

REPORT OF INTERIM and CONCURRENCE ACTIONS
Office of the Secretary and Chief of Staff
May 16, 2012

TO THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

INFORMATION ITEM

Report of Actions Taken Between Meetings

In accordance with authority previously delegated by the Regents, interim or concurrence action was taken on routine or emergency matters as follows:

- A. The Chairman of the Board, the Chair of the Committee on Finance, and the President of the University approved the following concurrence recommendation:

Amendment of the Budget for Capital Improvements and the Capital Improvement Program and Approval of External Financing, 2010-12 Statewide Energy Partnership Program, Irvine Campus

Deletions shown by strikeout; additions by underscore

- (1) The 2011-12 Budget for Capital Improvements and the Capital Improvement Program be amended as follows:

Systemwide: 2010-2012 Statewide Energy Partnership Program – preliminary plans, working drawings, construction, and equipment - ~~\$262,608,879~~
\$274,693,794 to be funded from external financing (~~\$193,714,283~~)
(\$201,195,398), campus funds (~~\$7,916,946~~) (\$8,383,946), and energy efficiency incentive payments from investor-owned and publicly-owned utilities (~~\$60,977,650~~) (\$65,114,450).

* * *

- (2) The President be authorized to obtain additional external financing not to exceed \$12,284,200, 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, the General Revenues of the Irvine campus 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.

- (3) The President be authorized to obtain additional standby financing not to exceed \$4,136,800, 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 the standby financing shall be from energy efficiency incentive payments from investor-owned utilities; in the event that collection is insufficient, and as long as the debt is outstanding, the General Revenues of the Irvine campus 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. The Chair of the Committee on Oversight of the Department of Energy Laboratories and the President of the University approved the following recommendation:

Resolutions to Exclude Access to Federal Classified Information

Adoption of the following six resolutions pertaining to the University's Department of Energy and Department of Defense Facility Security Clearances.

- (1) Pursuant to the *Policy on Security Clearance for Access to Federal Classified Information* adopted on March 29, 2012 and this Resolution, the following Faculty Representative to The Regents of the University of California shall not require, shall not have, and can be effectively excluded from access to all classified information and/or special nuclear material released to the Regents of the University of California until such individual is granted the required access authorization from the cognizant security agency. And, as a consequence of this Resolution, such individual does not occupy a position that would enable him to adversely affect the policies or practices of the University of California, or its subsidiary, regarding the performance of classified contracts for the United States Government.

NAME	TITLE
Robert Anderson	Faculty Representative to The Regents

- (2) Pursuant to the *Policy on Security Clearance for Access to Federal Classified Information* adopted on March 29, 2012 and this Resolution, the following named

officer of the Board of the University of California shall not require, shall not have, and can be effectively excluded from access to all classified information and/or special nuclear material released to the Regents of the University of California until such individual is granted the required access authorization from the cognizant security agency. And, as a consequence of this Resolution, such individual does not occupy a position that would enable her to adversely affect the policies or practices of the University of California, or its subsidiary, regarding the performance of classified contracts for the United States Government.

NAME	TITLE
Marsha Kelman	Secretary and Chief of Staff to The Regents

- (3) Pursuant to the *Policy on Security Clearance for Access to Federal Classified Information* adopted on March 29, 2012 and this Resolution, the following named member of the Board of the University of California shall not require, shall not have, and can be effectively excluded from access to all classified information and/or special nuclear material released to the Regents of the University of California until such individual is granted the required access authorization from the cognizant security agency. And, as a consequence of this Resolution, such individual does not occupy a position that would enable him to adversely affect the policies or practices of the University of California, or its subsidiary, regarding the performance of classified contracts for the United States Government.

NAME	TITLE
George Kieffer	Regent

- (4) Pursuant to the *Policy on Security Clearance for Access to Federal Classified Information* adopted on March 29, 2012 and this Resolution, the following named member of the Board of the University of California shall not require, shall not have, and can be effectively excluded from access to all classified information and/or special nuclear material released to the Regents of the University of California until such individual is granted the required access authorization from the cognizant security agency. And, as a consequence of this Resolution, such individual does not occupy a position that would enable him to adversely affect the policies or practices of the University of California, or its subsidiary, regarding the performance of classified contracts for the United States Government.

NAME	TITLE
Alfredo Mireles, Jr.	Student Regent

- (5) Pursuant to the *Policy on Security Clearance for Access to Federal Classified Information* adopted on March 29, 2012 and this Resolution, the following named member of the Board of the University of California shall not require, shall not have, and can be effectively excluded from access to all classified information

and/or special nuclear material released to the Regents of the University of California until such individual is granted the required access authorization from the cognizant security agency. And, as a consequence of this Resolution, such individual does not occupy a position that would enable him to adversely affect the policies or practices of the University of California, or its subsidiary, regarding the performance of classified contracts for the United States Government.

