

# THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

May 15, 2024

The Regents of the University of California met on the above date at the UC Merced Conference Center, Merced campus and by teleconference conducted in accordance with California Government Code §§ 11133.

Members present: Regents Anguiano, Batchlor, Cohen, Drake, Elliott, Ellis, Hernandez, Leib, Makarechian, Matosantos, Park, Pérez, Raznick, Robinson, Sarris, Sherman, Sures, and Tesfai

In attendance: Regents-designate Beharry, Pack, and Salazar, Faculty Representatives Cheung and Steintrager, Staff Advisors Emiru and Mackness, Secretary and Chief of Staff Lyall, General Counsel Robinson, Provost Newman, Chief Compliance and Audit Officer Bustamante, Executive Vice President and Chief Financial Officer Brostrom, Executive Vice President and Chief Operating Officer Nava, Executive Vice President Rubin, Interim Senior Vice President Reese, Vice Presidents Brown and Gullatt, Chancellors Christ, Gillman, Hawgood, Khosla, Larive, May, Muñoz, Wilcox, and Yang, and Recording Secretary Li

The meeting convened at 8:40 a.m. with Chair Leib presiding.

## 1. PUBLIC COMMENT

Chair Leib stated that the University of California valued freedom of speech and viewed individual rights to free expression as key to the open discourse that is vital within higher education. The University sought to make room for all perspectives, and the upcoming public comment period would operate with these freedoms in mind, during which speakers would be given the opportunity to share their viewpoints. Given that some comments might elicit disagreement, the Board asked that all in attendance conduct themselves and allow everyone an equal opportunity to express their opinions. The Board would not permit a response of protest that is disruptive, silences other speakers, or prevents the orderly conduct of the meeting. Disruption of this magnitude might require that the public comment period conclude and disrupting individuals be escorted from the venue and possibly subject to arrest. It was the goal of the Board to have a peaceful and respectful public comment period.

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

- A. Mohit Saraswat, UC Merced graduate student, called attention to deteriorating University mentorship standards compared with the healthy mentorship standards at other institutions. At UC, mentorship was ill-defined and lacked a clear framework, leaving many students feeling lost. He urged the Regents to adopt

- policies and models from other institutions, such as establishing clear guidelines, providing resources, and fostering a culture that values faculty and student success.
- B. Saleshia Ellis, UC Davis student, called on UC to establish mentorship standards. Peer and professional mentorship was the foundation of a thriving academic environment, fostered a supportive network, and provided invaluable insights. In her experience, mentorship was especially significant for underrepresented students in legal studies.
  - C. Devean “Dee” Statum, UC Irvine student, expressed hope that the Regents would give amnesty to student protesters and would listen to and support them. He expressed disappointment that students had been beaten by police officers and that chancellors had not had conversations with students.
  - D. Leo Niehorster-Cook, UC Merced graduate student and teaching assistant, called on UC to divest and end the genocide in Gaza, adding that student protesters were being brutalized by UC police and other police forces. He warned that the United Auto Workers (UAW) would go on strike if UC continues to brutalize students, does not engage with students and encampments in good faith, and creates an unsafe working environment.
  - E. Krista Chan, UC alumna, stated that a diverse group of over 13,000 UC alumni from every campus would not donate to the University until it divests from Israel and from weapons manufacturing and. She had emailed Regents-designate Salazar and Pack to meet with alumni regarding these demands. The encampments had broad support from the alumni community and the general public in the state.
  - F. Valeria Cantor Mendez, UC Davis student and Vice Chair of the UC Student Association (UCSA), shared the UC Merced encampment’s call for a permanent ceasefire in Gaza, divestment from support for the genocide in Gaza, an academic boycott of Israel including study abroad programs, amnesty for student protesters, investment in student needs, and aid to Palestine.
  - G. Maria Lopez, UC Santa Barbara student, stated that items J1, *Adoption of Regents Policy on Public and Discretionary Statements by Academic Units*, and A3, *Astronomy at the University of California*, were being used to suppress freedom of speech and to disregard the sacredness of Mauna Kea. Students demanded that the University address and divest from the genocide in Palestine. Ms. Lopez noted that Chancellor Yang was a member of the Thirty Meter Telescope (TMT) International Observatory LLC Board of Directors.
  - H. Vero Caverogusquiza, UC Santa Barbara student, stated that, in the last two years, Regental activity related to TMT has stagnated, but student and local objection to the telescope have continued. Concerns about the cultural and environmental impact of TMT continued to go unanswered, the cost of TMT continued to rise, and more people were questioning the validity of the project. Ms. Caverogusquiza

stated that Native Hawaiians did not and would not consent to TMT and that protests would continue.

