The Regents of the University of California met on the above date at UCSF-Laurel Heights, San Francisco.


In attendance: Regent-designate Sainick, Faculty Representatives Cowan and Viswanathan, Secretary Trivette, General Counsel Holst, Provost King, Senior Vice Presidents Darling and Mullinix, Vice Presidents Broome, Drake, Gomes, Gómez, and Hershman, Chancellors Cicerone, Dynes, Greenwood, Orbach, Tomlinson-Keasey, Vanderhoef, and Yang, Vice Chancellor Bainton representing Chancellor Bishop, and Recording Secretary Nietfeld

The meeting convened at 11:30 a.m. with Chairman S. Johnson presiding.

1. **APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

Upon motion duly made and seconded, the minutes of the meeting of May 16 and 17, 2001 were approved.

2. **REPORT OF THE PRESIDENT**

President Atkinson presented the report concerning University activities and individuals. Upon motion of Regent Davies, duly seconded, the President’s report was accepted, and it was directed that notes of thanks be sent to the donors of the gifts mentioned in the report, that congratulations be extended to those faculty and staff members who have been awarded honors, and that notes of sympathy and regret be sent to the families of those whose deaths were reported.

[The report was mailed to all Regents in advance of the meeting, and a copy is on file in the Office of the Secretary.]

At the President’s invitation, Ms. Carol Miller, the incoming Chair of the Council of University of California Staff Assemblies (CUCSA), presented the annual report on behalf of CUCSA’s present chair, Ms. Ginger Birkholm. Ms. Miller discussed the four areas on which the council focused during the past year: housing, communication, morale, and training. The housing work group identified housing needs of UC staff, efforts to assist staff with housing services, and transportation issues related to housing. The work group’s suggested actions will be forwarded to Senior Vice President Mullinix and to the Housing Task Force. The morale group looked at best practices for improving morale that exist at each UC location and identified morale enhancers such as recognition programs and a
waiver of the educational fee. The work group also identified morale drainers, including poorly trained supervisors and lack of respect. The training work group collected information on best practices from all of the campuses and laboratories, while the communication work group discussed the flow of information through the University system. Ms. Miller stressed the need to include staff in communications that are ordinarily conveyed only to faculty and students. In concluding, she urged the Regents to recognize the contributions that staff members make to the well being of the University.

At the President’s invitation, Faculty Representative Cowan presented his remarks as the outgoing chair of the Academic Council. Professor Cowan recalled his childhood roots in Kansas City, Missouri, followed by his matriculation at Yale University. Intrigued by the cultural and socioeconomic differences between the midwest and the east coast, he pursued an undergraduate degree and a Ph.D. in American studies. Professor Cowan recalled that he came to the Santa Cruz campus as a faculty member in 1969; he is the first chair of the Academic Council from that campus. He noted that, from his perspective as a student of American culture, the Board of Regents is a great American institution. Professor Cowan spoke of his pride in the system of shared governance, which is a hallmark of the University of California. He expressed appreciation for having had the opportunity to work with the members of the Board in support of the institution.

President Atkinson, Chairman Johnson, and Regent Kozberg commented on Faculty Representative Cowan’s contributions to the University. Chancellor Greenwood expressed her appreciation for his representation of the Santa Cruz campus.

3. REPORT OF THE COMMITTEE ON FINANCE

A. Authorization to Provide Interim Financing for UC Medical Centers for SB 1953 Projects to Be Funded Through State of California Lease Revenue Bonds

The Committee recommended that:

(1) The Treasurer be authorized to obtain interim financing not to exceed $75 million to finance a portion of the construction related to SB1953 projects at the University’s Medical Centers, subject to the following:

a. Interest only, based on the amount drawn, shall be paid on the outstanding balance during the construction period;

b. Repayment of the interim financing shall be from State Public Works Board lease revenue bonds; and

c. The general credit of The Regents shall not be pledged.
(2) The Officers of The Regents be authorized to provide a certification to the lender that interest paid by The Regents is excluded from gross income for purposes of federal income taxation under existing law.

(3) The Officers of The Regents be authorized to execute all documents necessary in connection with the above.

B. Proposed Increase in Nonresident Tuition for 2001-02

The Committee recommended that, effective with the fall term 2001, the Nonresident Tuition Fee be increased by $460 (4.5 percent) from $10,244 per nonresident student per year to $10,704 per nonresident student per year.

