

The Regents of the University of California

COMMITTEE ON GROUNDS AND BUILDINGS

May 17, 2011

The Committee on Grounds and Buildings met on the above date at UCSF–Mission Bay Community Center, San Francisco.

Members present: Regents DeFreece, Hime, Johnson, Makarechian, Ruiz, Schilling, and Zettel; Ex officio member Yudof; Advisory members Hallett and Anderson

In attendance: Regents Mireles and Varner, Faculty Representative Simmons, Associate Secretary Shaw, General Counsel Robinson, Chief Investment Officer Berggren, Provost Pitts, Executive Vice Presidents Brostrom and Taylor, Senior Vice President Dooley, Vice Presidents Beckwith and Lenz, Chancellors Birgeneau, Block, Blumenthal, Kang, and White, Laboratory Director Anastasio, and Recording Secretary McCarthy

The meeting convened at 11:00 a.m. with Committee Chair Schilling presiding.

1. **PUBLIC COMMENT**

Committee Chair Schilling explained that the public comment period permitted members of the public an opportunity to address University-related matters. The following persons addressed the Committee concerning the items noted:

A. Mr. Andrew Wiegel, an attorney representing 2655 Bush LLC, owner of a property adjacent to the site of the proposed Mount Zion Parking Garage, stated that he had submitted a set of written documents. Those documents were distributed to the Regents. Mr. Wiegel expressed his client's opposition to the proposed Mount Zion Parking Garage for four main reasons: (1) failure to comply with public bidding requirements; (2) inappropriate attempt to exercise the exemption from local control; (3) improper segmentation of the project; and (4) a *fait accompli* approval in violation of the California Environmental Quality Act (CEQA).

Mr. Wiegel expressed his position that the proposed parking garage was in fact the third phase of the Osher Building project, rather than a separate project. He stated that the Environmental Impact Report (EIR) was based on the original project that had since tripled in size without a meaningful environmental review.

B. Mr. Nigel Guest, member of Stand Up for Berkeley! and the Council of Neighborhood Associations, stated that the EIR addendum regarding the Berkeley campus Electrical Switching Station 6 was vague and inadequate, with insufficient documentation regarding seismic, electromagnetic field, and traffic

considerations. Mr. Guest also expressed concern about the claim that the project was not subject to the Alquist-Priolo Earthquake Fault Zoning Act, given the 2001 study by Geomatrix Consultants indicating that the area may be seismically active. He also questioned whether the proposed building would be unoccupied, given that the design included two exit stairways and a bathroom.

- C. Mr. Hank Gehman stated his opinion that the University was improperly substituting a CEQA addendum for an EIR for the Berkeley Electrical Switching Station 6. He noted that this was a significant project, which may be in violation of the Alquist-Priolo Earthquake Fault Zoning Act, and which should have its own EIR to provide opportunity for public comment. Mr. Gehman expressed concern about the emphasis on improving California Memorial Stadium (CMS), the proximity of the stadium to the Hayward fault, and the financing of stadium improvements.
- D. Ms. Gene Bernardi expressed concern about the proposal to build the Berkeley Electrical Switching Station 6 adjacent to Stern Hall, a historic structure listed in the state Historical Resources Inventory and eligible for the National Register of Historic Places. She stated her opinion that this project required a supplementary EIR to the 2020 Long Range Development Plan (LRDP) under CEQA to address its significant aesthetic impact and significant hazards such as possible elevated electrical fields.

2. APPROVAL OF MINUTES OF PREVIOUS MEETING

Upon motion duly made and seconded, the minutes of the meeting of March 15, 2011 were approved.

3. CONSENT AGENDA

- A. *Amendment of the Budget for Capital Improvements and the Capital Improvement Program and Approval of External Financing, CHS South Tower Seismic Renovation, Los Angeles Campus*

The President recommended that:

- (1) The 2010-11 Budget for Capital Improvements and the Capital Improvement Program be amended as follows:

From: Los Angeles: CHS South Tower Seismic Renovation – preliminary plans, working drawings, and construction – \$219,902,000, to be funded from State funds (\$128,953,000) and campus funds (\$90,949,000).