- I. Ravneel Chaudhary, UC Merced student, stated that today was Nakba Day, which commemorated the displacement of Palestinians in 1948. He called on the Regents, President Drake, and the chancellors to uphold students' First Amendment right to peacefully assemble and to rescind all civil and academic action against students engaged in peaceful demonstrations.
- J. Nathan McCall, UC Santa Cruz delegate of the Council of UC Staff Assemblies (CUCSA), asked that UC provide resources that UCSC has requested for an initiative to create affordable housing opportunities for its employees, which was crucial to recruitment and retention for low- and moderate-income positions. The proposed housing would be located near public transportation, reducing the need for parking and UCSC's carbon footprint.
- K. Christine Hong, UC Santa Cruz professor, called for divestment. She stated that political activist Angela Davis had visited the protest encampment at UCSC, and that the student movement was an indictment of UC's moral equivocation and weaponization of antisemitism to repress advocacy. Ms. Hong added that the Regents had yet to issue a clear statement against the genocide and were unwilling to call for a ceasefire while 40,000 Palestinians have been killed.
- L. Dora Barbosa, UC Berkeley alumna, called for divestment and amnesty for all peaceful protesters. She stated that the University was beating and pepper spraying students, staff, and faculty for exercising free speech rights, and that UC was using its legacy of free speech to promote a certain persona to its own advantage.
- M. Jisella Saito stated that the University was a land grant institution on stolen land and was expanding its colonial conquest through investment in TMT on Mauna Kea and the genocide in Palestine. She added that UC has allowed police to brutalize students and that item J1 was an attempt to attack students' right to criticize UC. Ms. Saito declared that TMT would never be built on Mauna Kea, that UC would never silence students, and that Palestine would be free.
- N. James Chang, UC Berkeley student and member of the UCB Graduate Assembly, urged the Regents support undocumented students, address student food insecurity, and to support U.S. House of Representatives (H.R.) 6077, a bill that would subsidize student loans, so that UC continues to be a beacon of opportunity.
- O. Mariela Vasquez, UC Santa Barbara student, spoke in opposition to TMT due to its long-term environmental impacts on Mauna Kea, which was sacred and of cosmological significance to the Native Hawaiian people. She questioned the use of the University's investment in TMT given that no construction has occurred, and she criticized UC for allowing outside agitators to jeopardize the safety of student protesters and for using item J1 to restrict free speech. Ms. Vasquez linked police

violence against UC students with genocide in Palestine and called on UC to divest from TMT and war manufacturing.

- P. Jwan Haddad urged the Regents not to support items J1 and A3. She stated that UC was complicit in genocide and was a war profiteering business while students struggled to afford food and housing, and that item J1 was a direct attack on academic freedom and free speech. She added that UC used police to brutalize students and faculty and colonized indigenous land, and that students would not stop until UC divests.
- Q. Aditi Hariharan, UC Davis student and member of UCSA, urged the Regents to mandate a systemwide baseline standard for collegiate recovery programs (CRPs) and to staff them with at least one full-time coordinator. For example, in 2012, the University of Texas system decided to provide an initial investment of \$125,000 to each of its campuses for CRPs.
- R. Isabel Montalvo urged the Regents not to approve item J1, which was meant to stifle student and faculty voices, and called for divestment. She stated that UC was complicit in the death and injury of Palestinians because of its investment in companies such as Raytheon, Lockheed Martin, and Northrop Grumman. She demanded that the Regents condemn police violence, including the use of rubber bullets, against students and workers participating in the protest encampments.
- S. Cristian Fuentes Hernandez, UC San Diego student, shared that he witnessed his friends being brutalized by police. He called on UC to speak with those in the encampments, give amnesty to students, and divest.
- T. Abigail Rizqallah, UCSB student, called on UC to immediately divest from weapons manufacturing and noted that today marked the 76th anniversary of the Nakba, the displacement of Palestinian people from their homeland. She stated that UC should be ashamed of its contribution to the genocide of Palestinian people.
- U. Hoku Jeffrey, organizer for the Coalition to Defend Affirmative Action, Integration and Immigrant Rights, and Fight for Equality By Any Means Necessary (BAMN), stated that the new anti-war, anti-racist, pro-Palestine movement was gaining strength and boldness and would not accept policies that brutalize pro-Palestinian activists and repress freedoms of speech and protest. He credited this movement for U.S. President Biden's statement that he would pause the shipment of bombs to Israel.
- V. Erica Cheung, UC Irvine alumna, expressed concern that the University was funding the genocide of Palestinians through its investments and that UCLA has allowed Zionist agitators to attack students. In her view, campuses should be a place where students can express themselves and not where students are afraid of becoming victims of violence. She believed that UC should protect students and listen to the demands of students, alumni, and the public who fund the University.

