Call to Order: President Rodis called the meeting to order at 6:05 P.M.

Roll Call: The following Trustees were present: Dr. Natalie Berg, Johnnie L. Carter Jr., Dr. Anita Grier, Milton Marks III, and Rodel Rodis

Also present: Student Trustee Rick Cantora, Chancellor Day, and Legal Counsel Ronald Lee.

Arrived Late: Trustee Julio Ramos and Trustee Lawrence Wong

II. Pledge of Allegiance:
Vice President Carter led the Trustees and the audience in the Pledge of Allegiance.

III. Approval of the Minutes
President Rodis asked if there were any modifications to the Regular Board Meeting minutes.

President Rodis called for a motion. Trustee Carter moved the adoption of the minutes, Trustee Marks seconded the motion, All Trustees said “Aye”, the minutes for the Board Meeting were adopted. Trustee Berg abstained from the vote because she was not at the September Board Meeting.

IV. Adoption of the Resolutions Agenda
Counsel Lee referred to the handout titled, “Additions and Modifications”, detailing changes in the agenda. He stated that B6, B7, S2 and S4 were revised, and S6 was added. Counsel Lee stated that all other resolutions were posted 72 hours in advance of the meeting in accordance with the “Brown Act.”

President Rodis called for a motion. Trustee Berg moved adoption of the Resolutions Agenda, Trustee Grier seconded the motion.

All Trustees voted “Aye”, and the Resolutions Agenda was adopted.

ACTION ON S2
Appreciation to Assemblywoman Carole Migden for her many years of dedicated service to and outstanding leadership in the State Assembly

President Rodis called for a motion. Trustee Berg moved the resolution, Trustee Carter seconded the motion.

President Rodis called for the vote, All the Trustees said, “Aye”, S2 was adopted.

V. Approval of Consent Agenda Items
Trustee Berg moved to adopt resolutions B1-B13 as consent calendar items, with the exception of B7 and B8. Trustee Grier, seconded the motion. At the call for the vote, all Trustees said, “Aye”. The B resolutions were adopted.

(Trustee Wong arrived at 6:15pm)

Trustee Carter moved to adopt resolutions C1-C3 as consent calendar items. Trustee Berg, seconded the motion. At the call for the vote, all Trustees said, “Aye”. The C resolutions were adopted.

*Transcript(s) are available in the office of the Vice Chancellor of Finance and Administration for review.*
Trustee Berg moved to adopt resolutions G1-N1 as consent calendar items, Trustee Grier, seconded the motion. At the call for the vote, all Trustees said, “Aye”. The G-N resolutions were adopted.

Trustee Berg moved to adopt resolutions S1, W1, and W2 as consent calendar items, Trustee Wong, seconded the motion. At the call for the vote, all Trustees said, “Aye”. The S1, W1, and W2 resolutions were adopted.

VI. Special Presentations

Martha Lucey, Dean of Marketing and Public Relations gave an overview of the Marketing and Public Relations Department at City College of San Francisco. She highlighted an advertising campaign that the Marketing Department has created for Fall 2002.

(Ric Cantora arrive at 6:20pm)

(Trustee Ramos arrive at 6:30pm)

President Rodis presented Ms. Lucey with an award of appreciation for all of her efforts related to public relations for the District.

Trustee Wong and Trustee Grier commended Ms. Lucey for all of her efforts with the advertising campaign for the District.

VI. Monthly Financial Report

CFO Kendrix gave the monthly financial report as of October 23, 2002 (FY2002). He stated that the College’s spending to date and projected spending for the rest of the year is within budget. He stated that with a 31.92% of the fiscal year completed, the College has expended and encumbered 32.79% of the approved operating budget. The District is projecting that when the fiscal year is completed the District would have spent 99.85% of the approved operating budget.

He stated that current revenues, with the exception of sales tax revenues, are tracking in accordance with the approved budget. He explained that the city’s revised sales tax forecast has a current year estimate at the same level as last year. At this time no budget adjustments are being recommended but possible loss, and revenues would continue to be closely monitored. He stated that the District’s Unreserved/Undesignated Ending balance could be dramatically less than the $2.1 M from the previous fiscal year. Although the current projection assumes all of the Unreserved/Undesignated beginning balance would be expended, the objective would be to manage the District’s resources in a way that would generate a June 30, 2003 Unreserved/Undesignated Ending Balance of $2.0 million. He also stated that in addition to the $2.1M the District projected that the Board’s designated reserve would be $4,000,000 at the end of the current fiscal year, a decrease of $1,500,000 from the previous fiscal year. He explained that the decrease is the result of the planned use of $1.5M to help balance this year’s expenditure budget.