NAME	TITLE
Tom Torlakson	Regent

- (6) Pursuant to the *Policy on Security Clearance for Access to Federal Classified Information* adopted on March 29, 2012 and this Resolution, the following named member of the Board of the University of California shall not require, shall not have, and can be effectively excluded from access to all classified information and/or special nuclear material released to the Regents of the University of California until such individual is granted the required access authorization from the cognizant security agency. And, as a consequence of this Resolution, such individual does not occupy a position that would enable her to adversely affect the policies or practices of the University of California, or its subsidiary, regarding the performance of classified contracts for the United States Government.

NAME	TITLE
Charlene Zettel	Regent

- C. The Chair of the Committee on Compensation and the President of the University approved the following recommendations:

- (1) ***Contract Compensation for Kenwick Thompson as Assistant Football Coach, Berkeley Campus***

Background to Recommendation

- Action under interim authority was requested to approve the contract compensation for Kenwick Thompson, Assistant Football Coach at UC Berkeley, retroactive to February 7, 2012.
- The exclusive source of funding for Coach Thompson's contract will be athletic department revenues and private fundraising. No State or University general funds will be used.
- Coach Thompson has been offered coaching opportunities, most recently at Stanford, with compensation above that of his current contract. The Berkeley campus wished to retain Coach Thompson. He is an outstanding defense and linebacker coach and currently serves as Berkeley's football recruiting coordinator.

- The term of Coach Thompson's last contract was from February 11, 2011 to February 29, 2012. In order to retain Coach Thompson, the campus negotiated new contract terms with him, to be effective February 7, 2012 through February 28, 2015. Because of the exceptionally rapid pace of negotiations, the campus was unable to seek prior Regental approval for the sole element of compensation that exceeds the compensation parameters contained in the Amendment of Regents' Delegation of Authority for Recruiting and Negotiation Parameters for Certain Athletic Positions and Coaches, Systemwide, which the Regents approved on September 18, 2008 (September 2008 Delegation Parameters). The campus requested approval for an increase in Coach Thompson's camps and clinics stipend from \$15,000 to \$75,000, which represents an increase of \$60,000, retroactive to February 7, 2012. This action required Regental approval because the increase exceeds the 30 percent maximum increase allowed under the September 2008 Delegation Parameters. The retroactive effective date constitutes an exception to policy and also required Regental approval.
- UC Berkeley anticipates receiving additional donations of approximately \$500,000 in 2012 to help support the football staff, which will help fund the requested increase. These donations are coming from a variety of contribution sources.
- All other terms of Coach Thompson's contract compensation are within the September 2008 Delegation Parameters and therefore do not require Regental approval.
- Action under interim authority was required to conclude the negotiations before the next scheduled meeting of the Regents and to retain Coach Thompson's services through February 2015.

Recommendation

The following items were approved in connection with the contract compensation for Kenwick Thompson, assistant football coach, Berkeley campus:

- a. As an exception to the September 2008 Amendment of Regents' Delegation of Authority for Recruiting and Negotiation Parameters for Certain Athletic Positions and Coaches, Systemwide, an increase in the annual camps and clinics stipend amount from \$15,000 to \$75,000 for each of the three years of the contract, retroactive to February 7, 2012. This constitutes an exception to the parameters because the increase exceeds the 30 percent allowed under the September 2008 delegation parameters.
- b. As an exception to policy, the contract compensation is effective retroactive to February 7, 2012 through February 28, 2015.

COMPARATIVE ANALYSIS

Recommended Compensation

Effective Date: February 7, 2012 through February 28, 2015

Annual Base Salary: \$125,000

Annual Talent Fee: \$24,000

Guaranteed Compensation: \$149,000

Annual Football Supplement: \$51,000

Incentives: \$0 - \$25,000

Car Stipend: \$5,400

Annual Camp Fees: \$75,000

Total Cash Compensation: \$280,400 - \$305,400

Median Market Data: Not applicable

Percentage Difference from Market: Not applicable

Funding Source: Non-State-funded position

Prior Contract Data

Effective Date: February 11, 2011 through February 29, 2012

Annual Base Salary: \$125,000

Annual Talent Fee: \$24,000

Guaranteed Compensation: \$149,000

Annual Football Supplement: \$51,000

Incentives: \$0 - \$24,000

Car Stipend: \$5,400

Camp Maximum: \$15,000

Total Cash Compensation: \$220,400 - \$244,400

Funding Source: Non-State-funded position

Compensation recommendations and final actions will be released to the public as required in accordance with the standard procedures of the Board of Regents.