- W. The speaker thanked the Regents for their support for divestment from oil and companies associated with South African apartheid. After apartheid ended, Nelson Mandela (1918–2013) flew to UC Berkeley to thank the campus for its divestment. She appealed to the effectiveness of divestment as well as a collective moral responsibility and civic duty. She stated that Israeli and Palestinian students wanted a ceasefire and called on the University to support its students.
- X. Leona Kwon, UCLA lecturer, shared an excerpt from a statement by Students for Justice in Palestine, which called on UC to divest from ethically indefensible corporations. She relayed that Blackrock, which managed UC investments, was one of the largest investors in weapons manufacturing in the U.S., and that Lockheed Martin was a pivotal provider to the Israeli military. Ms. Kwon stated that students have been on the right side of history and shared that she witnessed police brutality at the UCLA encampment.

## 2. **REMARKS OF THE CHAIR OF THE BOARD**

Chair Leib began his remarks by congratulating the graduates of the class of 2024 and noted that this was his last regular Board meeting as Chair. He acknowledged the thoughtful and tireless contributions of Regents Raznick, Ellis, and Tesfai, as well as Staff Advisor Mackness, whose terms were also ending. Chair Leib thanked and recognized Chancellor Christ, who came to the University during a difficult time, navigated it very well, and prioritized housing. He thanked President Drake for his partnership, integrity, responsiveness, and commitment to UC. Chair Leib praised Vice Chair Elliott's candor, thoughtfulness, and friendship. He recognized Regent Pérez's compassion and humanity and was honored to be his friend. He also expressed appreciation for the work of Secretary and Chief of Staff Lyall and her staff.

The strength of the Regents was founded on collaboration, inclusion, and engagement. The Regents collaborated amongst themselves and with the President, Office of the President leadership, Academic Senate leadership, staff, and students. Chair Leib stressed the importance of shared governance and collaboration with the Academic Senate; he appreciated the sage advice and comments of Faculty Representative Steintrager and former Faculty Representative Susan Cochran. Allowing the Senate to consider via systemwide review any Regental policies that affect faculty results in better policy. The Board's collaboration has been greatly improved by its commitment to inclusion; the willingness to entertain the widest array of opinions has made for better decisions and richer decision making. The greatest strength of the Regents' work has been their engagement in numerous activities; each Regent has brought invaluable personal experience to the Board. Chair Leib thanked the Regents, Regents-designate, Student Regents, and Alumni Regents and paid respect to the chancellors. He was confident that the new leadership would benefit from the collaboration, inclusion, and engagement he has experienced during his term as Chair. The Regents have approached issues of importance to the University, the country, and the world from positions of principle, not expediency or convenience. Upholding one's values was difficult and has engendered controversy and

scorn, but the future of UC depended not only on collaboration, inclusion, and engagement but also on the fact that the Regents' decisions are guided by their principles and moral compass. Chair Leib looked forward to continuing his work with the Board.

