby and the only thing that was not finished in Hodgkin and my opinion and in opinion of the team that looked at it, was the courtyard and it's a very, it will be so impactful when you see it and we just passed out, Victoria just passed out a drawing. Wait till you see just what they're going to do with the fountain and by the way, all the benches and all the old pieces, that the prior classes have put together are going to be moved to a little historical corner which I think will be lovely too and it's around, you can see it in the drawing but it's around the side and the landscapist who have work with us also worked with Karen many years throughout her tenure here working on the Chapel and working in other areas. They have a real feel for how we want to at the end of the day feel Hodgkin in total. We picture years from now people getting married there all the time, enjoying themselves, having lots of functions there and you just can't believe how lovely it's going to be when we get it done and again as Michelle's asked we will have it done we hope, the first week of September. We lost a week, we were actually planning to have it done the day

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the students come back, which is what day? August twenty second, oh see he knows, he's recruiting like mad, the last week of August and he's trying to make of time there is a possibility we'll have it finished for the returning students, the day they come back. In the interim you will notice that some parking, there may be issues parking if you come because they have to take some of the parking space just to accommodate of course the renovations. So please bear with us through the summer but we're doing it in the summer for a reason because everyone is gone and it's a much better time to do it. At the end of the day I think you will absolutely love it and so the drawings that you have are newer drawings that I thought would give you a little bit better feel for how it's going to look and feel."

**Dana Allen** "On the next page, of course is the outlay and our expenses and again nothing too terribly amiss with any particular category or line item. One element that is in there that I do just want to talk about a little bit because it's a big project and initiative of course of the association and it's been discussed today and of course you all see it outside is of course the Karen Abraham Courtyard. That is an expense which with any construction project you don't know what you don't know until you strike something and break it so to speak but the good news is that with Victoria's help and with Ann's really good thoughtfulness and Tom's projection, that project is probably going to come in and around the anticipated projected budget. So we've had some initial outlay obviously to get to the project to the point where you see it today in this fiscal year but it is going to cross over into the next fiscal year and so because it is sort of a onetime standalone project, the way it's being represented in the budget for this year and next is going to be a little bit different but I would say that by the time we meet again in October, there will at least be a good sense of end to end what the final outlay for that project was. We may not know every penny because since we're looking maybe at a September completion date, there might be a bill or two still to come in the door but for the most part we should have a good sense then of what that final outlay is. There are some areas where you'll see some sort of under-expensing and that's not because those areas have not been paid attention to by desire to not really pay attention to them. It's just that over the course of the year with some of the change in staff, the process of bringing me in the door, there was a lot going on and so some of the areas we normally would have seen expense and outlay just didn't occur because there's only so many hours in the day to do it but bottom line we're pretty much on track where we expected to be at the end."



## MEMORANDUM OF AGREEMENT REGARDING THE KAREN ABRAHAM COURTYARD

THIS MEMORANDUM OF AGREEMENT ("MOA") is made this 1st day of September 2016 ("Effective Date") by and between the Regents of the University of New Mexico, a constitutionally-created entity of the State of New Mexico ("UNM"); and, the University of New Mexico Alumni Association, a New Mexico non-profit corporation ("Association"), each sometimes referred to individually as a "Party" and collectively as the "Parties".

### RECITALS

WHEREAS, Association is an independent non-profit corporate entity dedicated to fostering mutually beneficial relationships between UNM and its alumni; and,

WHEREAS, the University has determined that the Alumni Association shall be the primary organization for developing and coordinating Alumni relations and activities for the University in consideration and adherence to policies as set by the Board of Regents; and

WHEREAS, Association desired, as a gift to the University, to refurbish an existing courtyard on the UNM campus to be known as the *Karen Abraham Courtyard* (the "Project"); and,

WHEREAS, Association stated its intent to raise private funding to cover a portion of the cost of the Project, with the balance of the cost to be paid from Association funds; and,

WHEREAS, UNM and Association desire to memorialize their respective obligations and expectations regarding the design, construction and ongoing maintenance of the construction phase of the Project,

### UNDERSTANDING

NOW THEREFORE, in consideration of the mutual premises and covenants contained herein, the Parties agree as follows:

1. Incorporation. The Recitals are hereby restated and incorporated herein as part of this MOU.
2. Obligations of the Parties.
  - a. Association agrees that the construction phase of the Project shall be designed, constructed, managed and maintained in accordance with all applicable UNM policies and procedures. In order to ensure consistency with UNM's Master Plan, promptly upon execution of this MOU, Association shall deliver all previously undelivered proposed plans, specifications, and drawings to UNM for review, comment and written approval.
  - b. Association shall work with an assigned UNM project manager who will oversee and coordinate the activities of the Association's design and construction vendors.
  - c. Promptly upon execution of this MOU, Association shall deliver all proposed budgets, financial plans, project contracts, payment schedules for expenditures and proformas related to the design, construction and ongoing maintenance of the construction phase of the Project which have not been previously delivered to UNM for review. Association acknowledges and agrees that UNM shall have no financial obligation (other than the normal compensation for its employees who are assigned to this project) or liability with regard to the design and construction of the Project.

- d. UNM and Association shall present to the Regents a written proposal for shared costs, if any, as a part of UNM's review of the proposed budget for the construction phase of the Project. No costs will be included for time spent by either the Association's or UNM's employees on this project, which time was spent during the normal course of such employee's employment.
  - e. Association agrees it will provide UNM documentation evidencing that it has adequate cash in place to complete the construction phase of the project.
  - f. UNM agrees that upon completion of the construction phase of the project, UNM will resume ongoing maintenance and care of its property. Costs for future repairs to this property shall be borne by the Alumni Association.
3. Term. With the exception of section 2(f), this MOA shall be for a term of one (1) year from the Effective Date unless the construction phase of the project is completed sooner than a year, in which case the MOA terminates. The contractor(s) on this project will determine when the project is complete. This MOA may be renewed upon mutual written agreement of the Parties.
4. Relationship of the Parties. The Parties shall be independent contractors of one another and nothing contained herein shall be deemed to create an agency, joint venture or partnership between the Parties. No Party has the power to bind or commit the other Party in any way.
5. Notices. All notices required under this MOU shall be in writing and shall be delivered to the following addresses, which may be modified in writing from time-to-time by a Party:

If to UNM: Associate Vice President of Institutional Support Services  
University of New Mexico  
1 University of New Mexico  
MSC05 3355  
Albuquerque, NM 87131  
Tel: (505) 277-2262

With a copy to:

Senior Deputy University Counsel  
University of New Mexico  
1 University of New Mexico  
MSC05 3440  
Albuquerque, NM 87131  
Tel: (505) 277-5035

If to Association: President  
University of New Mexico Alumni Association  
1 University of New Mexico  
MSC01 1160  
Albuquerque, NM 87131  
Tel: (505) 277-5808

6. Liability. Each Party acknowledges that it will be responsible for claims or damages arising from personal injury or damage to persons or property to the extent they result from negligence or willful misconduct of its employee, member or agent. The liability of UNM shall be subject in all cases to the immunities and limitations of the New Mexico Tort Claims Act, Section 41-4-1, *et seq.* NMSA 1978, as amended.

7. Governing Law; Venue. This MOU will be governed by the laws of the State of New Mexico. The Parties agree that the exclusive place of jurisdiction for any action, suit or proceeding relating to this MOU shall be in the state and federal courts sitting in the State of New Mexico.
8. Counterparts. This MOU may be executed in two or more counterparts, each of which shall be deemed to be an original, but both of which together shall constitute one and the same instrument.
9. Amendment. This MOU may be amended, upon mutual agreement of the Parties, by written agreement executed by each of the Parties.
10. Entire Agreement. This MOU contains the entire understanding between the Parties and will supersede all previous or contemporaneous communications, either verbal or written, between the Parties relating to this Project.


IN WITNESS WHEREOF, the Parties have executed this MOU intending to be bound as of the Effective Date.

UNM



\_\_\_\_\_  
David W. Harris,  
Executive Vice President for Administration

ASSOCIATION



Signature

\_\_\_\_\_  
James B Lewis  
Printed Name

\_\_\_\_\_  
President AA,  
Title