C. External Financing for the 2001-02 Universitywide Deferred Maintenance and Facilities Renewal Program

The Committee recommended that:

(1) Funding for the 2001-02 Universitywide Deferred Maintenance and Facilities Renewal Program be approved in an amount not to exceed $45 million from external financing.

(2) The Treasurer be authorized to obtain external financing in an amount not to exceed $45 million to finance the Universitywide Deferred Maintenance and Facilities Renewal Program, subject to the following conditions:

a. Average annual debt service shall not exceed $4 million (this limitation is intended solely as a limit on the amount of scheduled debt service and not as a limitation on the extent of the pledge on nonresident tuition income);

b. Repayment of the debt shall be from nonresident tuition income;

c. The general credit of The Regents shall not be pledged.

(3) The Officers of The Regents be authorized to provide certification that interest paid by The Regents is excluded from gross income for purposes of federal income taxation under existing law.

(4) The Officers of The Regents be authorized to execute all documents in connection with the above.
D. Approval of Student-Sponsored Increase in Student Government Fee, Berkeley Campus

The Committee recommended that, effective fall semester 2001, the Associated Students Fee at the Berkeley campus be increased by $17.00 from $10.50 per student per semester to $27.50 per student per semester for an annual fee of $55.00 per year.

E. Approval of Student-Sponsored Increase in Graduate Students Association Fee, Los Angeles Campus

The Committee recommended that, effective with the fall term 2001, the Graduate Students Association Fee at the Los Angeles campus be increased by $1.50 from $5.50 per graduate student per quarter to $7.00 per graduate student per quarter.

F. Approval of Student-Sponsored Increases in Student Fees, Riverside Campus

The Committee recommended that fees for students at the Riverside campus be approved as follows:

Undergraduate and graduate students:

Effective upon completion of the first phase of construction (estimated to be fall 2004), an increase of $90.00 per student per quarter in the existing Student Center (Commons) Fee from $20.00 to $110.00 per student per quarter.

Undergraduate students only:

Effective with the fall quarter 2001, a new fee of $2.00 per undergraduate student per quarter to support the campus newspaper, The Highlander.

Effective with the fall quarter 2001, an increase of $4.50 in the existing Associated Students Program Board Fee from $5.50 to $10.00 per undergraduate student per quarter.

G. Approval of Student-Sponsored Increase in Undergraduate Student Activity Fee, San Diego Campus

The Committee recommended that, effective with the fall quarter 2001, the Student Activity Fee assessed at the San Diego campus be increased from $20 to $21 per undergraduate student per quarter to establish the Academic Success Program as an Associated Students service.
H. **Establishment of a New Student Resource Building Fee, Santa Barbara Campus**

The Committee recommended that, effective with the fall quarter 2004, a new mandatory fee be established of $33.33 per student per quarter during the regular academic year and $21.49 per student during the summer for construction of a new Student Resource Building.

I. **Approval of Student-Sponsored Increase in Associated Students Fee, Santa Barbara Campus**

The Committee recommended that, effective with the fall quarter 2001, the Associated Students (A.S.) Fee at the Santa Barbara campus be increased by $2.25 per undergraduate student per quarter from $45.25 to $47.50 per undergraduate student per quarter as follows:

1. $1.50 per undergraduate student per quarter to support the A.S. Legal Resource Center.
2. $0.75 per undergraduate student per quarter to support the Isla Vista Community Improvement Fund.

J. **Authorization to General Counsel to Join the University as a Plaintiff in Patent-Related Litigation Brought by University Licensees**

The Committee recommended that the General Counsel be authorized to take all necessary steps in circumstances he deems appropriate to join The Regents of the University of California as a plaintiff in patent infringement and related litigation brought by licensees of the University.

Upon motion of Regent Preuss, duly seconded, the recommendations of the Committee on Finance were approved.

