

DRAFT MINUTES OF 10/11/06 ICOC MEETING

**UCLA
Grand Horizon Room
3rd Floor, Covel Commons, Sunset Village
330 De Neve Drive
Los Angeles, California 90024**

Ricardo Azziz	Present
David Baltimore	Present
Robert Birgeneau and Designee Robert Price	Present
Susan V. Bryant	Present
Marcy Feit	Present
Michael A. Friedman	Present
Michael Goldberg	Present
Brian E. Henderson	Present
Edward W. Holmes	Absent
David A. Kessler	Present
Robert Klein	Present
Sherry Lansing	Absent
Gerald S. Levey	Present
Ted W. Love	Present
Richard A. Murphy	Present
Tina S. Nova	Present
Ed Penhoet	Present
Philip A. Pizzo	Present
Claire Pomeroy	Present
Francisco J. Prieto	Present
John C. Reed	Present
Duane Roth	Present
Joan Samuelson	Present
David Serrano Sewell	Present
Jeff Sheehy	Present
Jonathan Shestack	Absent
Oswald Steward	Present
Leon J. Thal	Present
Janet Wright	Present

Agenda Item # 4: Approval of minutes from August 2, 2006 ICOC meeting.

Motion:

- Dr. Love moved for approval of the minutes with one clarification of who had seconded a particular motion.
- Dr. Levey seconded.

Vote:

- All in favor; no opposition.
- Motion carried; minutes approved.

To see the final, approved minutes, see this URL:

<http://www.cirm.ca.gov/minutes/pdf/2006/08-02-06.pdf>

Agenda Item # 5: Chairman's Report.

Chairman Klein provided an update on CIRM financial matters:

- 1) Second round of Bond Anticipation Notes (\$31 Million)
- 2) \$150 Million loan from the Department of Finance, as approved by Governor Schwarzenegger. There has been a delay in closing both of these transactions due to the election, but we anticipate finalizing both in the month of November.

Chairman Klein also welcomed the newest ICOC Member, Dr. Ricardo Azziz, Chairman of the Department of Obstetrics and Gynecology at Cedars-Sinai Medical Center in Los Angeles. Dr. Azziz was appointed by Governor Schwarzenegger.

Agenda Item # 6: President's Report.

Dr. Hall updated the board on recent hires and current recruitment activity. He reported on the Assessment of Medical Risk for Egg Donors conference that took place on September 28th, 2006. He also updated the board on the SEED and Comprehensive Grant RFAs and the letters of intent, providing the proposed timeline for review of each set of applications, first by the Scientific and Medical Research Funding Working Group and then the ICOC.

To view Dr. Hall's presentation, see this URL:

http://www.cirm.ca.gov/meetings/pdf/2006/10/101106_item_6.pdf

Agenda Item # 7: Consideration of Action Items from the Facilities Working Group, including but not limited to:

- a. Draft Interim Procedures and Criteria for Conducting Review of Shared Space Laboratories Applications.**
- b. Draft Bylaws for the Facilities Working Group.**
- c. Interim policy regarding matching fund credits for major facilities grant applications.**

Facilities Working Group Chair Rusty Doms presented the Draft Interim Procedures and Criteria for Conducting Review of Shared Space Laboratories Applications to the ICOC for approval, as recommended by the Working Group.

To view the draft interim procedures and criteria, see this URL:
http://www.cirm.ca.gov/meetings/pdf/2006/10/101106_item_7a.pdf

It was specified that these procedures and criteria would be only for the CIRM Shared Space Laboratory Grants that are part of the Grants Program approved by the ICOC at its meeting on 8/2/06. To view the proposal, including details on the shared space grants, see this URL: http://www.cirm.ca.gov/meetings/pdf/2006/08/080206_item_13a.pdf

Motion:

- Dr. Henderson moved for approval of the Draft Interim Procedures and Criteria for Conducting Review of Shared Space Laboratories Applications.
- Dr. Wright seconded.

Vote:

- All in favor; no opposition.
- Motion carried; interim procedures and criteria approved.

Motion:

- Dr. Steward moved for approval of an amendment to the Draft Interim Procedures and Criteria for Conducting Review of Shared Space Laboratories Applications with regard to geographical consideration. The amendment was discussed at length and edited with suggestions from ICOC members and President Hall.
- Dr. Levey seconded.

Vote:

- By a roll-call vote, the no vote carried 15-10
- Motion did not pass; amendment not approved.

