



DAVID PIERPONT GARDNER
President

OFFICE OF THE PRESIDENT
BERKELEY, CALIFORNIA 94720

April 14, 1986

CHANCELLOR YOUNG:

Delegation of Authority--Administration of the Beverly Glen
Planned Residential Development, Los Angeles Campus

(2/21/86) memo 4/86

At the February 1986 meeting, The Regents authorized the filing of a record of survey and the execution of several development documents between The Regents and the buyers to facilitate the development, construction, and administration of the Beverly Glen Planned Residential Development. A copy of the action approved by The Regents is attached for your reference.

Effective immediately, as Chancellor of the Los Angeles campus you are authorized to administer that Development, including the following specific responsibilities:

1. To designate, describe, and subdivide into approximately 58 lots that portion of the Los Angeles campus approved by The Regents as the site for the Beverly Glen Planned Residential Development, including the preparation and recording (filing) of a record of survey indicating such subdivision, provided that such designating, describing, subdividing, and recording (filing) are done in consultation with the Treasurer and the General Counsel, it being understood that such record of survey may also be in the form of a final map or a legal description.
2. Following recordation of the applicable record of survey, to execute on behalf of the University all approved documents for the Development including Residential Lot Leases, the Declaration of Covenants, Conditions, and Restrictions, the Common Area Lease, Home Purchase Contracts, Home Warranties, and other necessary and related documents required for the completion and sale of residences in the Development.
3. To establish policies on temporary rental of the residences, to conduct investigations regarding compliance with use and occupancy limitations, and to reassign leasehold interests in the event of non-compliance.
4. To determine land values and residence resale price limitations with respect to the resale of the residences in the Development pursuant to the provisions contained in the Development documents.

- 5. To inspect the property upon reasonable terms and conditions.
- 6. To determine whether to exercise any of the University's options to buy under the provisions of the Residential Lot Leases and, if an option is to be exercised, to determine whether and to whom to assign the option.
- 7. To determine the increase, if any, in the ground rent under the Residential Lot Leases.
- 8. To select all initial and subsequent purchasers of the residential units pursuant to the priority system established in the Development documents.
- 9. To determine, in consultation with the General Counsel and the Treasurer upon subsequent sale of a residence, whether a new groundlease will be executed and for what term, not to exceed 60 years.

The following authorities are not delegated:

- A. Major changes in the design or in the permitted uses of the Beverly Glen Planned Residential Development shall be approved by The Regents.
- B. Modifications to the priority system of eligible purchasers of the residences shall be approved by the President.
- C. All modifications to the Development documents shall be approved by the President, prior to their execution, in consultation with the Treasurer and the General Counsel.

Any redelegation of these authorities shall be in writing with copies to the General Counsel, the Treasurer, the Senior Vice President--Administration, and the Director--Coordination and Review.


 David Pierpont Gardner

Attachment

- cc: Senior Vice President Brady
 Senior Vice President Frazer
 Assistant Vice President Swartz
 Director Rogin
 Director Mathews
 Director Scudder
 Coordinator Correia
 Acting General Counsel Holst
 Treasurer Gordon

Approved
Approved as amended
Accepted
Notice served
Deferred
Withdrawn
Disapproved

CX

DA 0897

COMMITTEE ON FINANCE
February 21, 1986

TO THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

The Committee on Finance presents the following:

A. Proposed Gift of Real Property, Davis Campus

The Committee concurs with the recommendation of the Committee on Educational Policy pertaining to the acceptance of a proposed gift from Masson Land, for the benefit of the College of Agricultural and Environmental Sciences, Davis campus.

[Action to be released to the public on the working day following the date of action]

B. Residential Lot Lease and Related Documents, Beverly Glen Planned Residential Development, Los Angeles Campus

The Committee recommends that:

- (1) The President, or designee, in consultation with the Treasurer and the General Counsel and pursuant to the authority granted in Article IX, Section 9 of the Constitution of California, be authorized to designate, describe, and subdivide into approximately fifty-eight lots that portion of the Los Angeles campus previously approved by The Regents as the site for the Beverly Glen Planned Residential Development and, under the direction of a registered civil engineer or licensed land surveyor, to prepare a record of survey indicating such subdivision, said record of survey to be filed with the Recorder of Los Angeles County as evidence of the action of The Regents taken in furtherance of the public and educational objectives of the University.
- (2) The President, or designee, in consultation with the Treasurer and the General Counsel, be authorized to execute the Residential Lot Leases, the Declaration of Covenants, Conditions, and Restrictions, the Common Area Lease, Home Purchase Contracts, and other related documents as necessary for the completion and sale of residences in the

