

**THE REGENTS OF THE UNIVERSITY OF CALIFORNIA  
MEETING AS A COMMITTEE OF THE WHOLE**

July 16, 2009

The Regents of the University of California met on the above date at UCSF–Mission Bay Community Center, San Francisco

Members present: Regents Bernal, Blum, De La Peña, Garamendi, Gould, Island, Johnson, Kieffer, Kozberg, Lansing, Lozano, Makarechian, Nunn Gorman, Reiss, Ruiz, Stovitz, Varner, Wachter, Yudof, and Zettel

In attendance: Regents-designate Cheng and DeFreece, Faculty Representatives Croughan and Powell, Secretary and Chief of Staff Griffiths, Associate Secretary Shaw, General Counsel Robinson, Chief Investment Officer Berggren, Chief Compliance and Audit Officer Vacca, Interim Provost Pitts, Executive Vice Presidents Lapp and Taylor, Senior Vice Presidents Dooley and Stobo, Vice Presidents Beckwith, Duckett, Lenz, and Sakaki, Chancellors Bishop, Block, Blumenthal, Drake, Fox, Kang, White, and Yang, and Recording Secretary Harms

The meeting convened at 8:35 a.m. with Chairman Gould presiding.

**PUBLIC COMMENT**

Chairman Gould explained that the Board had been convened as a Committee of the Whole to in order to permit members of the public an opportunity to address University-related matters. The following persons addressed the Committee.

1. Ms. Taye Oda of Berkeley recounted her agony and despair when her family was sent to an internment camp in Topaz, Utah for four years following the attacks of December 7, 1942. At the time, she had six units to complete at UC Berkeley, and was in the library studying for her final exams. Ms. Oda recalled that it took fifty years for her to finish her six units; she completed one unit at time while working for the Berkeley Unified School District, raising her five children, and caring for her mother-in-law. In 1992, she tearfully received her diploma from Berkeley with her family and husband in attendance.
2. Ms. Carolyn Miyakawa Adams, who graduated from UC Berkeley in 1957, commented that the education and experience she received there exceeded all of her expectations. Though delighted that her brother, sister, and son were all able to attend Berkeley, she expressed her profound sorrow that the interred Japanese American students, numbering approximately 700 men and women from four UC campuses, were excluded from her experience. Furthermore, she asserted, many were not ever able to complete college because of the hardships encountered when starting life anew after leaving the camps. Referring back to a 1992 ceremony hosted by then-Chancellor Tien for students who were

interned in 1942 and missed their graduation because of the internment, she asked that the Regents suspend the moratorium on granting honorary degrees.

3. Mr. Victor Sanchez, student at UC Santa Cruz and representative of the University of California Student Association, spoke about the nation's unfortunate history of marginalization and discrimination and recognized the struggle faced during World War II by Japanese Americans whose lives were disrupted by Executive Order 9066. He urged the Regents to play a critical role in redressing the wrongs the Japanese American community had to endure and grant the formerly-interned students honorary degrees.
4. Mr. Manuel Perry, retiree from Lawrence Livermore National Laboratory (LLNL), expressed his dissatisfaction with some of the recent changes to the Laboratory's health benefits for retirees. He explained that in 2007, management of the retiree health benefits for lab employees was transferred from UC to Lawrence Livermore National Security (LLNS). At the time, employees were assured that retirement benefits would remain substantially equivalent to those at the UC campuses. In 2008, LLNS modified the contract, and retiree benefits were drastically reduced in value and accessibility; in addition, some retirees who do not qualify for Medicare may potentially lose all of their coverage. Mr. Perry asserted that LLNL employees were told by the Office of the President that if they retired while UC managed the Laboratory, their benefits would remain comparable to UC benefits; because of this, many high-level managers and renowned scientists stayed with LLNL instead of leaving for positions with higher compensation. He asked the Regents to review the differences in retirement benefits and take corrective action.
5. Mr. John Holtzrichter, LLNL retiree, explained that the dilemma regarding health care benefits could be resolved without financial peril to the University. As a UC employee of 28 years, he recalled that the Regents originally worked hard to ensure that the Laboratory's employee benefits would be held substantially equal to those of other UC employees. However, the LLNL benefits dropped to the lowest of those in the Department of Energy (DOE) complex, a reduction of \$2,500 per retiree. Mr. Holtzrichter remarked that the DOE is likely saving approximately \$10 million annually through this process, but that this savings is causing anguish to the retirees and is having a very negative impact on UC. He asked the Regents to help regain the benefits the LLNL retirees deserve.
6. Mr. Bill Kidder, Assistant Executive Vice Chancellor at UC Riverside and co-chair of the task force that brought forth the recommendation to grant honorary degrees to those interned during World War II, remarked that the granting of the degrees would be a great accomplishment for the University of California. Remarking that the awards were long overdue, Mr. Kidder noted that UC can now embrace the Japanese American students who were exiled from the University community and can also embrace its own proud and honorable history of having non-discrimination as a core value.
7. Mr. Steven Tadelis, associate professor at the Haas School of Business, remarked that according to *U.S. News and World Report*, Berkeley and UCLA rank twenty-first and

