

The Regents of the University of California

SPECIAL COMMITTEE ON REGENTS' PROCEDURES

July 18, 2002

The Special Committee on Regents' Procedures met on the above date at UCSF-Laurel Heights, San Francisco.

Members present: Regents Atkinson, Davies, Kozberg, Lansing, Marcus, Moores, and Preuss

In attendance: Regents Connerly, Hopkinson, Johnson, Lee, Ligot-Gordon, Lozano, Montoya, Parsky, Sainick, Sayles, and Terrazas, Regents-designate Bodine and Seigler, Faculty Representatives Binion and Viswanathan, Associate Secretary Shaw, General Counsel Holst, Treasurer Russ, Provost King, Senior Vice Presidents Darling and Mullinix, Vice Presidents Broome, Drake, Gurtner, and Hershman, Chancellors Berdahl, Carnesale, Cicerone, Córdova, Dynes, Tomlinson-Keasey, and Vanderhoef, Executive Vice Chancellor Kelly representing Chancellor Bishop, Vice Chancellor Michaels representing Chancellor Greenwood, and Recording Secretary Nietfeld

The meeting convened at 10:25 a.m. with Special Committee Chair Davies presiding.

1. APPROVAL OF MINUTES OF PREVIOUS MEETING

Upon motion duly made and seconded, the minutes of the meeting of May 16, 2002 were approved.

2. AMENDMENT OF REGENTS' POLICY ON APPEARANCES BEFORE THE BOARD AND COMMITTEES - PUBLIC COMMENT PERIOD, AND DISCUSSION OF FUTURE CHANGES TO REGENTS MEETINGS AND REGENTS' PROCEDURES

The President recommended that the Policy on Appearances Before the Board and Committees – Public Comment Period be amended to provide as follows:

Members of the public are invited to address The Regents of the University of California whenever The Regents or any of its Committees meets in open session in accordance with the guidelines below. In addition, written communications to The Regents are always welcome.

- A. On any day that The Regents or any of its Committees meets in open session, the first open meeting will be a twenty-minute meeting of the Committee of the Whole for the purpose of hearing public comment. Individual speakers will be permitted to speak for up to three minutes, depending on the number of individuals who have signed up to speak.

- B. In order to accommodate those individuals wishing to speak when more people have signed up to address the Committee than can be heard, the Chairman may adjust the procedures at his/her discretion.
- C. Speakers at the public comment sessions may address any University-related matter. When signing up to speak, speakers will identify the matter they wish to address.
- D. A sign-up sheet is used to record those who wish to address the Committee of the Whole. Anyone who wishes to speak may call the Office of the Secretary after the Notice of Meeting for the Regents' meeting has been published or may sign up on the day of the meeting. The sign-up sheet is made available at the meeting location at least one hour before the public comment period is scheduled, and members of the public must sign up prior to that scheduled time.
- E. Three or more speakers may pool their time to provide up to seven minutes for a group representative. Those individuals intending to yield their time must be present at the meeting when their names are called to confirm their willingness to do so. If individual speaking times are reduced at the meeting, pooled times will also be reduced. Individuals who speak for less than their allotted time may not yield their remaining time to another speaker.
- F. Written comments and materials brought for The Regents by speakers will be accepted during public comment and be available to The Regents during the duration of the meeting.

Appearances Before the Board and Committees - Public Comment Period

It was recalled that in January 1995 The Regents approved the policy on appearances before the Board to comply with changes to the Bagley-Keene Open Meeting Law. The policy was amended in September 1997 to provide more options to the public who wished to address The Regents. These options included the ability to pool speakers' time and the opportunity to speak on any University-related topic at a designated public comment period. The proposed policy increases flexibility by allowing members of the public to speak on any University-related matter at any of the scheduled public comment periods. Unlike the current policy, the proposed policy does not specify days of the week or times of the day that the public comment periods will be held. It specifies that the Chairman may adjust procedures if the number of speakers signed up to speak appears to exceed the time allotted for the meeting.

Regent Marcus stressed the importance of maintaining an open mind with respect to input from the public. He supported the provision of the policy that would permit the chair to extend public comment when warranted.

Proposed Future Changes to Regents Meetings and Regents' Procedures

Senior Vice President Mullinix informed the Special Committee that, with the general goal of improving the efficiency of Regents meetings and making better use of the time that Regents devote to the meetings, the following proposals are presented for consideration and discussion. The proposals presented here do not require any action by The Regents. With the Regents' concurrence, these suggestions will gradually be implemented in the future. During the upcoming year, additional proposals will be considered to further streamline the Regents meeting and item process.

Regents' Items and Distribution

In addition to Committee and meeting structure, several streamlining and efficiency measures are being considered for the production and distribution of Regents' items. Among the ideas being discussed are earlier mailing dates for the distribution of items to Regents; an overall reduction of item length, complexity, and bulk; simpler and more streamlined packaging of items and materials; the distribution of Environmental Impact Reports and other lengthy documents on compact disks; the inclusion of executive summaries for items; and the addition of organizational information and other useful information in Regents' item packets.