To: Los Angeles: CHS South Tower Seismic Renovation – preliminary plans, working drawings, and construction –

\$219,902,000, to be funded from State funds (\$128,953,000) and external financing (\$90,949,000).

- (2) The scope of the project shall include renovation of approximately 443,000 Gross Square Feet (GSF) in the South Tower of the Center for Health Services (CHS) as follows: (1) interior demolition and hazardous materials abatement, (2) seismic retrofit (from a “Poor” to a “Good” seismic rating) and building shell upgrades, (3) building infrastructure improvements, and (4) interior improvements.
- (3) The President be authorized to obtain external financing not to exceed \$90,949,000 to finance the CHS South Tower Seismic Renovation project. The Los Angeles campus shall satisfy the following requirements:
 - a. Interest only, based on the amount drawn, shall be paid on the outstanding balance during the construction period.
 - b. Repayment of any debt shall be from the General Revenues of the Los Angeles campus and as long as the debt is outstanding, General Revenues shall be maintained in amounts sufficient to pay the debt service and to meet the related requirements of the authorized financing.
 - c. The general credit of the Regents shall not be pledged.
- (4) The President be authorized to execute all documents necessary in connection with the above.

B. *Certification of Environmental Impact Report, Adoption of Findings, Amendment to the 2005 Long Range Development Plan, and Approval of Design, Glen Mor 2 Student Apartments, Riverside Campus*

The President recommended that, upon review and consideration of the environmental consequences of the proposed project as described in the Draft Environmental Impact Report (EIR), the Committee:

- (1) Certify the EIR.
- (2) Adopt Findings, Mitigation Monitoring and Reporting Program, and Statement of Overriding Considerations for the project.
- (3) Amend the 2005 Long Range Development Plan (LRDP) land use designation on 4.8 acres of the project site from *Athletics and Recreation* to *Family, Apartment Housing and Related Support*.

- (4) Approve the design of the Glen Mor 2 Student Apartments Project, Riverside campus.

[The Environmental Impact Report Summary and Findings were mailed to the Committee members in advance of the meeting, and copies are on file in the Office of the Secretary and Chief of Staff.]

C. ***Partial Rescission of the Regents' Approval of Design and Related Actions, California Memorial Stadium (CMS) Seismic Corrections and West Program Improvements, Berkeley Campus***

The President recommended that the Committee:

- (1) Rescind the following components of the January 2010 design approval of the California Memorial Stadium Seismic Corrections and West Program Improvements:
 - a. The use of simulated crowd noise for temporarily relocated football practices at Witter Field; and
 - b. The construction, use and occupancy of the Athletic Service Center (ASC).
- (2) Set aside and vacate portions of Addendum #2 to the Southeast Campus Integrated Projects (SCIP) Environmental Impact Report (EIR) and California Environmental Quality Act (CEQA) Findings prepared in support of the January 2010 design approval for the CMS West project that addressed:
 - a. The potential for significant new parking and traffic impacts arising from the deferred construction of the Parking Structure; and
 - b. The potential for significant new noise impacts arising from the future use of simulated crowd noise for temporarily relocated football practices at Witter Field; and
 - c. The potential for significant new seismic safety impacts from the future construction, use and occupancy of the proposed ASC.

[The January 2010 Findings, an Environmental Assessment/Checklist, and Addendum 2 to the SCIP EIR were mailed to the Committee members in advance of the meeting, and copies are on file in the Office of the Secretary and Chief of Staff.]

Committee Chair Schilling stated that for any proposed action item on the Consent Agenda that irrevocably commits the Regents to an activity that may cause an environmental impact, each Committee member had been provided with documentation

prepared pursuant to CEQA and had considered the President's recommendations in regards to the proposed action. The Committee members had reviewed and considered the CEQA documentation, including all comments received in writing or presented to the Committee at this meeting and the proposed Findings. For any proposed action with unavoidable adverse environmental effects, the specific benefits of such action had been balanced against the environmental effects as reflected in the findings proposed for adoption by the Committee.

Upon motion duly made and seconded, the Committee approved the President's recommendations and voted to present recommendation A. above to the Board.