Submitted by: UC Berkeley Chancellor Birgeneau
Reviewed by: President Yudof
Committee on Compensation Chair Ruiz
Office of the President, Human Resources

- (2) *Amendment of the Contract Compensation for Eric Yarber as Assistant Football Coach, Intercollegiate Athletics, Los Angeles Campus*

Background to Recommendation

- Approval under interim authority was requested for an amendment of the contract compensation for Eric Yarber as assistant football coach, Intercollegiate Athletics, Los Angeles campus, effective upon approval.

- The exclusive source of funding for Mr. Yarber's contract will be athletic department revenues and private fundraising. No State or University general funds will be used.
- The Regents previously approved the contract compensation for Coach Yarber under interim action. However, prior to receiving formal approval from the Regents, Coach Yarber was approached by a competing institution with an offer to take a similar role with a significantly greater compensation package. Because of his commitment to UCLA, Coach Yarber and the campus identified the proposed adjustments as sufficient to retain his services. Coach Yarber is a proven top recruiter in the Southern California market and an established developer of wide receiver talent in both the National Collegiate Athletic Association and National Football League.
- To retain Coach Yarber, the following compensation for the two year contract was proposed:
 - For the first year of the contract, a 20 percent reduction in Coach Yarber's first-year guaranteed compensation, from \$156,000 to \$125,000. The difference (\$31,000) will be paid in the form of a retention bonus payable at the beginning of the second-year contract. Coach Yarber will still be receiving some compensation from his former employer, a National Football League team, during the first year of the contract, which has enabled the University to achieve savings during that year.

The change to the coach's year one contract terms does not require Regental approval because the total compensation for Coach Yarber's year one contract is under \$291,000 and within local authority.

- For the second year of the contract, guaranteed compensation will increase by 18.2 percent from \$275,000 to \$325,000. Guaranteed compensation is comprised of a base salary of \$250,000 and a \$75,000 talent fee. The increase of \$50,000 is attributable to the talent fee moving from \$25,000 to \$75,000.
- These changes result in the total guaranteed compensation increasing over the life of the contract by \$19,000 (4.4 percent) from \$431,000 to \$450,000.
- The changes result in total costs of the overall contract increasing

by \$50,000: \$19,000 in the total guaranteed compensation over the two year term and \$31,000 in a retention bonus.

- Regental approval was needed because the percent change in the guaranteed compensation from year one (\$125,000) to year two (\$325,000) exceeds the 30 percent allowed under the September 2008 Amendment of Regents' Delegation of Authority for Recruiting and Negotiation Parameters for Certain Athletic Positions and Coaches, Systemwide. All other terms negotiated for Coach Yarber are within the parameters of campus authority previously authorized by the Regents.
- Action was requested under interim authority because the agreed-upon amended contract terms were not identified until after the deadline for the March Regents meeting. In addition, because of the retention risk, approval needed to be secured before the Regents' next regularly scheduled meeting in May.

Recommendation

The following items were approved in connection with the amendment of the contract compensation for Eric Yarber as assistant football coach, Intercollegiate Athletics, Los Angeles campus:

As an exception to the September 2008 Amendment of Regents' Delegation of Authority for Recruiting and Negotiation Parameters for Certain Athletic Positions and Coaches, Systemwide, an increase of the talent fee by \$50,000, increasing the guaranteed compensation of the year two contract from \$275,000 to \$325,000. This constitutes an exception to the parameters because the increase of the guaranteed compensation from year one (\$125,000) to year two (\$325,000) exceeds the 30 percent allowed under the parameters.

COMPARATIVE ANALYSIS

Recommended Compensation

Effective Date: Upon approval

Base Salary (Year 2): \$250,000

Talent Fee (Year 2): \$75,000

Guaranteed Compensation (Year 2): \$325,000

Bonus/Incentives (Year 2): up to \$100,000

Summer Camps (Year 2): up to \$10,000

Retention Bonus (Year 2): \$31,000

Total Cash Compensation (Year 2): \$356,000 - \$466,000

Median Market Data: Not applicable

Percentage Difference from Market: Not applicable

Funding Source: Non-State-funded position

Prior Contract Data

Base Salary (Year 2): \$250,000

Talent Fee (Year 2): \$25,000

Guaranteed Compensation (Year 2): \$275,000

Bonus/Incentive (Year 2): up to \$100,000

Summer Camps (Year 2): up to \$10,000

Total Cash Compensation (Year 2): \$275,000 - \$385,000

Funding Source: Non-State-funded position

Compensation recommendations and final actions will be released to the public as required in accordance with the standard procedures of the Board of Regents.