Mr. Mullinix pointed out that the quality of the information that is provided to the Regents would be reduced if materials are mailed too far in advance of the meeting.

It is intended that these kinds of changes will be discussed further and implemented as soon as possible.

Regent Hopkinson suggested that the focus of the administration's efforts should be to provide the Regents with more opportunity to consider significant, long-term issues.

Regent Marcus suggested that the Notice of Meeting also include topics on the agendas of upcoming meetings.

Regent Lansing believed that the Regents would be willing to devote more energy to substantive issues, while transactional matters should be handled more efficiently.

Regent Lozano believed that the President's recommendations should include commentary on the effects of the decisions that are made by The Regents, including both the benefits and the potential negative consequences.

Committee Structure

Regent Davies explained that it had been proposed that the Standing Committees be restructured to consider more efficiently the kinds of items and issues that require Committee

review. Standing Committees would meet concurrently during the first day of the regularly scheduled Regents meetings. The concurrent meetings would be structured so that Regents could select their Committee membership accordingly. Major policy issues and items of major significance, such as the budget and admissions, would be referred to the Board meeting as a Committee of the Whole following the concurrent Committee meetings.

Consideration will also be given to restructuring the meetings of the Investment Advisory Committee and the Committee on Investments, as well as the Design Review Group and the Committee on Grounds and Buildings and to having the Committee on Audit meet off schedule.

The eventual goal of these proposals is to assure that adequate Regental consideration is focused on the significant issues facing the University, while reducing regularly scheduled meeting times. Any changes in the structure and charges of the Standing Committees would require amendments to the Bylaws.

Regent Lansing believed that the revised committee structure would promote efficiency. She suggested that discussions of major topics take place in small groups.

Regent Preuss did not support the concept of having some committees meet separately from regularly scheduled Regents meetings due to logistical considerations. One notable exception would be the Committee on Health Services, which should become familiar with the University's medical centers and their personnel.

Regent Terrazas recalled that when The Regents met more frequently there were more opportunities for the Board members to remain up to date on the University's business. He agreed with the need to strengthen the committee structure and to having the flexibility for committees to meet off cycle.

Regent Hopkinson suggested that if two meetings are scheduled to meet concurrently, the Committee Chairs should be prepared to make meaningful reports to the full Board. She believed that important policy matters to be considered by the Board would benefit from initial, in-depth consideration by a Standing Committee. She concurred with the suggestion that off-cycle meetings would need to occur and supported attention in particular to the Committee on Audit.

Regent Kozberg also supported the concept of committees meeting separately, particularly in light of the timing of the University's work flow. She believed that the proposal would make the Regents more accountable while also providing the opportunity for more public testimony.

Regent Connerly suggested that outside experts should be invited to present testimony during Committee meetings. He also believed that Regents with expertise should be able to

attend the meetings of Committees they do not serve on in order to avoid duplicate discussions at the Board level.

Regent Sayles suggested that the administration explore ways in which Regents could participate in Committee meetings by teleconference.

Regent Ligot-Gordon believed that the Board, rather than the Committee Chairs, should have the discretion to determine which items are brought before the Committee of the Whole.

Regent Marcus suggested that the role of the Committee Chairs and Vice Chairs should be strengthened, with the Vice Chair succeeding the Chair over a four-year cycle. He referred to the many long-term issues facing the University and suggested that a committee on planning and strategy be established.

Regent Montoya felt that the scheduling of concurrent committee meetings would prevent the Regents from becoming informed about the issues in which they may have a special interest. She shared the concern which had been expressed in the public comment period about the ability of the public to learn about the Regents' deliberations from the press if more than one meeting is held at a time.

Regent Davies noted that the Special Committee's discussion evidenced enough interest on the part of the Regents for the administration to proceed with the suggestions that had been outlined by Senior Vice President Mullinix.

(For speaker's comments, see the July 18, 2002 minutes of the Committee of the Whole.)

Upon motion duly made and seconded, the Special Committee approved the President's recommendation and voted to present it to the Board.

3. **DISCHARGE OF THE SPECIAL COMMITTEE ON UC MERCED**

Chairman Moores recommended that the Special Committee on UC Merced be discharged, effectively immediately.

It was recalled that the Special Committee on UC Merced was established by The Regents in July 1997 as the Special Committee on the Tenth Campus. The Special Committee was asked to provide oversight on issues related to the development of the tenth campus. The term of the special committee was to continue until action was taken by The Regents to discharge it.

Since its establishment the special committee has met several times per year to receive status reports on planning for UC Merced. By 1999 a Chancellor had been appointed for the new campus, and by 2000 the recruitment of key administrators was under way. In May 2002,

the State Public Works Board approved funding for the construction of Phase 1 of the Merced campus.

Given these developments, Chairman Moores believes that it is now appropriate for UC Merced to receive the same Standing Committee consideration as do the University's other nine campuses. Henceforth, actions and discussions relating to UC-Merced will be conducted within current standing committee meetings. Chancellor Tomlinson-Keasey concurs with this recommendation.

Upon motion duly made and seconded, the Special Committee approved the recommendation and voted to present it to the Board.

The meeting adjourned at 11:00 a.m.

Attest:

Associate Secretary