4. **AMENDMENT OF UC BERKELEY 2020 LONG RANGE DEVELOPMENT PLAN, ADOPTION OF FINDINGS AND APPROVAL OF DESIGN, ELECTRICAL SWITCHING STATION 6, BERKELEY CAMPUS**

The President recommended that, upon review and consideration of the environmental consequences of the proposed project, the Committee:

- A. Determine California Environmental Quality Act (CEQA) Compliance based on Addendum 8 to the 2020 Long Range Development Plan (LRDP) Environmental Impact Report (EIR) (certified by the Regents in January 2005) and Addendum 5 thereto for proposed actions C and D, below, and also, for action D only, upon Class 3 and 4 CEQA categorical exemptions.
- B. Adopt the Findings.
- C. Amend the UC Berkeley 2020 LRDP, Chapter 6, as described in Addendum 8.
- D. Approve the design of the Electrical Switching Station 6, Berkeley campus.

[The 2020 LRDP EIR, Addendum 5 to the 2020 LRDP, Addendum 8, and CEQA Findings were mailed to the Committee members in advance of the meeting, and copies are on file in the Office of the Secretary and Chief of Staff.]

[Regents were provided with a Supplemental Information Memorandum pertaining to this item, and a copy is on file in the Office of the Secretary and Chief of Staff.]

Committee Chair Schilling stated that each Committee member had been provided with documentation prepared pursuant to CEQA as reflected in the item. The Committee members had reviewed and considered the CEQA documentation in support of the proposed item and all comments received in writing or presented to the Committee at this meeting, and had balanced the specific benefits of the President's recommendations in the item against any unavoidable adverse environmental effects as reflected in the findings that were proposed for adoption by the Committee.

Vice Chancellor Ed Denton stated that the proposed Electrical Switching Station 6 was important because it would provide redundancy in the electrical system and additional capacity for campus growth, and would allow dedicated electrical power to key buildings such as the Stanley Biosciences and Bioengineering Facility and Sutardja Dai Hall.

Mr. Denton stated that the proposed building would be located just below Stern Hall and east of Gayley Road. The building would be mostly underground since it would not be occupied; its footprint would be 35 feet by 60 feet, with 2100 square feet on each of its two floors. Underground duct banks would run from Switching Station 6 to California Memorial Stadium and towards the Stanley Biosciences and Bioengineering Facility. He noted that the building was designed to minimize its impact on the area, yet provide the needed utility service. Building materials would include glass, board-formed concrete, and metal siding.

In response to a question from Regent Zettel, Mr. Denton stated that the existing lines providing power from PG&E were underground and shielded. He stated that underground, shielded lines have no electromagnetic field above ground.

Upon motion duly made and seconded, the Committee approved the President's recommendations.

5. CERTIFICATION OF ENVIRONMENTAL IMPACT REPORT, AMENDMENT OF THE LONG RANGE DEVELOPMENT PLAN AND APPROVAL OF DESIGN, MOUNT ZION PARKING GARAGE, SAN FRANCISCO CAMPUS

The President recommended that, upon review and consideration of the environmental consequences of the proposed project, the Committee:

- A. Certify the Environmental Impact Report (EIR).
- B. Adopt the Mitigation Monitoring Program for the Final EIR.
- C. Adopt the Findings set forth in Attachment 6 pursuant to the California Environmental Quality Act (CEQA)
- D. Amend the Long Range Development Plan (LRDP) to include the 2420 Sutter Street property as part of the Mount Zion campus site.
- E. Approve the design of the Mount Zion Parking Garage, San Francisco campus.

[The Environmental Impact Report Summary and Findings mailed to the Committee in advance of the meeting, and a copy is on file in the Office of the Secretary and Chief of Staff.]

Committee Chair Schilling stated that each Committee member had been provided with documentation prepared pursuant to CEQA as reflected in the item. The Committee

members had received the CEQA documentation in support of the proposed item and all comments sent to the Committee that day.

Interim Assistant Vice Chancellor and Campus Architect Michael Bade stated that the proposed project to construct a small parking garage on Sutter Street in the Mount Zion campus area would conform to design guidelines contained within the UCSF Physical Design Framework. The project has a welcoming building façade and responds to the neighborhood context by mediating the height difference between neighboring buildings; its proposed design is simple to allow the adjacent Russian Center to remain prominent.

