The regular meeting of the Board of Trustees of the Los Angeles Community College District (LACCD) was called to order at 3:35 p.m. with President Miguel Santiago presiding.

On roll call the following members were present: Mike Eng, Mona Field, Ernest H. Moreno, Nancy Pearlman, Miguel Santiago, Scott J. Svonkin, and Steve Veres. Student Trustee Michael J. Griggs was present.

Interim Chancellor Adriana D. Barrera was present.

RECESS TO CLOSED SESSION

There being no objection, the regular meeting recessed to Closed Session in accordance with The Ralph M. Brown Act, Government Code section 54957 at 3:36 p.m.

RECONVENE REGULAR MEETING OF THE BOARD OF TRUSTEES

The regular meeting of the Board of Trustees of the LACCD reconvened at 4:06 p.m. with President Miguel Santiago presiding.

President Santiago noted that all of the Board members were present.

Interim Chancellor Adriana D. Barrera was present.

Student Trustee Griggs led the Pledge of Allegiance to the Flag.

REPORTS FROM REPRESENTATIVES OF EMPLOYEE ORGANIZATIONS AT THE RESOURCE TABLE

The following individuals reported from the Resource Table:

Ms. Velma Butler, President, AFT College Staff Guild, Local 1521A, and Mr. LaMont Jackson, ASO President, Los Angeles Southwest College, and Student Representative at the Resource Table.

ANNOUNCEMENTS FROM COLLEGE PRESIDENTS

Mr. Laurence B. Frank, President, Los Angeles Trade-Technical College (LATTC), announced that Ms. Maria Solis, a Cosmetology student at LATTC and a single mother, won the $50,000 grand prize in the Junior Style Stars National Hair Competition. He announced that the Gold Thimble Fashion Show would be held on Friday, May 30, 2014 from 2:00 to 9:00 p.m. in the Magnolia Hall Atrium.

Mr. Farley Herzek, Interim President, Los Angeles Harbor College (LAHC), reported that to date, 250 high school students have enrolled in the Harbor Advantage program. He indicated that this number will increase to 350 by Monday, June 2, 2014.
PUBLIC AGENDA REQUESTS

Oral Presentations

President Santiago read the cautionary language for speakers and their personal responsibility and, potentially, personal liability for defamatory remarks.

Ms. Bobbie Gibbs and Mr. Sean Cutting addressed the Board regarding an issue with respect to the A.C. Custom Catering food truck at LAHC. They indicated that the students are requesting that the food truck be available on the campus on a full-time basis.

A document entitled "Proposal for A.C. Custom Catering, Inc. Food Truck Hours" was distributed.

Ms. Linda Fitak addressed the Board to appeal for an emergency motion for permission to appear in an upcoming play that will be put on by the Advanced Directors Workshop at Los Angeles Valley College (LAVC). She expressed her concern that she is being prevented from appearing in the play and is being discriminated against.

Ms. Jasmin Rios addressed the Board regarding her being denied equal opportunity and access to the Theatre Arts facilities at LAVC.

Mr. John McDowell addressed the Board with his concern that the budgets at all nine colleges are currently underfunded.

Mr. Nehasi Lee addressed the Board regarding the student fee collection process.

Mr. John Noyola addressed the Board with a complaint regarding the Executive Secretary to the Board of Trustees.

Ms. Wanda Solomon addressed the Board regarding her efforts to obtain her Associate degree and graduate.

President Santiago indicated that five individuals have signed up to speak regarding the same topic. He entertained a motion to allocate four minutes per speaker.

Motion by Trustee Field, seconded by Trustee Moreno, to allocate four minutes per speaker.

Student Trustee Advisory Vote: Aye (Grggs)
APPROVED: 6 Ayes (Eng, Field, Moreno, Santiago, Svonkin, Veres)
1 No (Peariman)

The following individuals addressed the Board regarding the AFT Faculty Guild contract and overdue salary increases:

Dr. Marcellino Morales, Ms. Rosalyn Kahn, Dr. Neil Mantena, Ms. Grace Chee, and Ms. Armida Ornelas.

Ms. Rosemary Sterling addressed the Board regarding Com. No. PA1. Petition for Hearing as it relates to the ASO budget at LATTCC.

Interim Chancellor Barrera indicated that Com. No. PA1. is the petition that was submitted by the ASO of LATTCC. She indicated that at this time, the Board President can entertain a motion for further discussion. If there is no motion or second, then there would be no further discussion. She indicated that Mr. Frank has provided a written memorandum that addresses some of the actions that have been taken.

A copy of this memorandum was distributed.

Mr. Frank indicated that action was taken to get the current ASO Secretary and the former ASO Secretary paid for all hours worked and that paychecks were issued to these two employees on April 15, 2014.
Interim Chancellor Barrera indicated that she met with Mr. Arnold Blanshard, Director, Internal Audit, and asked him to conduct an audit of the LATTC ASO account.