### 3. **REMARKS OF THE PRESIDENT OF THE UNIVERSITY**

President Drake began his remarks by noting the extremely challenging and unprecedented circumstances at many American universities over the last several weeks, including the University of California campuses. The current situation was vastly different and more complex than anything UC has confronted in several generations. People within the UC community were in conflict with each other, and President Drake and the chancellors were doing their best to navigate the balance between freedom of expression and a safe and welcoming campus environment. The University has not wavered from its commitment to free speech but must be responsive when protest becomes destructive or violent or when access to facilities is compromised. President Drake was deeply saddened by what was unfolding on UC campuses and understood that this was occurring on campuses across the country. The members of the UC community did not always agree and might struggle through attempts to understand and relate to one another, but President Drake was grateful to the chancellors, the faculty and other campus leaders, staff, and students for addressing these situations in a swift but thoughtful manner. One must do one's best to live one's life and values even in difficult moments. Many questions remained about the events of the last few weeks, including some violent incidents, and the University has engaged a nationally recognized consultant with expertise in policing reform, content-neutral policing of demonstrations, and helping higher education institutions with community safety, to lead a privileged, independent investigation, which was now underway. A report of the findings would be shared when this review is complete. UC campuses must be places where UC community members can safely engage in the University's mission of teaching, research, and public service. Campuses would continue to be provided with the resources and support needed to achieve this and to prepare for and respond to what might occur.

Last week, Governor Newsom released his May Revision of the State budget. The University was continuing to assess how it might be affected and looked forward to working with the State Legislature and the Governor to finalize the State budget. President Drake congratulated the 2024 graduates, especially those who missed their 2020 high school graduation ceremonies due to the COVID-19 pandemic. He congratulated Chancellor Muñoz on the previous day's groundbreaking of the new UC Merced Medical Education Building, which would help the University train more physicians to address the health needs of the San Joaquin Valley. President Drake noted those whose Board service was concluding or whose roles were shifting after June 30. He acknowledged Chair Leib and Vice Chair Elliott for their service, leadership, and dedication. He recognized Regents Tesfai, Raznick, and Ellis, Regent Ellis' service dog Bubba, and Staff Advisor Mackness for representing their constituencies with great care and for their continued support. He acknowledged Chancellor Christ as an inseparable fixture of UC Berkeley, a lifelong learner and teacher, a courageous and principled leader, and a staunch advocate for students, staff, and faculty. She has shepherded the campus from financial difficulty to stability, through a global pandemic, and during protests on campus. President Drake stated

that she would be deeply missed as a leader, colleague, thought partner, and friend, and wished her well in her retirement.

4. **RESOLUTION IN APPRECIATION – CAROL CHRIST**

Upon motion of Regent Pérez, the following resolution was adopted, Regents Anguiano, Batchlor, Cohen, Drake, Ellis, Hernandez, Leib, Makarechian, Matosantos, Park, Pérez, Raznick, Robinson, Sarris, Sherman, Sures, and Tesfai voting “aye.”

WHEREAS, the Board of Regents of the University of California wishes to honor and commend Carol Christ as she prepares to step down as the eleventh Chancellor of the University of California, Berkeley, following a career of distinguished and loyal service to the University, including as Dean of the Division of Humanities, Provost of the College of Letters and Science, and Executive Vice Chancellor and Provost, marked by principled leadership that has earned her the high regard of the faculty and great affection of the Berkeley community; and

WHEREAS, she answered the call to leadership of her beloved campus in its time of need and under her transformative and visionary leadership as Chancellor she left an indelible imprint on the Berkeley campus, strengthening its financial position, leading a strategic planning process, expanding student housing, including for transfer students and graduate students, and raising a remarkable \$7.3 billion, far surpassing the campus’ ambitious campaign goal of \$6 billion, ensuring that the future of Berkeley remains bright; and

WHEREAS, she deftly guided the Berkeley campus through the unprecedented and difficult COVID-19 pandemic, leading decisively and with empathy, navigating enormous challenges while fostering resilience, and demonstrating her loyalty to Berkeley by remaining at the helm to steer the campus to normal operations and ensure that it emerged stronger and prepared for new challenges; and

WHEREAS, she has been a staunch supporter of free speech and constructive dialogue throughout her career, led a Commission on Free Speech to preserve the campus’ firm commitment to free expression while seeking ways to minimize disruption of the University’s mission, and has been unwavering in her commitment to protect free speech while upholding campus community principles and values; and