Trustee Ramos asked how much of lottery funds is the District receiving this year.

CFO Kendrix stated that the District is projecting about $5.1 million dollars.

Trustee Ramos asked if that was more than it was last year.

CFO Kendrix explained that it was a tad higher than last year. The District was just over 5 million dollars last year.

Trustee Marks expressed his concerns and asked how outreach services related construction projects were provided.

VCFA Goldstein stated the District has a rather lengthy automated fax list, which sends announcements about new projects to various construction firms.

VII. Action on other Resolutions Agenda Items

ACTION ON B1
Adoption of Nonresident Tuition Fee Rate in Grades 13 and 14 for the Fiscal Year 2003-04

President Rodis called for a motion. Trustee Berg moved the resolution, Trustee Grier seconded the motion.

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VCFA Goldstein explained that the cost of providing instruction and related services has increased significantly and the fees that the District charges for non-resident tuition have not been raised at all during the past six years. He recommended tuition for fiscal year 2003-04 be set at $144.00 per semester unit and $9.00 per semester unit for capital outlay and gave a detailed explanation how the District came to these figures.

Chancellor Day asked VCFA Goldstein to elaborate how much revenue would be raised and how would it provide in assistance to the international students.

VCFA Goldstein explained that increase in fees would raise more than $500,000. He also stated that this revenue would assist the District with operational expenses for international students as well as providing counseling and that a portion would be captured as part of the formula for increasing faculty salaries at the college.

Trustee Wong asked when was the last time the District increased fees for International Students.

VCFA Goldstein stated that the last time the District increased fees was 1996.

Jonathan Lam, Member of International Student Association (ISA), expressed his concerns regarding the District’s proposal to increase International Student’s fees and asked what is the District’s promise to maintain having the lowest rate in the bay area.

VCFA Goldstein explained that the District recommended rates for next fiscal year, 2003-04, are equal to the lowest rates charged by our contiguous Bay Area Community Colleges for the current fiscal year, 2002-03. He stated that since it is likely that these other colleges will increase their rates for 2003-04 once again, it is also likely that our rates would remain the lowest in the immediate Bay Area during 2003-04. He also suggested that for future practice the District might want to consider looking at recommended increases every year so the price increase each year could be smaller for the International Students.

Mr. Lam asked if the access of level of services provided to International Students would increase or decrease in the future.

VCFA Goldstein stated that services for the International Students in the District would increase beginning Fall Semester.

Jeffrey Fang, Member of International Student Association (ISA), expressed his concerns regarding the District’s proposal to increase International Student’s fees.

Trustee Wong asked how did the District arrive at the fourteen dollar increase aside from surveying other community college districts in the Bay Area.

VCFA Goldstein stated that the District looked at the direct calculation that the states specifies to figure out what is the cost to the District for educating a student for whom the District does not get state funds. That methodology came to a number higher than the one hundred fifty three dollar total being suggested. Another method the District looked at is what do the contiguous bay area colleges charge, which is the alternative that the code offers and then specifically targeted City College to be the lowest price of that group.

John Chuidian, Member of International Student Association (ISA), expressed his concerns regarding the District’s proposal to increase International Student’s fees.

William Walker expressed his concerns regarding the District’s proposal to increase International Student’s fees. He stated that the Associated Students supports ISA and hopes that the District may find a solution with Nonresident Tuition.

Trustee Grier asked if there were any discussions after 1996 regarding Nonresident Tuition Fee Rate.

VCFA Goldstein stated he recalls an extended discussion at a Board meeting at the Chinatown Campus, but at that it was not a proposed increase. He explained that it had to deal with the capital outlay fee because the law precludes the District from charging this fee to out of state students and only allows it to be charged to out of country students.

Trustee Grier asked by reorganizing the counseling department how did it affect or impact the International students.

VCSD Griffin stated there were three counselors who were working with the international students plus one FTE counselor with this plan, which make it four, which positively affected the international students.

*Transcript(s) are available in the office of the Vice Chancellor of Finance and Administration for review.*
Trustee Grier asked if the program has been implemented.

VCSD Griffin stated that the program has been implemented. In fact the three counselors who are working with the international students had worked with that group of students for the past eight or nine years and all of the services and everything in terms of support for the students remaining the same until this proposal came up. The decision was that part of the increase would go to funding an additional one FTE. He also stated that part of the plan is for additional coordinating activities for international students and additional money to implement the SEVIS requirements that have been imposed on the District.