4. **REPORT OF THE COMMITTEE ON GROUNDS AND BUILDINGS**

A. **Adoption of Findings and Approval of Design, Veterinary Medicine 3A, Davis Campus**

The Committee recommended that, upon review and consideration of the environmental consequences of the proposed project as indicated in the “Veterinary Medicine Facilities Improvement Project Focused Tiered Environmental Impact Report” certified by The Regents in March 2001, The Regents adopt the Findings and approve the design of Veterinary Medicine 3A, Davis campus.
B. **Adoption of Mitigated Negative Declaration and Approval of Design, Sciences Laboratory Building, Davis Campus**

Upon review and consideration of the environmental consequences of the proposed project as indicated in the Initial Study/Mitigated Negative Declaration, the Committee reported:

1. Adoption of the Initial Study/Mitigated Negative Declaration, Mitigation Monitoring Program, and Findings.
2. Approval of the design of the Sciences Laboratory Building, Davis campus.

[Copies of the Initial Study/Mitigated Negative Declaration, Mitigation Monitoring Program, and Findings were mailed to all Regents in advance of the meeting, and copies are on file in the Office of the Secretary.]

C. **Adoption of Mitigated Negative Declaration and Approval of Design, Cal-(IT)² Facility, Irvine Campus**

Upon review and consideration of the environmental consequences of the proposed project as indicated in the Tiered Initial Study/Mitigated Negative Declaration, the Committee reported:

1. Adoption of the Tiered Initial Study/Mitigated Negative Declaration.
2. Adoption of the Findings and Mitigation Monitoring Program.
3. Approval of the design of the California Institute for Telecommunications and Information Technology Cal-(IT)², Irvine campus.

[Copies of the Tiered Initial Study/Mitigated Negative Declaration, Findings, and Mitigation Monitoring Program were mailed to all Regents in advance of the meeting, and copies are on file in the Office of the Secretary.]

D. **Certification of Environmental Impact Report, Amendment of Long Range Development Plan, and Approval of Design, College Infill Apartments, Santa Cruz Campus**

Upon review and consideration of the environmental consequences of the proposed project as indicated in the Environmental Impact Report, the Committee recommended that The Regents:
(1) Certify the Environmental Impact Report.

(2) Adopt the Findings, Statement of Overriding Considerations, and Mitigation Monitoring Program.

(3) Amend the 1988 Long Range Development Plan to change land designations to accommodate the Stevenson and Porter Infill apartment projects.

(4) Approve the design of the College Infill Apartments, Santa Cruz campus.

[The Environmental Impact Report, Findings, Statement of Overriding Considerations, and Mitigation Monitoring Program were mailed to all Regents in advance of the meeting, and copies are on file in the Office of the Secretary.]

Upon motion of Regent Kozberg, duly seconded, the recommendations of the Committee on Grounds and Buildings were approved.

5. REPORT OF THE COMMITTEE ON EDUCATIONAL POLICY

A. Dual Admissions Program

The Committee recommended approval of the Dual Admissions Proposal, as approved by the Board of Admissions and Relations with Schools and adopted by the Assembly of the Academic Senate on May 23, 2001, as follows:

Effective for students applying to the University for Fall 2003, the Dual Admissions Program (DAP) would become an additional path to the University of California, over and above the means that currently exist, which would guarantee UC admission to specified high school graduates following completion of lower-division requirements at a California Community College. DAP would identify high school graduates within the top 12.5 percent in each school who are not UC-eligible for freshman admission (i.e., students who are not UC-eligible using Statewide criteria and who are not in the top 4 percent of their high school class), but who wish to attend a UC campus following completion of lower-division work at a California Community College.

This recommendation is adopted with the understanding that, in implementing the proposal, the administration ask that the faculty carefully examine the issues of minimum grade point average requirement, implications for those 4 percent of students eligible in the local context, and resources available for the program’s support, and that the President recommend to The Regents any appropriate adjustments as needed.
B. Authorization for Formation under Mexican Law of Casa de California en Mexico as Center for University of California Activities in Mexico

The Committee recommended that:

(1) The President, after consultation with General Counsel, be authorized to establish in Mexico an affiliate of the The Regents of the University of California (University of California) for the purpose of facilitating the University of California’s missions of education, research, and public service, with such affiliate (Association) to be controlled by the University of California and be subject to the general overall responsibility of the Provost and Senior Vice President–Academic Affairs.

(2) The Secretary be authorized to execute, after approval of the President and in consultation with the General Counsel, all documents and agreements required by Mexican law to be executed by the Secretary in connection with the organization and operation of the Association, as well as any modifications, addenda, or amendments to such documents as, under Mexican law, are required to be executed by the Secretary.

