



DAVID PIERPONT GARDNER
President

OFFICE OF THE PRESIDENT
BERKELEY, CALIFORNIA 94720

REISSUED TO REPLACE ATTACHMENT

April 29, 1986

CHANCELLOR HUTTENBACK

Delegation of Authority--Administration of the West Campus Point
Development, Santa Barbara Campus

At the March 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 Faculty Housing project. A copy of the action approved by The Regents is attached for your reference. At that same meeting, The Regents approved the naming of the housing development project as West Campus Point.

Effective immediately, as Chancellor of the Santa Barbara campus, you are authorized to administer the West Campus Point development, including the following specific responsibilities:

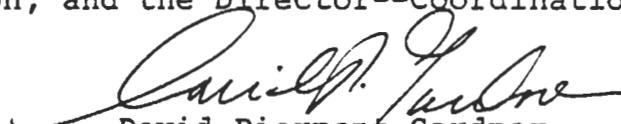
1. To designate, describe, and subdivide into approximately 65 lots that portion of the Santa Barbara campus approved by The Regents as the site for the West Campus Point development, including preparation and recording (filing) of a record of survey indicating such subdivision, provided that such designating, describing, subdividing, and recording (filing) are done in consultation with the Treasurer and 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 West Campus Point.
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 West Campus Point 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 West Campus Point 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 West Campus Point 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 West Campus Point 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

March 21, 1986

C. Purchase of Property, University of California, San Diego, Medical Center

The Committee recommends that:

- (1) The Regents authorize the purchase of a two-story building located at 135 Dickinson Street, San Diego, for a purchase price of \$250,000 to be funded entirely from funds available to the Chancellor of the San Diego campus.
- (2) The Regents accept title to the real property, commonly known as 135 Dickinson Street, San Diego, California, to be conveyed by deed from Seller and/or designee, and consent to recording of said deed.
- (3) The Officers of The Regents be authorized to execute all documents in connection with the above.

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

D. Residential Lot Lease and Related Documents, Faculty Housing Project, Santa Barbara Campus

The Committee recommends that:

- (1) The President, or designee, in consultation with the Treasurer and the General Counsel and pursuant to Article IX, Section 9 of the Constitution of California, be authorized to designate, describe, and subdivide into approximately sixty-five lots that portion of the Santa Barbara campus previously approved by The Regents as the site for the Faculty Housing project 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 Santa Barbara 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 Faculty Housing project, Santa Barbara 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 an 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 Santa Barbara 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 Santa Barbara 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 the sale is to a buyer eligible under the priority system in (2)c. above, or 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, or designee, 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 upon execution of lease documents]

E. Amendment of Lease with Department of Energy for State University Tract, Lawrence Berkeley Laboratory

The Committee recommends that the Secretary of The Regents be authorized to execute Supplement No. 2 to a lease dated November 9, 1959 between The Regents, as Lessor, and the Department of Energy, as Lessee, for real property on the State University Tract, Plots 80 and 82, Berkeley, for use by the Lawrence Berkeley Laboratory, modifying that lease as follows:

- (1) Addition of new Parcel 5A, containing 1.80 acres, to encompass the site of the Advanced Materials Laboratory.
- (2) Reduction of the boundaries of existing Parcel 5 containing the Shop Area-Building 58A, Wilson Tract, from 6.12 acres to 4.32 acres in order to create Parcel 5A.
- (3) Establishment of a fifty-year lease period for new Parcel 5A beginning March 1, 1986 and ending February 29, 2036.

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

F. Proposed Lease of Aircraft Support Facilities, Lawrence Livermore National Laboratory

The Committee recommends that:

- (1) The Secretary of The Regents be authorized to execute a lease between The Regents, as Lessee, and the City of Livermore or its designee, as Lessor, for aircraft support facilities covering approximately 83,300 square feet, consisting of an aircraft hangar building with general office space, a concrete aircraft apron, and a secured and fenced vehicle parking area located at the Livermore Municipal Airport, for use by Lawrence Livermore National Laboratory, said lease already having been approved for funding by