Mr. Doms also presented the Draft Bylaws for the Facilities Working Group, recommended by the Working Group for approval by the ICOC.

To view the draft bylaws, see this URL:

http://www.cirm.ca.gov/meetings/pdf/2006/10/101106_item_7b.pdf

Motion:

- Dr. Penhoet moved for adoption of the Draft Bylaws for the Facilities Working Group.
- Dr. Pomeroy seconded.

Vote:

- All in favor; no opposition.
- Motion carried; bylaws approved.

The ICOC discussed the need for a policy regarding matching fund credits for major facilities grant applications, and Dr. Hall suggested his staff, including a new key member coming on board November 1st, draft a proposal on this issue and bring it back to the ICOC at its December 7, 2006 meeting.

The ICOC also discussed the need for an inventory of potential facilities plans throughout the state, especially with regard to potential grantees for major facilities. The board voted in May 2005 to carry out this inventory, but the CIRM has not had staff in place to conduct it.

Agenda Item # 8: Consideration of authorization for president to hire additional science personnel.

Dr. Hall requested the board authorize him to hire more new science personnel than approved in the budget presented to the ICOC at its August 2, 2006 meeting. Due to the large volume of work to be done in the coming months, including the upcoming grant reviews, there is a huge need for these additional staff members.

Specifically, Dr. Hall requested authorization to hire two additional Program Officers and one additional Grants Technical Assistant.

Motion:

- Dr. Levey moved approval of authorization for CIRM president to hire additional science personnel, including two additional science program officers and one additional grants technical assistant, beyond those included in the budget approved by the ICOC on August 2, 2006.

- Dr. Pomeroy seconded.

Vote:

- All in favor; no opposition.
- Motion carried; hiring authorization approved.

Agenda Item # 9: Consideration of action items for Grants Working Group including but not limited to:

- a. Appointment of alternate members of Grants Working Group.**
- b. Per Diem for subject expert specialists for grant reviews.**

Dr. Arlene Chiu requested the board approve a list of 18 scientists as new alternates for the Scientific and Medical Research Funding Working Group, given the large volume of work the Working Group will have in the next few months.

To view the list and bios of the proposed additional alternates, see this URL:

http://www.cirm.ca.gov/meetings/pdf/2006/10/101106_item_9a.pdf

Motion:

- Dr. Wright moved for approval of the 18 proposed additional alternate members for the Scientific and Medical Research Funding Working Group.
- Dr. Love seconded.

Vote:

- All in favor; no opposition.
- Motion carried; addition of 18 proposed alternate members approved.

Dr. Chiu also requested the board approve a Per Diem payment of \$400 per review to Specialists that will be brought in grant reviews based on the need for their backgrounds and expertise. To view the background information on this request, please see this URL:

http://www.cirm.ca.gov/meetings/pdf/2006/10/101106_item_9b.pdf

Motion:

- Dr. Thal moved for approval the \$400-per-review Per Diem payment for specialists brought in for grant reviews.
- Dr. Birgeneau seconded.

Vote:

- All in favor; no opposition.
- Motion carried; \$400 Per Diem payment for specialists approved.

Agenda Item # 10: Consideration of action items regarding Intellectual Property Regulations for Non-Profit Organizations, including but not limited to:

a. Emergency adoption of interim policy pursuant to the Administrative Procedures Act.

b. Permanent adoption of Proposed Regulations 100300 - 100305; 100307-100310.

The ICOC considered emergency adoption of the previously ICOC approved Interim Intellectual Property Policy for Non-Profit Organizations as an interim policy for another 120 days, so there continues to be a policy in place as the actual Regulations make their way through the APA process.

To view the Interim Intellectual Property Policy for Non-Profit Organizations, see this URL: http://www.cirm.ca.gov/meetings/pdf/2006/10/101106_item_10a.pdf

Motion:

- Dr. Love moved for emergency adoption of Interim Intellectual Property Policy for Non-Profit Organizations as an interim policy for another 120 days.
- Dr. Bryant seconded.

Vote:

- All in favor; no opposition.
- Motion carried; emergency adoption approved.

The ICOC considered for approval the Intellectual Property Regulations for Non-Profit Organizations for permanent adoption so they can be sent to the OAL for final review and permanent adoption as regulations.

The discussion led to the consideration of two ICOC-suggested and amendments to the regulations, one striking a sentence regarding joint press releases and one striking the word “acceptable” on page 9.

