



BERKELEY, CALIFORNIA 94720-1500

OFFICE OF THE VICE CHANCELLOR-ADMINISTRATION  
235 CALIFORNIA HALL

July 24, 2008

Mayor Tom Bates  
Berkeley City Council  
2180 Milvia Street, 5<sup>th</sup> Floor  
Berkeley, CA 94704

Dear Mayor Bates and Members of the City Council:

As Judge Miller has entered her final judgment in the actions on the Student-Athlete High Performance Center ("SAHPC"), we are eager to move forward with the construction of this important project. We want to remind the City Council of numerous changes that the campus has made to both this project, and the subsequent phases of the Stadium renovation, in response to concerns voiced by the City and by the community in this litigation:

- **Acceleration of the second phase of the Stadium:** The campus has developed a construction and financing plan that would accelerate the renovation and seismic retrofit of California Memorial Stadium by over 18 months. Under this plan, the construction of the second phase would overlap with the construction of the SAHPC and would result in the completion of this phase by the 2012 football season. This approach would impose additional costs, because of the need for surge space for Stadium occupants for an extended period, but we believe that our financing plan – which solely utilizes private dollars – can accommodate these increased costs. We would be happy to share with the city our financing strategy and the projected schedule for retrofit of the stadium.
- **Replacement of Trees:** The University has committed to planting three trees for every one removed in the areas around Memorial Stadium. The campus has made a further commitment that at least one out of every three new trees will be a specimen replacement tree.
- **Parking:** Parking is needed for staff and faculty who work in the southeast campus as well as for visitors to the Optometry Clinic and other nearby venues, and will be displaced as the SCIP projects move forward. As you are aware, the city and campus agreed to a specific number of additional parking spaces in the 2020 LRDP settlement agreement. Nevertheless, we agree that before the campus develops new parking on the east side of the campus it will conduct a comprehensive review of alternatives, including exploring possibilities for developing, funding, and/or sharing parking with the city on the west side of the campus and in the downtown. In any event, we will not develop additional parking as part of the SCIP projects until completion of Phase II of Memorial Stadium.
- **Design of the Student High-Performance Center:** Plans for the Student High-Performance Center have been modified to (a) move the footprint so that the north end of the building is farther

from the known fault line; (b) lower the front of the building four feet to maintain the maximum view of the historic façade of the stadium from Piedmont Way; (c) add lawn to the plaza in addition to trees to produce a more park-like environment. The campus has also affirmed its commitment to maintain the stone façade of the building in conjunction with its landform design to integrate it into the surrounding environment.

- **Additional capacity events at Memorial Stadium; impacts on Panoramic Hill:** The University, as you know, has removed the inclusion of 7 additional capacity events at Memorial Stadium from the project description, agreeing to continue the campus's current policy and practice. In addition, we have begun discussions with Panoramic Hill representatives regarding the university's programs in and around the stadium to seek ways in which to minimize the impacts of those activities on our neighbors. We have also expressed the university's willingness to consult with neighbors as design plans for phases II and III of the stadium project are developed.
- **Emergency Access to Panoramic Hill:** Emergency access to Panoramic Hill during football games emerged as a significant concern to its residents and City officials. The Chancellor funded a study of this issue which could yield effective solutions, including an emergency-vehicle only access route and a pedestrian evacuation route. We would welcome the opportunity to partner with the City in looking at possibilities to address the access concerns of these campus neighbors.

Again, we have adopted these positions in response to concerns we heard from our neighbors and from the City and they continue to hold in the face of the Judge's decision in the case, contingent on the city's agreement not to file an appeal to the current litigation and not to file any future legal challenge to the Memorial Stadium project. We believe it is time to end the cost and adversarial relationship inherent in these legal proceedings and redirect our efforts toward working together in the best interests of our shared community.

Please contact us if you have questions about the project or these modifications.

Sincerely,



Nathan Brostrom  
Vice Chancellor—Administration

cc: City Manager Phil Kamlarz  
Vice Chancellor Ed Denton