twenty-fifth among all undergraduate colleges, and rank first and third among all public schools. When academic research is the primary determinant, the Berkeley graduate school ranks within the top three in dozens of disciplines. Mr. Tadelis emphasized that the highest-paid faculty are those who are worth the most, yet they are the individuals who will suffer the largest pay cuts according to the proposed salary reduction plan. He opined that the University's reputation will suffer as faculty leave for better salaries at competing institutions. While he appreciated President Yudof's desire for fairness in the proposal, he argued that in this instance, fairness and high quality would be at odds. He urged the Regents to explore other options and not to vote in favor of the salary reduction proposal.

8. Mr. Adrian Drummond-Cole, program and administrative associate from Tri-Valley CARES, a Livermore-based non-profit that has monitored the programs and practices of LLNL for over 25 years, remarked that he was once again before the Regents to ask that UC completely and immediately sever its relationship with the national nuclear weapons laboratories. In addition to the previously-mentioned commitment to Laboratory retirees, Mr. Drummond-Cole stated that UC should compensate employees and retirees suffering from terminal cancers, chronic beryllium disease, and other ailments that are a result of their service to the laboratories. He asked the Regents to consider their legacy with respect to the creation of weapons.
9. Mr. Duane DeWitt, armed forces veteran, informed the Regents that he had graduated last year from UC with two Master's degrees and remarked that Berkeley has an excellent program for re-entry students that is now focused on helping veterans. He named the Coordinator of Re-entry Student Programs and Services, Ronald Williams, as an individual who helped him while he was a student. He stressed the importance of the service veterans have provided the country and cautioned that extremely low-income veterans would find attending the University very difficult if the University cuts the Re-entry Center's services and budget. He asked that the Regents help with career counseling for veterans and for newly-emancipated foster youth, especially those in extreme financial emergencies.
10. Mr. Carl Walter, a LLNL retiree and UC retiree, remarked that he has been in correspondence with President Yudof and Executive Vice President Lapp, presenting to them the paperwork he received upon retirement in 1991 regarding his health coverage from the University. He questioned how any action taken after 1991 could impact his benefits. Mr. Walter and many members of his family have attended or are attending UC campuses. He asked that the Regents keep the Laboratory's benefits aligned with those of the University of California.
11. Mr. Steve Swierkowski, a LLNL retiree, informed the Regents that he had worked for UC for 33 years and was quite disturbed about the change in medical benefits. He asserted that since the contract change, medical benefits have substantially deteriorated. Mr. Swierkowski stated that a contract that does not treat retirees equally is morally and legally incorrect. He urged the Regents to seriously consider the effect that these changes are having on thousands of very loyal retired University staff members.

President Yudof recalled that the appointment of a new Staff Advisor is one that the President makes every year. Juliann Martinez, his new appointee, is a long-time employee of the University and graduated from UC Berkeley in 1987. She is the Director of Gift Management at UCB and serves as the chief gift policy advisor for the campus.

The meeting adjourned at 9:05 a.m.

Attest:

Secretary and Chief of Staff