(3) The President be authorized to approve and, as appropriate, then to either execute or to delegate for execution by the Director of the Association, after consultation with the General Counsel, all documents and agreements necessary in connection with the operation of the Association, as well as any modifications, addenda, or amendments to the documents (collectively “amendments”), so long as such amendments do not substantially alter the basic terms of this authorization or significantly increase the University of California’s risk.

(4) The President be authorized to approve, after consultation with the General Counsel, and as appropriate, then to cast the vote, or delegate the casting of the vote, of the University of California as a Founding Partner of the Association in matters requiring the vote of the Founding Partners.

(5) In no event shall the general credit of the University of California be pledged by the Association.

Upon motion of Regent Montoya, duly seconded, the recommendations of the Committee on Educational Policy were approved, Regents S. Johnson, Lee, and Preuss voting “no” on Item A.

6. REPORT OF THE COMMITTEE ON GROUNDS AND BUILDINGS AND THE COMMITTEE ON FINANCE
A. Amendment of the Budget for Capital Improvements and the Capital Improvement Program, Hearst Memorial Mining Building Seismic and Program Improvements, Berkeley Campus

With the concurrence of the Committee on Finance, the Committee on Grounds and Buildings recommended that the 2001-02 Budget for Capital Improvements and the 2001-04 Capital Improvement Program be amended to reflect the following changes:

From: Berkeley: Hearst Memorial Mining Building Seismic and Program Improvements – preliminary plans, working drawings, construction, and equipment – $67,600,000 to be funded from State funds ($34,442,000) and gifts ($33,158,000).

To: Berkeley: Hearst Memorial Mining Building Seismic and Program Improvements – preliminary plans, working drawings, construction, and equipment – $80,615,000 to be funded from State funds ($34,442,000), gifts ($33,158,000), and campus funds ($13,015,000).

B. Amendment of the Budget for Capital Improvements and the Capital Improvement Program, Sciences Laboratory Building, Davis Campus

With the concurrence of the Committee on Finance, the Committee on Grounds and Buildings recommended that the 2001-02 Budget for Capital Improvements and the 2001-04 Capital Improvement Program be amended as follows:

From: Davis: Sciences Laboratory Building – preliminary plans, working drawings, construction, and equipment – $48,850,000 to be funded from State funds ($48,510,000) campus funds ($170,000), and funds available to the President ($170,000).

To: Davis: Sciences Laboratory Building – preliminary plans, working drawings, construction and equipment – $56,715,000 to be funded from State funds ($48,170,000), campus funds ($4,871,000), gift funds ($3,504,000), and funds available to the President ($170,000).

C. Amendment of the Budget for Capital Improvements and the Capital Improvement Program and Approval of External Financing for Segundo Commons Replacement, Davis Campus

(1) With the concurrence of the Committee on Finance, the Committee on Grounds and Buildings recommended that the 2001-02 Budget for Capital Improvements and the 2001-04 Capital Improvement Program be amended to include the following project:
Davis: Segundo Commons Replacement – preliminary plans, working drawings, and construction – $22,843,000 to be funded from campus UCHS Net Revenues ($9,500,000) and external financing ($13,343,000).

(2) The Committee on Finance recommended that the Treasurer be authorized to obtain financing not to exceed $13,343,000 to finance the Segundo Commons Replacement, subject to the following conditions:

a. Interest only, based on the amount drawn down, shall be paid on the outstanding balance during the construction period;

b. As long as the debt is outstanding, University of California Housing System fees shall be established at levels sufficient to meet all requirements of the University of California Housing System Revenue Bond Indenture, and to provide excess net revenues sufficient to pay the debt service and to meet the related requirements on this proposed financing; and

c. The general credit of The Regents shall not be pledged.

(3) The Officers of The Regents be authorized to provide certification to the lender that interest paid by The Regents is excluded from gross income for purposes of federal income taxation under existing law.

(4) The Officers of The Regents be authorized to execute all documents necessary in connection with the above.