VCFA Goldstein explained various reasons why the District should consider increasing the Non Resident Tuition rate.

Trustee Marks suggested that the Board should table this resolution for further discussion for the next Board meeting.

President Rodis called for the vote, All the Trustees said, “Aye”, B1 was tabled until the November 21, 2002 Board meeting.

**ACTION ON B2**
Reviewing and entering into the minutes the SFCCD Quarterly Financial Status Report for the quarter ended June 30, 2002.

President Rodis called for a motion. Trustee Wong moved the resolution, Trustee Berg seconded the motion.

President Rodis called for the vote, All the Trustees said, “Aye”, B2 was adopted.

**ACTION ON B4**
Authorization be hereby given to amend the Agreements with Levy Design Partners, Hamilton Aitken Architects, Mock/Wallace – Barcelon & Jang, Finger & Moy Architects, Baker Vilar Architects, and Powell & Partners Architects to extend the contract time to June 30, 2004 and increase each contract amount to a not to exceed cost of $750,000 if such action is needed

President Rodis called for a motion. Trustee Carter moved the resolution, Trustee Grier seconded the motion.

President Rodis called for the vote, All the Trustees said, “Aye”, B4 was adopted.

**ACTION ON B7 & B8**

B7 - Authorization be hereby given to contract with the lowest responsible bidder, A. Ruiz Construction Co. & Associates Inc. for the project: Evans Campus MOCD Improvements & Seismic Upgrade, to be completed on or before June 1, 2003, at a cost not to exceed $2,281,874.00

B8 - Authorization be hereby given to contract with the lowest responsible bidder with Rose Construction for the project: City College Warehouse Repair, to be completed on or before May 1, 2003, at a cost not to exceed $246,449

President Rodis called for a motion. Trustee Berg moved the resolution, Trustee Grier seconded the motion.

VCFA Goldstein gave an overview of the resolutions and explained that although the District is awarding the contract(s) to the lowest responsible bidder for these construction projects who are now the lowest responsible remaining bidders because the lowest bidder withdrew in each of these resolutions. He explained that each construction company presented information to the District backing up their claim that they had left items out of their bid.

Vice President Carter called for the vote, All the Trustees said, “Aye”, B7 & B8 was adopted.

**ACTION ON B9**
Authorization be hereby given to contract with the lowest responsible bidder, EIP Associates, from November 8, 2002 through July 1, 2003 for special services and advice to provide the District with

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*Transcript(s) are available in the office of the Vice Chancellor of Finance and Administration for review.*
President Rodis called for a motion. Trustee Berg moved the resolution, Trustee Wong seconded the motion.

VCFA Goldstein stated that this resolution was to provide consulting services for achieving CEQA compliance for projects at the Ocean Avenue Campus and other campus sites was tabled at the last Board meeting due to concerns about EIP Associates. He gave a brief overview of the resolution and introduced Michael Rice.

Michael Rice, Principal of EIP Associates explained that EIP Associates sent correspondence to the Board to respond to comments and concerns that Trustee Marks had. He also gave an overview of EIP services for the District on various projects including the Mission Campus.

Trustee Marks thanked Mr. Rice for coming and expressed several concerns about the manner in which EIP had treated the Mission Theater in the EIR for the Mission Campus.

Trustee Ramos asked what were the EIP’s conclusions regarding the cultural and historical significance of the New Mission Theater when the EIR was drafted.

Mr. Rice explained that the conclusions were stated in the EIR for the Mission Campus. He elaborated by reading what was stated in the EIR.

Trustee Ramos asked Mr. Rice would he still agree with his initial statement that there was not cultural or historical significance to the New Mission Theater now that he had more information.

Mr. Rice stated subsequent to the drafted EIR, comments and responses, and certification of this EIR in 1998, and its challenge in court as to its adequacy, other information was developed that is now on the record that the New Mission Theater is potentially a historic resource.

Trustee Berg expressed concerns about judging EIP Associated based on Trustee Marks discretionary reviews. She stated that there are no reasons why the District should second-guess EIP Associates regarding their experience and knowledge and recommended voting in favor of the passing the resolution.

Trustee Marks expressed his concerns about how EIP Associates maintained CEQA requirements for the District.

President Rodis expressed his concerns and stated that it was unfair to criticize EIP Associates regarding the 1998 findings of their EIR report because they were not provided with as much information as the District has now.