Submitted by: UCLA Chancellor Block
Reviewed by: President Yudof
Committee on Compensation Chair Ruiz
Office of the President, Human Resources

(3) ***Contract Compensation for Clancy Pendergast as Assistant Football Coach, Berkeley Campus***

Background to Recommendation

- Action under interim authority was requested to approve the contract compensation for Clancy Pendergast, Assistant Football Coach at UC Berkeley, retroactive to March 1, 2012.
- Coach Pendergast's contract will be funded exclusively by athletic department revenues and private fundraising. No State or general funds will be used.
- The term of Coach Pendergast's current contract is from February 1, 2011 to January 31, 2014. Coach Pendergast has recently been offered coaching opportunities, most recently at Texas A&M University, with compensation significantly above that of his current contract. The Berkeley campus wishes to retain Coach Pendergast. He is an outstanding defensive coordinator.
- In order to retain Coach Pendergast, the campus requested approval for new contract terms, to be retroactive to March 1, 2012, through January 31, 2014. The retroactive effective date constitutes an exception to policy and also required Regental approval.
- The campus requested approval for an increase in Coach Pendergast's annual camps and clinics compensation from \$15,000 to \$25,000. This action required Regental approval because the increase relative to his last

contract exceeds the 30 percent maximum increase allowed under the September 2008 Delegation Parameters.

- The campus also requested approval to increase Coach Pendergast's annual incentive potential from \$59,100 to \$129,600. This action required Regental approval because the increase relative to his last contract exceeds the 15 percent (or \$30,000) maximum increase allowed under the September 2008 Delegation Parameters.
- UC Berkeley anticipates receiving additional donations of approximately \$500,000 in 2012 to help support the football staff, which will help fund the requested increase. These donations are coming from a variety of sources.
- All other terms of Coach Pendergast's contract compensation are within the September 2008 Delegation Parameters and therefore did not require Regental approval.
- Action under interim authority was required because the campus needs to conclude the negotiations before the next scheduled meeting of the Regents in order to retain Coach Pendergast's services through January 2014.

Recommendation

The following items were approved in connection with the contract compensation for Clancy Pendergast, Assistant Football Coach, Berkeley campus:

- a. As an exception to the September 2008 Delegation Parameters, an increase of the annual camps and clinics compensation amount from \$15,000 to \$25,000 for each of the two years of the contract, retroactive to March 1, 2012. This constitutes an exception to the parameters because the increase relative to his last contract exceeds the 30 percent allowed under the September 2008 Delegation Parameters.
- b. As an exception to the September 2008 Delegation Parameters, an increase of the annual incentive potential from \$59,100 to \$129,600 for each of the two years of the contract. This constitutes an exception to the parameters because the increase relative to his last contract exceeds the 15 percent (or \$30,000) allowed under the September 2008 Delegation Parameters.
- c. As an exception to policy, the contract compensation is effective retroactively to March 1, 2012 and will continue through January 31, 2014.

COMPARATIVE ANALYSIS

Recommended Compensation

Effective Date: March 1, 2012 through January 31, 2014

Annual Base Salary: \$168,000

Annual Talent Fee: \$87,000

Guaranteed Compensation: \$255,000

Annual Football Supplement: \$145,000

Incentives: \$0 - \$129,600

Car Allowance: \$5,400

Annual Camps and Clinics: \$25,000

Total Cash Compensation: \$400,000 - \$560,000

Median Market Data: N/A

Percentage Difference from Market: N/A

Funding Source: Non-State Funded Position

Prior Contract Data

Effective Date: February 1, 2011 through January 31, 2014

Annual Base Salary: \$168,000

Annual Talent Fee: \$62,000

Guaranteed Compensation: \$230,000

Annual Football Supplement: \$145,000

Incentives: \$0 - \$59,100

Car Allowance: \$5,400

Annual Camps and Clinics: \$15,000

Total Cash Compensation: \$375,000 - \$454,500

Funding Source: Non-State Funded Position

Compensation recommendations and final actions will be released to the public as required in accordance with the standard procedures of the Board of Regents.