D. Amendment of the Budget for Capital Improvements and the Capital Improvement Program and Amendment of External Financing Authorizations for Westwood Replacement Hospital and Santa Monica/Orthopaedic Replacement Hospital and Parking Structure, Los Angeles Campus

(1) With the concurrence of the Committee on Finance, the Committee on Grounds and Buildings recommended that the 2001-02 Budget for Capital Improvements and the 2001-04 Capital Improvement Program be amended as follows:

From: Los Angeles: Westwood Replacement Hospital – preliminary plans, working drawings, construction, and equipment – $672.7 million to be funded from federal funds ($432.9 million), State matching funds ($44.1 million), and gift funds and State lease revenue bond funds ($195.7 million).
To: Los Angeles: Westwood Replacement Hospital – preliminary plans, working drawings, construction, and equipment – $672.7 million to be funded from federal funds ($432.9 million), State matching funds ($44.1 million), State lease revenue bond funds ($125 million), and gift funds ($70.7 million).

From: Los Angeles: Santa Monica/Orthopaedic Replacement Hospital and Parking Structure – preliminary plans, working drawings, construction, and equipment – $230,861,000 to be funded from federal funds ($72,200,000), hospital reserves ($14,900,000), and gift funds and State lease revenue bond funds ($143,761,000).

To: Los Angeles: Santa Monica/Orthopaedic Replacement Hospital and Parking Structure – preliminary plans, working drawings, construction, and equipment – $230,861,000 to be funded from federal funds ($72,200,000), hospital reserves ($14,900,000), State lease revenue bond funds ($55,000,000) and gift funds ($88,761,000).

(2) The Committee on Finance recommended that the Treasurer be authorized to obtain stand-by financing not to exceed $25 million, and interim financing not to exceed $66.1 million, for a total of $91.1 million for gift funds not received at this time and subject to the following conditions:

a. Interest only, based on the amount drawn down, shall be paid on the outstanding balance during the construction period;

b. Repayment of any financing shall be from gift funds and in the event such gift funds are insufficient, from the Los Angeles campus’ share of the University Opportunity Funds;

c. The general credit of The Regents shall not be pledged.

(3) The Officers of The Regents be authorized to provide a certification to the lender that interest paid by The Regents is excluded from gross income for the purpose of federal income taxation under existing law.

(4) The Officers of The Regents be authorized to execute all documents necessary in connection with the above.

Upon motion of Regent Preuss, duly seconded, the recommendations of the Committees on Grounds and Buildings and Finance were approved.
SECRETARY TRIVETTE reported that, in accordance with authority previously delegated by the Regents, interim action was taken on routine or emergency matters as follows:

A. The Chairman of the Board, the Chair of the Committee on Grounds and Buildings, the Chair of the Committee on Finance, and the President of the University concurred in the following recommendations:

(1) **Amendment of the Budget for Capital Improvements and the Capital Improvement Program, and Approval of Financing for Acosta Athletic Training Center Renovation and Expansion Project, Los Angeles Campus**

a. That the President amend the 2000-01 Budget for Capital Improvements and the 2000-03 Capital Improvement Program to include the following project:

   Los Angeles: Acosta Athletic Training Center Renovation and Expansion – preliminary plans, working drawings, and construction – $13.6 million to be funded from Intercollegiate Athletics Reserves ($6 million) and gift funds ($7.6 million).

b. That the President approve and the Treasurer be authorized to obtain standby financing not to exceed $5 million and interim financing not to exceed $2.6 million, if necessary, prior to awarding a construction contract for any gift funds not received by that time and subject to the following conditions:

   i. interest only, based on the amount drawn down, shall be paid on the outstanding balance during the construction period;

   ii. repayment of any financing shall be from gift funds, and in the event such gift funds are insufficient, repayment of the debt would be from net revenues of the Department of Intercollegiate Athletics; and

   iii. the general credit of The Regents shall not be pledged.

c. The Officers of The Regents be authorized to provide certification to the lender that interest paid by The Regents is excluded from gross income for purposes of federal income taxation under existing law.

d. The Officers of The Regents be authorized to execute all documents necessary in connection with the above.
(2) **Amendment of the Budget for Capital Improvements and the Capital Improvement Program for Barker Hall Renovations, Berkeley Campus**

The President amend the 2001-02 Budget for Capital Improvements and the 2001-04 Capital Improvement Program as follows:

From: Berkeley: Barker Hall Renovations – preliminary plans, working drawings, and construction – $9,500,000, to be funded from campus funds.