WHEREAS, she has had a distinguished academic career as a renowned scholar of Victorian literature, who embodied excellence by maintaining an active program of teaching and research throughout her career as an academic administrator, and whose expertise was recognized by her election as a Fellow in the prestigious American Academy of Arts and Sciences;

NOW, THEREFORE, BE IT RESOLVED that the Regents of the University of California laud Chancellor Christ’s exceptional leadership of a vibrant Berkeley campus and express their profound admiration and gratitude to her for her unceasing dedication to the University, and that the Regents greatly appreciate her intellect, dignity, and warmth;

AND BE IT FURTHER RESOLVED that the Regents extend to Carol Christ their heartfelt good wishes for a well-deserved retirement and take comfort in the fact that she will always be a vital participant in the life of the campus, and therefore instead of wishing her farewell, instead send her off with a resounding “Fiat Lux!”

Regent Pérez praised Chancellor Christ’s remarkable career as an academic in the field of Victorian literature and a committed advocate for academic freedom and free speech, including her leadership of a Commission on Free Speech. He recalled that he and Regent-designate Salazar met Chancellor Christ, who was Provost of the College of Letters and Sciences at the time, when they were both student protesters at UC Berkeley advocating for faculty diversity and a more inclusive campus environment. After a career at Smith College, Chancellor Christ agreed to return as Interim Provost and later as Chancellor, creating financial stability, navigating the pandemic, and raising \$7.3 billion in a \$6 billion capital campaign. Regent Pérez noted her unparalleled passion and commitment.

#### 5. **REMARKS OF THE CHAIR OF THE ACADEMIC SENATE**

Faculty Representative Steintrager began his remarks by describing “Five Day Locker Piece,” a 1971 performance by Chris Burden (1946–2015). Mr. Burden was an MFA student at UC Irvine, the newest UC campus at the time. Police nearly ended the piece for his safety and a dean almost intervened, but Mr. Burden eventually emerged of his own accord. His later pieces included “Shoot” (1971), in which a friend shot him in the arm, “Transfixed” (1974), in which he was crucified on a Volkswagen Beetle, and “Urban Light” (2008), an installation of 202 antique streetlamps outside the Los Angeles County Museum of Art. UCI did not mark Mr. Burden’s passing, but Director of the UCI Institute and Museum of California Art Kim Kanatani sent out a communication about “Five Day Locker Piece” on its 50th anniversary. Mr. Steintrager was glad that UCI could acknowledge and even celebrate Mr. Burden’s difficult work.

Mr. Steintrager had originally planned to make remarks on the importance of the arts and creative works at a research university given the nation’s focus on science, technology, engineering, and mathematics (STEM) education. He then considered the relevance of “Five Day Locker Piece,” which was about discomfort, pain, and testing human endurance. The piece pushed the limits of expression, invited institutional intervention, and compelled one to think uncomfortable thoughts and have difficult conversations. While the practical applications and vocational pathways of the humanities are not immediately evident, there was potential civic value to skills such as interpretation and rhetorical analysis. Terms such as “safety” and “academic freedom” were worthy of such analysis—considering the context in which these terms were uttered, how they were meant to move people, what they were meant to do, and what they attempted to preclude, such as uncomfortable thoughts and difficult discussions.

It seemed obvious and true that UC wanted its students, faculty, and staff to be safe. Mr. Steintrager believed that everyone wished that the institution had done better to provide safety to those in the UCLA encampment on the night of April 30, even if one disagreed with their actions or positions; otherwise, there would not be a presidential



investigation. While the University had reason to invoke safety to bring police and forcibly clear the encampment, some would assert that invoking safety was disingenuous and double-speak given the nature of the intervention. Mr. Steintrager noted that safety has been asserted where others might assert intellectual discomfort. It was not obvious to him how one adjudicates such claims or draws clear boundaries, or that one should draw boundaries.