Motion:

- Dr. Baltimore moved for approval of an amendment to the regulations, striking a sentence regarding joint press releases.
- Dr. Murphy seconded.

Vote:

- Four nay votes were noted; all other members voted in favor.
- Motion carried; amendment approved.

Motion:

- Dr. Reed moved for an amendment to the regulations, specifically to delete the Word “acceptable” from the description of an acknowledgement on page 9.
- Dr. Wright seconded.

Vote:

- All in favor; no opposition.
- Motion carried; amendment deleting “acceptable” approved.

Motion:

- Dr. Baltimore moved for final adoption of the regulations, now including the two previously approved amendments.
- Ms. Samuelson seconded.

Vote:

- All in favor; no opposition.
- Motion carried; regulations adopted and will be sent to OAL for final review.

Note: this set of regulations, now approved for final review by the OAL, does not Include Regulation number 100306 on Licensing CIRM-Funded Patented Inventions, which is going through the APA process separately from the rest of these regulations due to the need for more work on the language regarding “federal Medicaid pricing.”

To view the Regulations as approved for submission to the OAL for final review, see this URL: http://www.cirm.ca.gov/meetings/pdf/2006/10/101106_item_10b.pdf

Agenda Item # 11: Consideration of report from Intellectual Property Task Force including but not limited to:

- a. Draft CIRM Policy for For-Profit Organizations.**
- b. Update on possible open-access question for scholarly articles published by CIRM-funded grantees.**

There was no discussion of this item at this meeting. It will be on the agenda for consideration by the ICOC at its meeting on December 7, 2006.

Agenda Item # 14: Consideration of CIRM Scientific Strategic Plan and continued items including values, mission statement, slogan and strategic principles.

Dr. Hall made a presentation on the Draft CIRM Scientific Strategic Plan, which met unanimous acclaim from the ICOC at its evening meeting on October 10, 2006, and then again at this meeting. Extended praise and applause were given to the Strategic Planning Team and the PwC consultants who conducted research for and developed the plan over the past several months.

To view Dr. Hall's slide presentation, see this URL:

http://www.cirm.ca.gov/meetings/pdf/2006/10/Strat_Plan_Slide.pdf

To view and electronic copy of the Draft CIRM Scientific Strategic Plan, see this URL:

http://www.cirm.ca.gov/meetings/pdf/2006/10/Strat_Plan_100406.pdf

Agenda Item # 15: Consideration of amendment to Internal Governance Policy permitting president to augment staff salaries within specified salary ranges approved by ICOC.

The Internal Governance Policy approved by the ICOC at its meeting on June 2, 2006 did not include permission for the President to augment staff salaries within the ICOC approved salary ranges. The need for such augmentation came up in the case of Marci Davies, for whom Dr. Hall requested approval of a salary of \$142,000 per year. Dr. Hall also requested approval of an amendment to the Internal Governance policy so he could make such augmentations in the future.

To view the updated Internal Governance Policy, including the approved amendment, see this URL: http://www.cirm.ca.gov/meetings/pdf/2006/10/101106_item_15.pdf

Motion:

- Dr. Levey moved for approval of appointment of Marcy Davies as Interim Financial Officer at a salary of \$142,000.
- Dr. Friedman seconded the motion.

Vote:

- All in favor; no opposition.
- Motion carried; salary approved.

Motion:

- Dr. Penhoet moved for adoption of an amendment to the internal governance policy to permit the president to set staff salaries within the specified salary ranges approved by the ICOC at its June 2, 2006 meeting.
- Dr. Wright seconded.

Vote:

- All in favor; no opposition.
- Motion carried; amendment to internal governance policy approved.

Agenda Item # 16: Consideration of amendment to paragraph 5 of Conflict of Interest Policy for Members of the Independent Citizens Oversight Committee to make clear that a member may not participate in a consent item decision in which the member has a conflict of interest.

Scott Tocher presented to the board a recommended amendment to the ICOC Conflict of Interest Policy, providing clarification regarding ICOC member voting requirements on consent items when a member has a conflict of interest with regard to a consent item.

To view the background on the proposed amendment, see this URL:
http://www.cirm.ca.gov/meetings/pdf/2006/10/101106_item_16.pdf

Motion:

- Dr. Prieto moved for approval of the amendment to the Conflict of Interest Policy for ICOC Members.
- Dr. Levey seconded.

Vote:

- All in favor; no opposition.
- Motion carried; amendment to ICOC Conflict of Interest Policy approved.

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