To: Berkeley: Barker Hall Renovations – preliminary plans, working drawings, and construction – $12,518,000, to be funded from campus funds.

(3) **Amendment of the Budget for Capital Improvements and the Capital Improvement Program for Seismic Safety Corrections, Barker Hall, Berkeley Campus**

The President amend the 2001-02 Budget for Capital Improvements and the 2001-04 Capital Improvement Program as follows:

From: Berkeley: Seismic Safety Corrections, Barker Hall – preliminary plans, working drawings, construction, and equipment – $16,139,000, to be funded from State funds ($13,946,000) and campus funds ($2,193,000).

To: Berkeley: Seismic Safety Corrections, Barker Hall – preliminary plans, working drawings, construction, and equipment – $18,121,000, to be funded from State funds ($13,946,000) and campus funds ($4,175,000).

(4) **Amendment of the Budget for Capital Improvements and the Capital Improvement Program, and Approval of External Financing for Wooden West Addition, Los Angeles Campus**

a. That the President amend the 2000-01 Budget for Capital Improvements and the 2000-03 Capital Improvement Program to include the following project:

Los Angeles: Wooden West Addition – preliminary plans, working drawings, and construction – $12,685,000 to be funded from student registration fees ($1,208,000) and external financing ($11,477,000).
b. That the President approve and the Treasurer be authorized to obtain financing not to exceed $11,477,000 prior to awarding a construction contract and subject to the following conditions:

i. interest only, based on the amount drawn down, shall be paid on the outstanding balance during the construction period;

ii. repayment of the debt shall be from the Student Programs, Activities, and Resource Complex Fee approved by student vote in May 2000 and by The Regents in November 2000, and a portion of the Los Angeles campus University Registration Fee, which shall generate net revenue sufficient to pay debt service and to meet all related financing requirements; and

iii. the general credit of The Regents shall not be pledged.

c. The Officers of The Regents be authorized to provide certification to the lender that interest paid by The Regents is excluded from gross income for purposes of federal income taxation under existing law.

d. The Officers of The Regents be authorized to execute all documents necessary in connection with the above.

B. The Chairman of the Board and the President of the University approved the following recommendation:

Approval of Indemnification, Cargill Inc., Santa Barbara Campus

That the President be authorized to execute an agreement with Cargill, Inc., a corporate landowner in the San Jose area, that contains indemnification language that might require assumption by the University of third-party liability, authority for which is reserved to The Regents under Standing Order 100.4(dd)(9).

8. REPORT OF PERSONNEL ACTIONS

In accordance with Bylaw 14.7(b), Secretary Trivette reported the following personnel actions taken at the May 16-17, 2001 meetings. There were no roll call votes on these actions.

A. Appointment of John P. McTague as Vice President–Laboratory Management, Office of the President, 100 percent, effective June 1, 2001.
B. Appointment of Goenawan Mohamad as Regents’ Professor, Department of History and the Center for Southeast Asian Studies, Los Angeles campus, for the Fall Quarter of the 2001-02 academic year.

9. REPORT OF COMMUNICATIONS

Secretary Trivette presented summaries of communications received subsequent to the May 2001 meeting. The residency appeals will be referred to General Counsel Holst, and the remaining communications will be referred to President Atkinson for response as appropriate.

10. NEW BUSINESS

A. Report of the President

President Atkinson reported that on the dates indicated, the following informational reports were mailed to The Regents or to Committees:

To Members of the Committee on Health Services


The Regents of the University of California


(7) A copy of the most recent publication from the Office of Research concerning research on UC campuses made possible by funding from the National Science Foundation. June 21, 2001.
B. Remarks of Regents

Regent Connerly suggested the need for more pro and con background information on matters presented to the Regents rather than only an advocacy position from the administration. Regent S. Johnson asked that more controversial items discuss the alternatives that were considered before the recommendation is presented to the Regents in order to provide a better basis on which to ask questions. Regent Hopkinson suggested that, rather than pro and con arguments, the items should be more analytical. Regent Kozberg noted the need for the Regents to understand what impacts recommendations made by the President would have, including financial ones.

The meeting adjourned at 12:00 noon.

Attest:

Secretary