Trustee Grier wanted VCFA Goldstein to clarify what the Board would be voting on tonight with this resolution.

VCFA Goldstein explained that the resolution that is front of the board this evening is for CEQA services for other projects in the 2001 Bond, not necessarily related to the Mission Campus.

Trustee Wong asked if there were four firms that submitted proposals and it is the District’s recommendation that the Board approves this firm.

VCFA Goldstein stated that the District has confidence in EIP Associates qualifications to do the required work.

President Rodis called for a roll call vote, All the Trustees said, “Aye”, with exceptions of Trustee Marks and Trustee Ramos who said, “Nay”, B9 was adopted.

**ACTION ON S3**
Approval of the Chancellor’s Annual Performance Objectives for 2002-2003

President Rodis called for a motion. Trustee Carter moved the resolution, Trustee Berg seconded the motion.

Trustee Ramos asked if Chancellor Day has any diversity goals in his annual performance objectives.

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President Rodis stated that the Board shares Trustee Ramos sentiments, although the question is the legality of whether the District can actually make an allocation given certain laws that specifically prohibit that especially with Proposition 209. And therefore, the District cannot impose a plan or objective when the District has not determined the legal aspects behind it.

Chancellor Day stated that he shares the vision of the Board of Trustees and District members about diversity and explained that he has a plan of action and is currently working on it.

Trustee Ramos recommended a placeholder in the resolution for another section that would focus on diversity goals.

Trustee Carter asked if diversity goals would be added for next year’s Annual Performance Objectives for the Chancellor.

Chancellor Day stated that it would be included in the annual plan for 2003-04.

Trustee Grier stated that there should be a Diversity Committee meeting and asked about the diversity report and suggested that we have a placeholder in the resolution to allow the Board to enhance the objectives that are presented.

Trustee Berg stated that when blanks are presented in a resolution it’s unsettling because it appears that someone left something out intentionally. She suggested that after the committee has met the Board could come back and revisit this resolution and make the necessary modifications.

President Rodis called for the vote, All the Trustees said, “Aye”, S3 was adopted.

**ACTION ON S4**

**Technical Amendments to AB 540 Public postsecondary education: exemption from nonresident tuition and establishing Federal eligibility for financial aid and state residency**

President Rodis called for a motion. Trustee Wong moved the resolution, Trustee Berg seconded the motion.

Trustee Carter gave an overview of the resolution and explained that AB540 is legislation that expanded access to California’s public universities and colleges by exempting certain nonresident students who have attended high school in California and received a high school diploma or its equivalent from payment of nonresident tuition. However, students receiving a high school diploma from an adult school or community college were not included in the original legislation. It is the intent of the California Community Colleges to pursue technical amendments in the system legislative package to allow adults students receiving their high school diploma to receive the same exception from paying out of state tuition in the 2003-04 legislative session.

Chancellor Day explained that the District passed a resolution last month regarding AB540. Since the resolution did not have the correct language the District is asking the Board to pass it with the proper language.

President Rodis called for the vote, all the Trustees said, “Aye”, S4 was adopted.

**ACTION ON S5**

**Approval of New Administrative Evaluation and Contract Renewal Procedures**

President Rodis called for a motion. Trustee Berg moved the resolution, Trustee Grier seconded the motion.

President Rodis called for the vote, All the Trustees said, “Aye”, S5 was adopted.

**ACTION ON S6**

**Submission of Midterm Report to WASC**

President Rodis called for a motion. Trustee Berg moved the resolution, Trustee Grier seconded the motion.

President Rodis called for the vote, All the Trustees said, “Aye”, S6 was adopted.

**IX. Report from Academic Senate**

David Yee, President of the Academic Senate congratulated Vice President Carter, Trustee Grier and Trustee Wong for their re-election. He sent out his condolences to Jeff Trinidad’s family and gave an overview on what the Academic Senate is currently involved in, such as, Fall Plenary, encouraging students

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to vote, Annual Academic Senate Retreat, reviewing the AA & AS requirements, faculty e-files privacy, and reviewing the strategic plan.

Ed Murray, Vice President for AFT 2121 congratulated the re-elected Board members and expressed his disappointment that Assemblywoman Carole Migden did not appear at tonight’s Board meeting. He also expressed concerns about the Mission Campus.