The Regents' bylaws specifically enjoined the Academic Senate to nurture and protect academic freedom. It has been invoked to prevent certain actions, but one knew that there were limits on academic freedom, such as limitations on research with human subjects and the legal constraints provided by and the ethical necessity to respect the Native American Graves Protection and Repatriation Act. Not every assertion of academic freedom is innocent or unimpeachable; it is acceptable to question instances when academic freedom is used to justify a course of action or inaction. Mr. Steintrager was not sure what the right place might be to have difficult conversations and debates on these topics if not the University. Such conversations and debates would be uninformed and unproductive unless they call on UC's political scientists, historians, and cultural and linguistic experts. He expressed hope that these conversations and debates would take place across and between various parts of the University—Regents, the administration, the Academic Senate, classrooms, and extracurricular spaces. There were various ways to define shared governance. From the Academic Senate's point of view, shared governance gave the faculty voice and provided them with representation. From a more technocratic perspective, shared governance was a form of division of labor that allowed centralized coordination while taking advantage of localized knowledge. Within UC's shared governance model, faculty were governance "part-timers" who are well-intentioned, deeply knowledgeable in some areas and sometimes underinformed in others, and who feel as if they should have a say in everything. Faculty tended to dedicate as much time as possible to research, creative activities, teaching, and service that includes Academic Senate service. Faculty had knowledge and experience in curricular matters and academic freedom. Faculty were deliberative, tried to base decisions on evidence and sound argument, and preferred iteration to snap judgments. For a complex organization to work, different parts cede some authority to others, which requires trust. Votes of no confidence tend to have an impact even if they are not binding or do not pass. Mr. Steintrager has sensed and experienced a lack of trust within UC. He did not have a solution but knew that much work must be done. In his remarks at the March meeting, he laid out four ways the Board and the Academic Senate might repair a damaged relationship, to rebuild trust, and he was glad that Chair Leib has acknowledged at least some of his recommendations.

## 6. **MERCED 2020 PROJECT OVERVIEW**

[Background material was provided to Regents in advance of the meeting, and a copy is on file in the Office of the Secretary and Chief of Staff.]

Chancellor Muñoz welcomed attendees to the first full meeting of the Board hosted on the Merced campus and noted that the conference room was named after former Staff Advisor Priya Lakireddy. He stated that UC Merced has delivered and exceeded its goal to increase

access to higher education and stimulate economic growth and development in the Central Valley. The first faculty and graduate students arrived in 2003, and the first undergraduate students in 2005. Currently, UCM has nearly 19,000 alumni, the vast majority of whom live and work in California. Over ten percent of UCM faculty have received National Science Foundation CAREER Awards, and many staff have worked at UC Merced since its founding. The student body was more than 99 percent Californian, more than 80 percent students of color, 65 percent first-generation, and nearly 60 percent Pell-eligible. Chancellor Muñoz thanked those who attended the groundbreaking for the new Medical Education Building, which would care for the people who grow the food that feeds America.

At over 1.2 million gross square feet (gsf), the UC Merced 2020 Project was the largest social infrastructure public-private partnership (P3) completed in the nation and was essential to UC Merced's growth. The campus' original vision was larger, but, as the result of a rigid procurement process that allowed little stakeholder collaboration, several facilities were eliminated or had their scopes reduced during the best and final offer (BAFO) process. For instance, graduate housing was eliminated, and the student health center and student athletic facilities were combined. In addition, a pressing schedule and significant financial constraints drove campus decision making. By analyzing the 2020 Project's procurement process and contract, UCM has gathered valuable insights for future capital projects including the Medical Education Building. In 2002, the Merced campus was still a vision, and, by 2007–08, the campus had approximately 1,300 students and 102 Senate faculty. By 2012, the campus had grown to approximately 6,300 students and 156 Senate faculty in 1.2 million gsf. With the growth of 5,000 students in five years, facilities became occupied and there were waiting lists for residence halls. UC Merced hired the Urban Land Institute (ULI) to gather information and analyze the campus' financial readiness, space, infrastructure, and capacity, and ULI's recommendations resulted in the 2020 Project. This project was designed to find a solution for space constraints across multiple space types. The traditional approach of constructing one building at a time would not be sufficient; UC Merced was under significant pressure to grow enrollment to offset the impact of enrollment on other campuses, and it needed to develop an infrastructure plan to support housing, athletics, academic areas, and new research facilities. This would allow UCM to hire more faculty as well as avoid deferred maintenance with lifecycle-based financing.