Submitted by: UCB Chancellor Birgeneau
Reviewed by: President Yudof
Committee on Compensation Chair Ruiz
Office of the President, Human Resources

- (4) ***Term Appointment and Total Compensation for Douglas Gunderson as Interim Chief Administrative Officer, Santa Monica – UCLA Medical Center and Orthopaedic Hospital, Los Angeles Campus***

Background to Recommendation

- Action under interim authority was requested to appoint Douglas Gunderson as Interim Chief Administrative Officer, Santa Monica – UCLA Medical Center and Orthopaedic Hospital, retroactive to March 1, 2012

through February 28, 2013, or until a new appointment is made, whichever occurs first. Mr. Gunderson is currently the Director of Peri-Operative Services (MSP Grade 7) for the Hospital System. The current incumbent, Ms. Katharine Carpenter, who holds an SMG appointment, has been on leave since January 1, 2012 and is not expected to return.

- Funding for this position will come exclusively from hospital funds. No State or general funds will be used.
- In addition, the campus requested approval of an administrative stipend of 25 percent (\$53,578) of Mr. Gunderson's current base salary of \$214,312 for the duration of the interim appointment, increasing his total annual salary to \$267,890, with continued eligibility to participate in the Clinical Enterprise Management Recognition Plan (CEMRP).
- Mr. Gunderson will oversee the daily delivery of care and operations in a matrixed organization with 1,600 employees. His responsibilities will include overseeing a budget in excess of \$300 million. Over the past two years, the hospital's scope of patient services has increased as medical specialties have migrated into this facility. With the opening of new hospital buildings, the census is expected to grow by four percent annually.
- With major initiatives on the calendar following the recent opening of the new facility, it is imperative to install a leadership model to shepherd the organization through the next year. Action under interim authority was requested because the incumbent has been on leave for a considerable period of time and, because of the urgent need for leadership continuity, approval could not wait until the Regents' next regularly scheduled meeting in May.

Recommendation

The following items were approved in connection with the term appointment of and total compensation for Douglas Gunderson as Interim Chief Administrative Officer, Santa Monica – UCLA Medical Center and Orthopaedic Hospital, Los Angeles campus:

- a. Per policy, term appointment of Douglas Gunderson as Interim Chief Administrative Officer, Santa Monica – UCLA Medical Center and Orthopaedic Hospital at 100 percent time.
- b. Per policy, an administrative stipend of 25 percent (\$53,578) for Mr. Gunderson for the duration of the appointment, calculated using his current base salary of \$214,312 for a resulting total annual salary of

\$267,890. The position is slotted at SLCG Grade 109 (Minimum \$214,700, Midpoint \$274,300, Maximum \$333,700).

- c. Per policy, continued eligibility to participate in the Clinical Enterprise Management Recognition Plan (CEMRP), with a target award of 15 percent of his total annual salary (\$40,184) and a maximum potential award of 20 percent of total annual salary (\$57,578). The actual award will be determined based on performance against pre-established objectives.
- d. Per policy, continuation of standard pension and health and welfare benefits.
- e. As an exception to policy, this term appointment and stipend would be effective retroactive to March 1, 2012 through February 28, 2013, or until the position is filled, whichever occurs first.

COMPARATIVE ANALYSIS

Recommended Compensation

Effective Date: March 1, 2012

Base Salary: \$214,312

Stipend: \$53,578 (25 percent of base salary)

Total Annual Salary*: \$267,890

CEMRP: \$40,184 (at target rate of 15 percent of total annual salary)

Target Cash Compensation*: \$308,074

Grade Level: SLCG Grade 109

(Minimum \$214,700, Midpoint \$274,300, Maximum \$333,700)

Funding Source: Non-State Funded Position

Budget &/or Prior Incumbent Data

Base Salary: \$325,000

CEMRP: \$48,750 (at target rate of 15 percent of base salary)

Target Cash Compensation*: \$373,750

Grade Level: SLCG Grade 109

(Minimum \$214,700, Midpoint \$274,300, Maximum \$333,700)

Funding Source: Non-State Funded Position

*Target Cash Compensation consists of base salary and, if applicable, incentive and/or stipend.

COMPETITIVE ANALYSIS

Percentiles	*BASE SALARY MARKET PERCENTILES					**TARGET CASH MARKET PERCENTILES				
	25th	50th	Mean	75th	90th	25th	50th	Mean	75th	90th
Market Data	\$204.5	\$260.0	\$267.7	\$347.7	N/A	\$236.0	\$259.7	\$289.2	\$348.0	N/A
% Difference from Market	31.0%	3.0%	0.1%	-23.0%	N/A	27.1%	15.5%	3.7%	-13.8%	N/A

The compensation described above shall constitute the University’s total commitment until modified by the Regents and shall supersede all previous oral and written commitments. Compensation recommendations and final actions will be released to the public as required in accordance with the standard procedures of the Board of Regents.