The ground level Transportation Demand Management Office would provide customer service and support for the parking structure and for the entire UCSF transportation system. The proposed parking structure, with a basement-level pass-through to the garage of the adjacent UCSF medical office building at 1701 Divisadero, would accommodate patients, visitors, and limited essential health care providers, with 208 standard parking spaces, 20 accessible spaces, 15 motorcycle spaces, and 18 bicycle spaces.

Regent Johnson asked for a clarification of the bidding process and about the ownership of the parking garage across the street from the proposed project. Mr. Bade stated that the garage across the street is privately owned; the UC-owned 1701 Divisadero building has a small underground garage. While there is some surface parking in the area, there is insufficient patient parking.

Regarding the bidding process, General Counsel Robinson responded that this project was a developer-built real estate project, which was not, in the University's view, subject to the competitive bidding laws. He stated that the positions expressed regarding the Mount Zion Parking Garage during public comment had been considered by his office and deemed to be without merit. However, Mr. Robinson stated that the Committee had received additional documentation and he recommended that, following its discussion, the Committee defer voting on this item until his office and the Committee have had an opportunity to review the documentation. If approval was necessary before the subsequent meeting, Mr. Robinson recommended taking up the item by interim action.

Regent Makarechian expressed concern about the cost of the proposed parking structure. He stated that a typical parking structure of comparable size would cost \$25,000 to \$30,000 per space, but the proposed project would cost \$73,000 per space. He asked why UC was not building the project itself, rather than paying a developer.

Mr. Bade responded that contributing factors to the cost of the garage were the constrained site with poor access, below-grade construction, the connection to 1701 Divisadero, excavation and shoring of three adjacent buildings, inefficient below-grade dimensional constraints resulting in the inability to double-load the parking, the necessity of mechanically ventilating building levels B1 through B4, reduced parking efficiency at the top levels because of the city's bulk requirements, lack of lay-down space at the site requiring just-in-time delivery, and a loss of general parking spaces because of the requirement for ten percent accessible spaces for outpatient use. He stated

that an independent construction management firm, Cambridge CM, Inc. prepared an estimate very comparable to the developer's cost, which had been prepared in an open book manner. Mr. Bade acknowledged that this was an expensive site on which to build, but he expressed his evaluation that the cost reflected the actual conditions.

Regent Makarechian stated that the conditions described by Mr. Bade would apply to construction of any other downtown parking structure in San Francisco or Los Angeles. He asked if the payment to the developer was excessive and asked again why UC was not building the structure. Mr. Bade stated that the land was not available for UC to purchase directly, so the University had to enter into a development agreement to gain access to the site. He stated that the conditions were typical of building larger parking structures at Mission Bay. The proposed structure at Mount Zion would be much smaller, resulting in an economy of scale difference in addition to the site conditions.

Regent DeFreece asked how many parking spaces were currently available for the Mount Zion facility and what the recommended ratio was for parking spaces. Assistant Vice Chancellor Lori Yamauchi responded that the University currently controls 218 parking spaces at Mount Zion, including spaces at 1701 Divisadero, 21 spaces in a nearby parking lot, and 47 spaces at 2325 Post Street, a small garage adjacent to the Osher Building. In addition, the University has access to 137 spaces in the 1635 Divisadero Street garage, but UC does not own or manage those spaces. There was a very limited supply of parking for UC employees, patients, and visitors. On the other hand, at UCSF's Parnassus site, a public garage serves patients and visitors, and a permit garage houses UC employee parking. She stated that she did not have a specific ratio of appropriate parking supply, but that experience had shown that there was a serious shortage of parking at Mount Zion.

Regent DeFreece asked how many parking spaces would be reserved for staff at the proposed parking structure. Ms. Yamauchi responded that 75 percent of the spaces would be available for patients and visitors, with the remaining 25 percent for essential health care providers based at Mount Zion.

Regent Zettel asked whether the private owner of the land or UC chose the developer for the parking structure. Mr. Bade responded that the developer owns the land.

The meeting adjourned at 11:50 a.m.

Attest:

Associate Secretary