UC Merced Vice Chancellor and Chief Operating Officer Daniel Okoli stated that the 2020 Project strategy addressed all the aforementioned goals using the design-build-finance-operate-maintain (DBFOM) delivery method. The campus hired a developer who hired architects, a contractor, and an operation and maintenance subconsultant to design, deliver, operate, and maintain 2020 Project facilities. The developer was held accountable for performance, and the campus and developer shared the financial schedule, operations, and maintenance risks. The development of the 2020 Project took over four years. In 2013, the campus set project goals, created a space program, completed feasibility studies, and identified competing project teams using a Request for Qualifications and a Request for Proposal. In 2014, technical requirements, a campus master plan, and an infrastructure plan were written and were followed by a competition phase in 2015 to select a project team

and the BAFO process. The contract was signed on July 31, 2016, and design meetings began. Weather had been brutal in the winter of 2016–17, but the project team stayed on schedule, and, in 2018, the first phase was delivered on time and on budget. The 2020 Project was completed on 136 acres of previously undeveloped land and doubled the size of the Merced campus by adding more than 1.2 million gsf. The project team included five world-renowned architecture firms, an infrastructure and sustainability consultant, a landscape architect, and a general contractor.

UC Merced Vice Chancellor and Chief Financial Officer Kurt Schnier stated that a single project team met all requirements of the Request for Proposal. Once the design concepts and project bids were received, the 2020 Project was formed, and budget and schedule became primary drivers. The 2020 Project was financed partly by private equity and loans and partly by loans taken by the University. Progress payments were made during construction, and availability payments were made by the campus based on the availability and performance of the project spaces. A handback reserve account guaranteed that the developer would retain sufficient renewal funds to ensure that the facilities at the conclusion of the contract are as stipulated.

Chancellor Muñoz presented lists of the facilities that were completed in the first delivery in fall 2018, the second delivery in fall 2019, and substantial completion in fall 2020. He shared lessons learned from the 2020 Project. UC Merced might have avoided the elimination and reduction of facilities during the BAFO process had there been better collaboration throughout the procurement and design phases. These facilities would eventually still be needed. A progressive, design-build procurement approach would have been more effective and efficient, and the campus would have been able to align expectations, program requirements, and cost estimates in a more dynamic fashion. UCM was now using a design-build approach to deliver the Medical Education Building and Promise Housing facility and planned to use this approach for Classroom and Office Building III, for which faculty have provided input. The campus also learned that modifying research laboratories for specific faculty and research was challenging and not inexpensive. In the future, UC Merced would obtain more input from those who would occupy the buildings. Had the campus building official and fire marshal worked more in concert with each other, deficiencies would have been detected before the 2020 Project was completed. The operational and maintenance portion of the contract should have been revisited. In Chancellor Muñoz's view, the UC Merced 2020 Project was ultimately a resounding success and absolutely necessary. The campus was now a nationally ranked public university and on the verge of being designated a Research 1 (R1) institution.

Regent Ellis shared that many UCM alumni were very pleased with the campus' substantial growth. He noted that the amenities that students wished to have ten years ago might not be what students want at present, and there was an opportunity to tailor student amenities to a post-pandemic landscape. Regent Ellis recalled that, in 2011, laboratory classes were held at 7:30 a.m. to 11:00 p.m. due to the lack of available laboratory space. The campus even considered using laboratory facilities from local high schools. Due to limited space, student groups met in the hallways or in stairwells of the student center. This illustrated the

pioneering spirit of the campus. He was grateful to the Regents at the time who supported the campus and hoped that the Regents would continue their support.

Regent Anguiano commended Chancellor Muñoz, noting that continued investment in UC Merced is critical to the UC 2050 Plan. She asked what UC Merced would need from the system and the Regents as it continues to grow. Chancellor Muñoz replied that the campus would need resources for personnel in buildings such as the Medical Education Building, the Promise Housing facility, and Classroom and Office Building III. UCM also wished to add student services facilities and specialized academic programs. Chancellor Muñoz wished to add 100 faculty, who would need complementary staff, and this would require continued funding. The availability payment was predicated on a population of 10,000 students, a number that the campus wished to grow toward and later exceed. UC Merced sought to make strategic investments to address the expectations of the 2050 Plan.