Submitted by: UCLA Chancellor Block
Reviewed by: President Yudof
Committee on Compensation Chair Ruiz
Office of the President, Human Resources

(5) ***Term Appointment of and total Compensation for Paul S. Viviano as Associate Vice Chancellor – Health Sciences and Chief Executive Officer, UCSD Health System, San Diego Campus***

Background to Recommendation

- The San Diego campus requested approval to appoint Paul S. Viviano to the position of Associate Vice Chancellor and Chief Executive Officer (AVC/CEO) for the UC San Diego Health System with an annual salary of \$720,000.
- Funding for this position will come exclusively from hospital funds. No State or general funds will be used.
- Mr. Viviano was identified as the top candidate after a comprehensive national search.
- This request is the result of the resignation of the previous Chief Executive Officer (CEO) at San Diego Health System effective December 2, 2011. The previous CEO accepted a position at the University of Southern California for a significantly higher salary.
- Approval was requested under interim authority to enable Mr. Viviano to provide appropriate notice of his resignation and assume the AVC/CEO

role at the earliest opportunity. UC San Diego currently has several gaps in its executive leadership team, including the position of Chief Operating Officer and the position of Chief Strategy Officer. It is vital to have a CEO appointed prior to selecting individuals to fill these two positions.

Recommendation

The following items were approved in connection with the appointment of and total compensation for Paul S. Viviano as Associate Vice Chancellor – Health Sciences and Chief Executive Officer, UC San Diego Health System, San Diego campus:

- a. Appointment of Paul S. Viviano as Associate Vice Chancellor and Chief Executive Officer, UC San Diego Health System, at 100 percent time.
- b. Per policy, an annual base salary of \$720,000 at SLCG Grade 117 (Minimum \$522,300, Midpoint \$679,000, Maximum \$835,800)
- c. Per policy, eligibility to participate in the Clinical Enterprise Management Recognition Plan (CEMRP) with a target award of 20 percent of annual salary (\$144,000) and a maximum potential award of 30 percent of annual salary (\$216,000), consistent with potential incentive awards for other UC hospital CEOs. The actual award will be determined based on performance against pre-established objectives.
- d. Per policy, a five percent monthly contribution to the Senior Management Supplemental Benefit Program.
- e. Per policy, annual automobile allowance of \$8,916.
- f. Per policy, a temporary housing allowance not to exceed a total of \$6,000 for a period of up to 90 days to offset limited housing-related expenses, subject to limitations in policy.
- g. Per policy, eligibility to participate in the UC Home Loan Program in accordance with all applicable policies.
- h. Per policy, 100 percent reimbursement of actual moving expenses related to moving household goods and personal effects from former residence to new residence, subject to limitations under policy.
- i. Per policy, standard pension and health and welfare benefits and standard senior management benefits (including senior management life insurance and executive salary continuation for disability).
- j. This appointment is effective upon approval.

Recommended Compensation

Effective Date: Upon approval

Annual Base Salary*: \$720,000

CEMRP (at 20 percent target rate): \$144,000

Target Cash Compensation*: \$864,000

Grade Level: SLCG Grade 117

(Minimum \$522,300, Midpoint \$679,000, Maximum \$835,800)

Funding Source: non-State funded position

Budget &/or Prior Incumbent Data

Title: Chief Executive Officer

Annual Base Salary: \$600,000

CEMRP (at 20 percent target rate): \$120,000

Target Cash Compensation: \$720,000

Grade Level: SLCG Grade 117

(Minimum \$522,300, Midpoint \$679,000, Maximum \$835,800)

Funding Source: non-State funded position

* Target Cash Compensation consists of base salary and, if applicable, incentive and/or stipend.

COMPETITIVE ANALYSIS

Percentiles	*BASE SALARY MARKET PERCENTILES					**TARGET CASH MARKET PERCENTILES				
	25th	50th	Mean	75th	90th	25th	50th	Mean	75th	90th
Market Data	\$668.8	\$774.0	\$801.0	\$926.2	\$1,086.4	\$749.6	\$962.4	\$1,032.6	\$1,255.8	\$1,488.6
% Difference from Market	7.7%	-7.0%	-10.1%	-22.3%	-33.7%	15.3%	-10.2%	-16.3%	-31.2%	-42.0%

The compensation described above shall constitute the University's total commitment until modified by the Regents and shall supersede all previous oral and written commitments. Compensation recommendations and final actions will be released to the public as required in accordance with the standard procedures of the Board of Regents.