VIII. Report from Associated Students
Kevine Boggess, President of the Associated Students expressed his condolences to Jeff Trinidad’s family and gave a brief overview on what the Associated Students is currently involved in, such as, executive board meeting, setting goals, and looking for a new Book Loan Coordinator. He also hopes that the District and the students could compromise on the Non-Resident Tuition fees.

X. Report from the Classified Senate
Rose Vela of the Classified Senate highlighted various items that Classified Senate has been involved with for the past month. She also stated that the Classified Senate website would be up and running in early December and that the cookbook the Classified Senate is collaborating on would also be ready for distribution. She stated that the Classified Senate is also in the process of launching their heart and soul program at the end of November.

XI. Board of Trustee’s Report
Student Trustee Cantora congratulated the re-elected Board members and gave a brief overview on what he is currently involved in, such as, attending the Diversity Committee meeting at De Anza College and attending AS Executive Board meetings. He also hopes that Chancellor Day provides leadership in the continuous improvement of our faculty staff hiring procedures in order to achieve appropriate levels of diversity on our staff.

Trustee Wong thanked Student Trustee Cantora for being vigilant about diversity in hiring because this has been an issue that has been going on for some time. He congratulated Trustee Grier and Trustee Carter for their re-election and thanked the District’s staff for all of their effort. He also gave a brief overview of the Facilities Committee Meeting, which occurred on October 25, 2002.

Trustee Berg complimented District staff who assisted with the WASC report. She stated that she attended the listening sessions and encouraged others to attend.

Trustee Grier expressed her condolences to the Trinidad family, as well as congratulated Assemblywomen Carol Migden and thanked the voters for her re-election. She stated that she is looking forward to work with various clubs and committees in the District.

Trustee Marks congratulated the re-elected Board members and commended the other candidates who did not make it to the Board. He commended District staff that assisted with the WASC report. He also expressed his concerns about communication and compromises in the District and hoped there is resolution with various situations.

Trustee Ramos expressed his concerns about the leadership of the United States and explained that he would be sponsoring resolutions in the future that will protest our militaristic policies. He also expressed his concerns about diversity in the District’s hiring and expressed his condolences to Jeff Trinidad’s family and hopes that the Board could adjourn this meeting in memory of Bob Burton as well whose birthday would have been celebrated on this date.

Trustee Rodis expressed how disgraceful it was for the San Francisco Chronicle not to endorse any community college candidates. He congratulated the re-elected Board Members and expressed his condolences for the Trinidad family.

XII. Chancellor Report
Chancellor Day congratulated the re-elected Board members and highlighted a few issues that he addressed in the Chancellor’s Report, and briefly described what he has been involved with during the past month. He highlighted the following:
- Listening Session Schedule and notes
- Copy of Classified Flex Day Program Brochure
- Koret Basic Skills Proposal Correspondence and Resource Development Overview
- Final Legislative Report –State 2001-02 Session

*Transcript(s) are available in the office of the Vice Chancellor of Finance and Administration for review.*
He also commended Frank Chong, Dean of Student Affairs on completing his doctorate.

XIV. **Public Comments**
NONE AT THIS TIME

XIII. **Closed Session Announcements**
Counsel Lee announced that the Board met in Closed Session and took the following actions:

- The Board authorized a defense for the District and District employees in the case of Pauline Balistreri v. City College Of San Francisco, Chang, Wou, Moreno, et al. This is an action in which a former employee alleges discrimination based on age and physical disability.
  The vote was as follows:
  AYES – Berg, Carter, Grier, Marks, Rodis
  ABSENT – Ramos, Wong

- The Board also authorized a defense for the District in the case of Amar v. SFCCD. This is an action by a former student for personal injuries.
  The vote was as follows:
  AYES – Berg, Carter, Grier, Marks, Rodis
  ABSENT – Ramos, Wong

XV. **Adjournment:**
President Rodis called for a motion. Trustee Wong moved the motion, Trustee Ramos seconded the motion. At the call of the question, All Trustees’ said “Aye”. Meeting adjourned in memory of Johnny Lewis, a custodian at the Downtown campus, Jeff Trinidad, City College Student, and Bob Burton, former Board member, meeting ended at 9:15pm.

Submitted by,
Chancellor Philip R. Day, Jr.
Secretary, Board of Trustees
(By Toni Lee)

The minutes are based on the transcription of the proceedings taken by Michele Shea, a Certified shorthand reporter.

The foregoing Minutes approved at the meeting of the Board of Trustees
__________________, 2002

Approved:______________________________, Vice Chancellor of Finance and Administration

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