Beverly Glen Planned Residential Development, Los Angeles campus, said documents to contain the following provisions:

- a. Terms of the residential lot leases shall be sixty years;
- b. Each residential lot lessee shall pay The Regents annual ground rent of \$120, subject to annual increases at the discretion of the University by an amount not to exceed five percent of the previous year's rent;
- c. The initial purchasers of the residences shall be selected from persons determined to be eligible by the Chancellor of the Los Angeles campus using the following priority system, with priority within each category given to newly hired employees:
 - (i) first priority shall be given to members of the Academic Senate, and
 - (ii) second priority shall be given to those employees of the University who are an integral part of the Los Angeles campus community and for whom the Chancellor shall have determined that providing adequate housing is a priority.
- d. Upon subsequent assignment of a residential lot lease and the resale of a residence, the owner must offer the residence to buyers in the priority established in (2)c. above, at a price which conforms with (2)f. below, with the understanding that the University has prior options to acquire the residence, provided, however, that if there is no such priority sale and if the University fails to exercise its options, the residence may be sold to a member of the general public at a price and on terms agreeable to buyer and seller;
- e. Upon subsequent sale of a residence, the University will review requests for a new groundlease and will enter into such lease for a term not to exceed sixty years if, in the opinion of the

University, the Faculty For-Sale Housing Program will benefit thereby;

- f. To ensure that residences remain affordable by members of the academic community, resale prices shall be limited to the lesser of:
- (i) the price negotiated between the buyer and the owner; or
 - (ii) the sum of:
 - (a) the original purchase price of the residence paid by the owner, plus
 - (b) the product of the original purchase price of the residence paid by owner and the fractional change from the National Consumer Price Index (all items) as published for the month immediately preceding the date on which the owner originally purchased the residence to said Index last published prior to the date of the offer to sell, plus
 - (c) the cost of all capital improvements to the residence made by the owner, but only to the extent that each such capital improvement exceeds \$1,000 in cost and has been certified by the University at the time such improvement was completed.
- (3) The President, in consultation with the Treasurer and the General Counsel, be authorized to approve and execute future amendments to the above referenced documents and to approve and execute other documents as may be necessary or appropriate related to changing circumstances or unforeseen conditions as long as such amendments or other documents do not contravene the basic meaning or purpose of provisions approved by The Regents.

[Action to be released to the public
immediately following the meeting of the
Board]

C. Lease of Office Space, Center for the Health
Sciences, Los Angeles Campus

The Committee recommends that the Secretary of The Regents be authorized to execute a lease agreement between The Regents, as Lessee, and Westwood Center, a Limited Partnership, as Lessor, covering 2,935 rentable square feet of office space located at 1100 Glendon Avenue, Suite 1708, Los Angeles, for use by the Financial Services Budget and Reimbursement Department, Center for the Health Sciences, Los Angeles campus, said agreement to include the following provisions:

- (1) Term of the lease shall be for thirty-six months, commencing November 1, 1985 and ending October 31, 1988.
- (2) Monthly rent shall be \$5,870 (\$2.00 per rentable square foot) for the lease term.
- (3) Lessor shall pay for all customary utilities and services except telephone service.
- (4) Lessor, at its own expense, shall provide new carpets and paint the interior of the leased premises.

[Action to be released to the public upon
execution of lease documents]

D. Lease of Office Space, Center for Bilingual
Research and Second Language Education, Los Angeles
Campus

The Committee recommends that the Secretary of The Regents be authorized to execute a lease agreement between The Regents, as Lessee, and Westwood Center, a Limited Partnership, as Lessor, covering 3,088 rentable square feet of office space at 1100 Glendon Avenue, Suite 1740, Los Angeles, to be used by the Center for Bilingual Research and Second Language Education, Los Angeles campus, said agreement to include the following provisions:

- (1) Term of the lease shall be for thirty-one months, commencing November 1, 1985 and ending May 31, 1988.