Submitted by: UC San Diego Chancellor Fox
Reviewed by: President Yudof
 Committee on Compensation Chair Ruiz
 Office of the President, Human Resources

- (6) *Term appointment of and Total Compensation for Lyle Nevels as Interim Associate Vice Chancellor – Information Technology and Chief Information Officer, Berkeley Campus*

Background to Recommendation

- The Berkeley campus requested approval for the term appointment of and total compensation for Lyle Nevels as Interim Associate Vice Chancellor – Information Technology and Chief Information Officer (Interim AVC-CIO), effective May 1, 2012 through February 28, 2013, or until the appointment of a new AVC-CIO, whichever occurs first. Mr. Nevels is currently the Information Systems Manager at the Haas School of Business, slotted at Management and Senior Professional Salary Grade 28 (Minimum \$114,600, Midpoint \$170,100, Maximum \$225,700). The position Mr. Nevels will assume is currently in the Senior Management Group program and slotted in SLCG Grade 108 (Minimum \$192,300, Midpoint \$244,900, Maximum \$297,400).
- In connection with this appointment, the campus requested an annual stipend of \$30,900 (15 percent of base salary) while Mr. Nevels serves as Interim AVC-CIO and for up to two months following the appointment of a new AVC/CIO. This stipend will increase Mr. Nevels's current cash compensation from \$206,000 to \$236,900. The proposed 15 percent stipend is to recognize the increased campus-wide scope of Mr. Nevels's temporary responsibilities.
- Funding for this position will come exclusively from UC general funds provided by the State.
- The request is the result of Associate Vice Chancellor – Information Technology and Chief Information Officer Shelton Waggener's acceptance of another position. The current AVC-CIO will leave his position at UC Berkeley at the end of the 2012 spring semester. The campus will conduct a nationwide search for Mr. Waggener's replacement.
- As Interim AVC-CIO, Mr. Nevels will serve as UC Berkeley's Chief Information Officer. In addition to the CIO role, Mr. Nevels will serve as Associate Vice Chancellor and head of Information Systems and Technology (IST), which provides campus-wide computing, application, technical infrastructure and communications services. Mr. Nevels will also head the Information Technology Leadership Group, which includes members of IST, Education Technology Services (ETS), and student technology organizations.
- Action under interim action was necessary due to timing of the action. Given the incumbent's departure date at the end of the spring semester, May 11, the campus established a May 1, 2012 effective date for the action to ensure an adequate transition period.

Recommendation

The following items were approved in connection with the term appointment of and total compensation for Lyle Nevels as Interim Associate Vice Chancellor – Information Technology and Chief Information Officer, Berkeley campus:

- a. Term appointment of Lyle Nevels as Interim Associate Vice Chancellor – Information Technology and Chief Information Officer.
- b. Per policy, while serving as Interim AVC-CIO and for up to two months following the appointment of a new AVC-CIO, an administrative stipend of 15 percent of his current base salary of \$206,000 (\$30,900), bringing his annual cash compensation to \$236,900. The AVC-CIO position is currently slotted in SLCG Grade 108 (Minimum \$192,300, Midpoint \$244,900, Maximum \$297,400).
- c. The term appointment is at 100 percent time and effective May 1, 2012 through February 28, 2013, or until the appointment of a new AVC-CIO, whichever occurs first.
- d. Per policy, standard pension and health and welfare benefits.

COMPARATIVE ANALYSIS

Recommended Compensation

Effective Date: May 1, 2012

Base Salary: \$206,000

Stipend: \$30,900

Total Annual Salary: \$236,900

Target Cash Compensation*: \$236,900

Grade Level: SLCG Grade 108

(Minimum \$192,300, Midpoint \$244,900, Maximum \$297,400)

Funding Source: partially or fully State-funded position

Budget &/or Prior Incumbent Data

Base Salary: \$218,500

Target Cash Compensation*: \$218,500

Grade Level: SLCG Grade 108

(Minimum \$192,300, Midpoint \$244,900, Maximum \$297,400)

Funding Source: partially or fully State-funded position

*Target Cash Compensation consists of base salary and, if applicable, incentive and/or stipend.

