

## **AGENDA**

### **COMMITTEE OF THE WHOLE**

**Meeting: 10:30 a.m. Wednesday, January 28, 2004**  
**Glenn S. Dumke Auditorium**

Debra S. Farar, Chair  
Murray L. Galinson, Vice Chair  
Roberta Achtenberg  
Bob Foster  
Eric Z. Guerra (non-voting)  
William Hauck  
Ricardo F. Icaza  
Kathleen E. Kaiser  
M. Alexander Lopez  
Shailesh J. Mehta  
Dee Dee Myers  
Ralph R. Pesqueira  
Frederick W. Pierce, IV  
Charles B. Reed, Chancellor  
Kyriakos Tsakopoulos  
Anthony M. Vitti

#### **Consent Items**

Approval of Minutes of Meeting of September 17, 2003

#### **Discussion Items**

1. Appointment of Member to the California State University Headquarters Building Commission, *Action*

**MINUTES OF THE MEETING OF  
COMMITTEE OF THE WHOLE**

**Trustees of The California State University  
Office of the Chancellor  
Glenn S. Dumke Conference Center  
401 Golden Shore  
Long Beach, California**

**September 17, 2003**

**Members Present**

Debra S. Farar, Chair  
Murray L. Galinson, Vice Chair  
Bob Foster  
Eric V. Guerra  
William Hauck  
Alice A. Huffman  
Kathleen Kaiser  
M. Alexander Lopez  
Shailesh J. Mehta  
Jack O'Connell  
Ralph R. Pesqueira  
Frederick W. Pierce, IV  
Charles B. Reed, Chancellor  
Stanley M. Toy  
Daniel Weinstein  
Milton M. Younger

**Members Absent**

Roberta Actenberg  
Ricardo F. Icaza  
Dee Dee Myers  
Kyriakos Tsakopoulos

**Chancellor's Office Staff**

David S. Spence, Executive Vice Chancellor and Chief Academic Officer  
Richard P. West, Executive Vice Chancellor and Chief Financial Officer  
Jackie R. McClain, Vice Chancellor, Human Resources  
Christine Helwick, General Counsel

Chair Farar called the meeting to order at 10:04 a.m.

**Consent Items**

**Approval of Minutes of July 16, 2003**

The minutes of July 16, 2003 were approved as submitted.

## **Discussion Items**

### **Litigation Report No. 18**

Chair Farar stated that the item was the semi-annual update on CSU litigation and that General Counsel Christine Helwick would make a brief report. Ms. Helwick presented a series of slides providing the Board an overall perspective of CSU litigation. Notwithstanding California's dismal budget climate that generally translates into an environment that encourages the filing of lawsuits, Ms. Helwick reported that CSU's overall caseload has continued to drop in significant increments with each reporting period, from a high of 300 pending cases in 1999 to today's 135 active cases. She concluded that CSU is now assured that its litigation experience is not simply tied to economic trends, but rather the hard work, focus and teamwork of its lawyers, Chancellor's Office employees and campus personnel. This teamwork resolves issues before they become litigation and contains them quickly and efficiently. She stated lowered caseload also reflects CSU's commitment to the continued education, professional development and training of the CSU workforce in general. The slides presented overviews of: how caseload has dropped in the past 6 years; the types of cases; overall case resolution; average payment per case excluding defense costs; and volume of administrative hearings handled by CSU attorneys.

Turning to the written report, General Counsel Helwick directed attention to the City of Marina v. CSU case. In this case, she explained, the City of Marina and the Fort Ord Reuse Authority attempted to use California environmental laws to impose the cost of off-campus infrastructure improvements on CSU, under the label of environmental mitigation. The courts have long held that there are multiple benefits provided to taxpayers in a locality where a state facility is located. In the case of the university those benefits include cultural events, library, greenbelts and continuing education opportunities, in addition to new jobs and higher property values. The trade off for these benefits, she said, is that local residents pay some of the costs associated with infrastructure improvements necessary to support the university in their community. The City of Marina case is a published appellate decision that now holds that this principle is no different in the context of environmental laws. Ms. Helwick stated that this case is a victory for CSU and an important precedent for the system. The Fort Ord Reuse Authority has asked the California Supreme Court to review the opinion. She promised to keep Trustees posted. She opened the meeting to questions or comments of which there were none.

Chair Farar announced that the business of the Committee of the Whole was concluded.

## **Adjournment**

The meeting adjourned at 10:10 a.m.

## **COMMITTEE OF THE WHOLE**

### **Appointment of Member to the California State University Headquarters Building Commission**

#### **Presentation By**

Richard P. West  
Executive Vice Chancellor and  
Chief Financial Officer

#### **Summary**

Trustee appointment of a commissioner to the CSU Headquarters Building Commission needs to be made for a succeeding four-year term.

#### **Background**

The state university headquarters building has been financed and operated through a joint powers agreement with the city of Long Beach. The arrangement established a commission to ensure provisions of the agreement are carried forward. The trustees appoint two members to the commission. Reappointment is needed for one of the trustee members. The position is uncompensated and must be held by a California elector.

Mr. George Pardon, vice president, administration and finance at CSU, Dominguez Hills has served for the last four years as a trustees' representative to the commission. During this time, he has functioned as a valuable member of the commission. During his tenure as the director of accounting for the Office of the Chancellor, Mr. Pardon worked closely with the Headquarters Building Authority as the fiscal agent for the board. His understanding of the Authority's activities and his strong financial skills have been an asset to the commission.

The following resolution is recommended for adoption:

**RESOLVED**, By the Board of Trustees of the California State University, that Mr. George Pardon be reappointed a commissioner of the California State University Headquarters Building Commission for a succeeding four year term.