Regent Park acknowledged the campus' hard work and thanked Regent Makarechian and Executive Vice President and Chief Financial Officer Brostrom for their participation in planning the project, as well as Regents Cohen and Matosantos for their support for the campus while in their State roles. This Board supported UC Merced's realization of its full potential. Regent Park asked how the Regents could help communicate UC Merced's achievements. Chancellor Muñoz replied that the campus was working with Provost Newman to enroll students who were on waiting lists at other UC campuses and obtain additional funding for new academic programs, faculty, and staff to attract more students. Continued support of Accelerating Campus' Evolution (ACE) funding, which helped start new majors, would be very helpful. Chancellor Muñoz gave examples of additional applications received because of new academic programs. Support for academic programs would generate the enrollment UCM needed to service the debt from Project 2020 to make other strategic investments.

Regent-designate Beharry thanked those who were part of the 2020 Project, Regents Matosantos and Cohen, alumni, and Ms. Lakireddy and Vikram Lakireddy. He noted the impact of the project on the Merced community. For example, one month ago, the campus hosted its first Black Student Union conference, attended by 400 Black students. UC Merced's Gateway Scholars Program hosted on campus low-income high school students of color who would be the first in their families to attend college. Regent-designate Beharry was grateful that campus facilities have been used in these ways.

Regent Makarechian congratulated Chancellor Muñoz and recognized former Chancellor Leland. He asked Mr. Brostrom why the University could not retain the Australian company Lendlease for other projects. Mr. Brostrom stated that half of the 2020 Project's financing came from Assembly Bill 94 with the help of Regents Cohen and Matosantos as State Directors of Finance. UC has continued to look for P3 project opportunities such as the NASA-AMES project in Mountain View. When launching the 2020 Project, UC's cost of capital and the private cost of capital were lower. The present cost of equity and commercial debt would make this much less affordable. At UC Santa Cruz, the University was substituting its own financing for the commercial markets. Mr. Brostrom noted the 2020 Project's lifecycle approach to construction and Plenary's deferred maintenance

obligation over the next 30 years, and he acknowledged that a more collaborative, iterative design process should have been used. Three teams were given a stipend to design the project, but none could meet the upset limit, which necessitated the BAFO process. UC would continue to evaluate the cost of capital for every project.

Regent Makarechian asked if there were problems with maintenance. Chancellor Muñoz replied that necessary relationship-building was hindered by the pandemic, but he felt confident and comfortable with the campus' current relationship with the developer. Issues were now being addressed much more quickly and with greater satisfaction.

Regent-designate Salazar recalled working with the late Chancellor Carol Tomlinson-Keasey (1942–2009) on the development of UC Merced in a team appointed by then Governor Gray Davis. He hoped that the campus would continue her vision by providing opportunities to students from the San Joaquin Valley and throughout California.

Regent Sarris expressed excitement about the composition of the UCM student body and praised Chancellor Muñoz's outreach efforts. He recalled connecting Chancellor Muñoz with high schools on his reservation, Graton Rancheria, including a charter high school that was over 90 percent Latino(a). Regent Sarris recently learned that many of these students had visited UC Merced and that Chancellor Muñoz had spoken to them.

Chair Leib shared that Chancellor Muñoz spoke to Latino(a) students at Casa de Amistad, a nonprofit organization serving San Diego County.

Regent Hernandez expressed his wish to see the University engage in more projects like this one in the future.

President Drake added his congratulations and reminisced about the development of and groundbreaking for UC Merced and First Lady Michelle Obama's attendance at UCM's first graduation. In his view, Chancellor Muñoz embodied the purpose of the campus, and he expressed appreciation for Chancellor Muñoz's vision and connection to the people of the region and the state. The campus was regarded as a national model of excellence and inclusion by the American Talent Initiative. President Drake marveled at the speed with which UCM was progressing toward R1 status and the impact that current work would have on the future.

The meeting adjourned at 10:30 p.m.

Attest:

Secretary and Chief of Staff