COMPETITIVE ANALYSIS

Percentiles	*BASE SALARY MARKET PERCENTILES					**TARGET CASH MARKET PERCENTILES				
	<u>25th</u>	<u>50th</u>	<u>Mean</u>	<u>75th</u>	<u>90th</u>	<u>25th</u>	<u>50th</u>	<u>Mean</u>	<u>75th</u>	<u>90th</u>
Market Data	\$211	\$255	\$261	\$297	\$309	\$222	\$277	\$297	\$346	\$412
% Difference from Market	12.3%	-7.1%	-9.2%	-20.2%	-23.3%	6.7%	-14.5%	-20.2%	-31.5%	-42.5%

The compensation described above shall constitute the University’s total commitment until modified by the Regents and shall supersede all other previous oral and written commitments. Compensation recommendations and final actions will be released to the public as required in accordance with the standard procedures of the Board of Regents.

**Reviewed by: President Yudof
 Committee on Compensation Chair Ruiz
 Office of the President, Human Resources**

(7) *Appointment of and Total Compensation for MacKenzie Smith as University Librarian, Davis Campus*

Background to Recommendation

- Action under interim authority was requested for the appointment of and total compensation for MacKenzie Smith as University Librarian, Davis campus, effective June 1, 2012. The proposed base salary of \$225,000 is 17.6 percent higher than the previous incumbent’s base salary (\$191,300) and is 7.7 percent lower than the average base salary (\$243,833) of the UC University Librarians at campuses with medical centers.

- The campus has been without a University Librarian since January 2009. A national search initiated in 2010 resulted in a failed search. The search was re-scoped and launched again in 2011. Ms. Smith was identified as the top candidate after the second nationwide recruitment. It is critical that the University Library have a leader to bring stability to the organization and to bring about much-needed changes to the Library itself.

- Action under interim authority is necessary because Ms. Smith is being pursued by other institutions and one of the other finalists resulting from a national search has already accepted another position.

- Ms. Smith is an innovative leader who will be an ideal chief strategist and visionary in developing a next-generation library for UC Davis. UC Davis' Library consists of the Blaisdell Medical Library (Sacramento); Carlson Health Sciences Library; Peter J. Shields Library and the Physical Sciences and Engineering Library. Ms. Smith will be tasked with transforming the General Library into an Academic Hub that will promote the effective and innovative use of digital information resources in discovery and learning for the future. She will be responsible for strategic planning and leadership in development of information resources and related programs and services, both print and digital, in collaboration with other organizations at Davis, across the UC system, and with relevant national and international organizations.
- Funding for this action is partially or fully State-funded.

Recommendation

The following items were approved in connection with the appointment of and total compensation for MacKenzie Smith as University Librarian, Davis campus:

- a. Appointment of MacKenzie Smith as University Librarian, Davis campus.
- b. Per policy, an appointment base salary of \$225,000 at SLCG Grade 106 (Minimum \$154,200, Midpoint \$195,200, Maximum \$236,100).
- c. Per policy, a temporary cash/housing allowance to offset limited housing-related expenses in the Davis area for up to 3 months in an amount not to exceed \$12,000, subject to the limitations under policy.
- d. Per policy, a five percent monthly contribution to the Senior Management Supplemental Benefit Program.
- e. Per policy, standard pension and health and welfare benefits and standard senior management benefits (including senior management life insurance and executive salary continuation for disability).
- f. This appointment is at 100 percent time, and effective upon approval with a starting date no later than June 1, 2012.

COMPARATIVE ANALYSIS

Recommended Compensation

Effective Date: Upon approval but no later than June 1, 2012

Title: University Librarian

Base Salary: \$225,000
Target Cash Compensation*: \$225,000
Grade Level: SLCG Grade 106
(Minimum \$154,200, Midpoint \$195,200, Maximum \$236,100)
Funding Source: partially or fully State-funded position

Budget &/or Prior Incumbent Data

Title: University Librarian
Base Salary: \$191,300
Grade Level: SLCG Grade 106
(Minimum \$154,200, Midpoint \$195,200, Maximum \$236,100)
Funding Source: partially or fully State-funded position

*Target Cash Compensation consists of base salary and, if applicable, incentive and/or stipend.

COMPETITIVE ANALYSIS

Percentiles	*BASE SALARY MARKET PERCENTILES				
	<u>25th</u>	<u>50th</u>	<u>Mean</u>	<u>75th</u>	<u>90th</u>
Market Data	\$188.6	\$215.8	\$231.1	\$263.1	\$334.5
% Difference from Market	19.3%	4.3%	-2.6%	-14.5%	-32.7%

The compensation described above shall constitute the University's total commitment until modified by the Regents and shall supersede all previous oral and written commitments. Compensation recommendations and final actions will be released to the public as required in accordance with the standard procedures of the Board of Regents.

Submitted by: UC Davis Chancellor Katehi
Reviewed by: President Yudof
Committee on Compensation Chair Ruiz
Office of the President, Human Resources