



DAVID PIERPONT GARDNER
President

OFFICE OF THE PRESIDENT
BERKELEY, CALIFORNIA 94720

October 28, 1986

CHANCELLOR PELTASON

Delegation of Authority--Administration of Irvine Campus Housing
Community Program, Irvine Campus

At the September 1983 meeting, The Regents authorized execution of an unsubordinated groundlease between The Regents and the Irvine Campus Housing Authority (ICHA) to facilitate the development, construction, and administration of the Irvine Campus Housing Community program. Subsequent actions at the June 1984, September 1985, November 1985, and May 1986 meetings of The Regents amended and restated the program and the terms of the groundlease. Copies of approved Regents' actions are attached for your information.

This confirms your authority with respect to administration of the Irvine Campus Housing Community program and replaces Vice President Brady's transitional letters of September 23, 1983, August 15, 1985, and July 14, 1986. Effective immediately, as Chancellor of the Irvine campus, you are authorized to administer the Irvine Campus Housing Community program, as amended, including the following specific responsibilities:

1. Identification and implementation of those minor amendments or modifications to the Housing Community program which are necessary or beneficial but which do not alter the original definition of the program as approved by The Regents.
2. Within the limits of the program approved by The Regents, operational approval of such items as the size and type of units to be constructed and schedules for construction.
3. Determination of additional uses of the property covered by the groundlease within the scope of the Housing Community program as presented to The Regents.
4. Approval of consent to the demolition or removal of improvements or fixtures on the property when such action does not reduce the value of The Regents' ownership interest in the property.

5. Approval of site plans and of construction plans and specifications, subject to the provisions of Standing Orders 100.4(z) and 100.4(aa).
6. Approval of plans for improvements or renovations by individual successor sublessees.
7. Determination of adequacy of contractor and subcontractor surety bonds and workers' compensation, and of builders' all-risk insurance, and authority to grant waivers for same.
8. Determination of substantial completion.
9. Authority to grant waivers of right to receive copies of all Housing Community program-related contracts between ICHA and general contractors, and to grant waivers of right to be recognized as the default assignee under such contracts.
10. Approval of proposals to perform work on the property, following consultation with the General Counsel as appropriate.
11. Approval of the builder-developer for the Housing Community program.
12. Determination of the method of financing to be utilized for construction of the infrastructure on the property, subject to approval of the Treasurer.
13. Execution of contracts with utility companies when such utilities serve only campus users.
14. Establishment of policies for temporary rental of housing units on leasehold parcels, conduct of investigations regarding possible violations of use limitations, and reassignment of the leasehold if such violations occur.
15. Determination of information to be provided by ICHA upon assignment/sublease.
16. Establishment of rents consistent with the Housing Community program as presented to The Regents.
17. Determination of land values, particularly with respect to reassignment of leasehold interests, in consultation with the ~~Treasurer~~ Senior Vice President--Administration.
18. Authority to approve assignment of leasehold interest in community space, with the agreement of the General Counsel and Treasurer.

19. Determination of participation in law suits or administrative proceedings affecting the property, contingent upon approval of the General Counsel and Treasurer.
20. Authority to inspect the property upon reasonable terms and conditions.
21. Initiation of appropriate actions with respect to facilitation of construction and permanent financing of housing units on the property, in consultation with the General Counsel and Treasurer.
22. Determination of breach of groundlease by ICHA and of appropriate remedies and pursuit of same, in consultation with the General Counsel and Treasurer.
23. Determination of effect of partial condemnation of property, in consultation with the General Counsel and Treasurer.
24. Approval of ICHA requests for construction financing, in consultation with the President and the Treasurer.
25. Approval of ICHA annual operating budgets.
26. Determination of whether to exercise any of the University's options to buy under the amended and restated groundlease and, if an option is to be exercised, determination of whether and to whom to assign the option.
27. Execution of such development documents as are necessary (i.e., Condominium Declarations and Plans) to implement the condominium component of the Irvine Campus Housing Community program as approved by The Regents, following approval by the General Counsel.

The following authorities will remain with The Regents and the President:

- A. Major changes in the Housing Community program and in uses of the property covered by the groundlease must be approved by The Regents.
- B. Debt obligations to be incurred by ICHA in connection with any capital expenditure must be approved by The Regents.
- C. Modifications to the priority system for assignment to leasehold interests must be approved by the President.
- D. Amendments to the ICHA By-laws must be approved by the President.

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



David Pierpont Gardner

Attachments + See also 3/28/89 Memo

cc: Senior Vice President Brady
Senior Vice President Frazer
Assistant Vice President Swartz
Special Assistant Young
Director Rogin
Director Mathews
Director Scudder
Coordinator Correia
Principal Officers of The Regents