Trustee Eng asked for a full accounting of all bank accounts held in the name of the District including any so-called “pass through” accounts. This includes the name of the bank, the amount, the date that the original account was opened, the term of the account, the interest rate, the RFP used to select that bank, and any criteria used to select that depositor if it was not competitive bidding, including any accounts that hold bond funds.

Ms. Camille Goulet, General Counsel, indicated that the petition that was submitted to the Board of Trustees was placed on the agenda in keeping with the public access requirements of The Ralph M. Brown Act, which are contained in Government Code section 54950 and following matters. She indicated that in the absence of a motion and a second, no action is taken nor does the Board have a legal obligation to take an action on the item. She indicated that the administration at LATTC has already undertaken to initiate an audit.

Trustee Svonkin requested that by consent the Board endorse the work of the LATTC administration to go forward with respect to an audit and to report back to the Board.

Student Trustee Griggs requested that the Board conduct the hearing so that the students would have an opportunity to discuss their grievances. He indicated that several of the colleges have similar issues.

Motion by Student Trustee Griggs, seconded by Trustee Pearlman, to conduct the hearing.

Student Trustee Advisory Vote: Aye (Griggs)
FAILED: 2 Ayes (Eng, Pearlman)
5 Noes (Field, Moreno, Santiago, Svonkin, Veres)

Proposed Actions
None.

REPORTS AND RECOMMENDATIONS FROM THE BOARD

Reports of Standing and Special Committees

Trustee Svonkin reported on the Budget & Finance Committee meeting.

Trustee Eng reported on the Ad Hoc Committee on Adult Education and Workforce Development joint meeting with the Los Angeles Unified School District Board of Education that was held on May 20, 2014.

Trustee Veres reported on the Facilities Master Planning & Oversight Committee meeting.

Proposed Actions

The following action items, considered as a part as if fully set forth hereto and certified copies of which will be on file in the Office of the Board of Trustees, were presented by the Board of Trustees and action taken as indicated.

Motion by Trustee Field, seconded by Trustee Svonkin, to adopt Com. Nos. BT1., BT2., and BT3.

Com. No. BT1. Resolution – In Appreciation of Student Trustee Michael J. Griggs

Motion by Trustee Field, seconded by Trustee Svonkin, to adopt Com. No. BT1. as follows:

WHEREAS, Michael J. Griggs has been an active member of the Board of Trustees of the Los Angeles Community College District during his tenure as its student representative; and

WHEREAS, Student Trustee Griggs has been an effective student leader, as demonstrated by his efforts to fully represent the needs of his constituency—the students; and

Minutes – Regular Meeting - 3 - 5/28/14 3:30 p.m.
WHEREAS, Student Trustee Griggs, during his tenure on the Board, moved affirmatively to increase and strengthen the role of students in all areas of governance and to support and advocate for the rights of students; and

WHEREAS, Student Trustee Griggs ensured meaningful student participation in policy discussions by working tirelessly to ensure that there was a quorum of ASO Presidents at all meetings of the Student Affairs Committee; and

WHEREAS, Student Trustee Griggs held both himself and the Student Affairs Committee to the highest standards of professional behavior at all times; and

WHEREAS, Student Trustee Griggs worked diligently to ensure a fair and impartial student voice in the development and consultation of District policy; and

WHEREAS, Student Trustee Griggs exemplified the quality of students served by the Los Angeles Community College District; and

WHEREAS, During his tenure on the Board, Student Trustee Michael J. Griggs has made a significant and lasting impression upon the District; now, therefore, be it

RESOLVED, That the Board of Trustees of the Los Angeles Community College District does hereby commend Michael J. Griggs for his exemplary service to the Board, the students, and the Los Angeles Community College District.

Student Trustee Advisory Vote: Aye (Griggs)

ADOPTED: 7 Ayes

President Santiago, Trustee Svonkin, and Trustee Eng commended Student Trustee Griggs for service to the Board of Trustees and his excellent leadership as Student Trustee and especially for his efforts during “Cover LACCD Week.”

Student Trustee Griggs expressed his appreciation for the support he received during his tenure as Student Trustee.

On behalf of the Board, Trustee Svonkin presented a certificate to Student Trustee Griggs.

Com. No. BT2. Resolution – Water Use and Conservation

Motion by Trustee Svonkin, seconded by Trustee Veres, to adopt Com. No. BT2, as follows:

The following resolution is presented by Trustees Svonkin and Veres:

WHEREAS, California is facing severe water shortfalls in one of the driest years in state history; and

WHEREAS, A statewide water conservation campaign has been established to make all Californians aware of the drought and encourage reduced water usage; and

WHEREAS, The LACCD has taken a leadership role in water conservation since its first bond, Proposition A, passed in 2001; and

WHEREAS, The LACCD has conducted a water reuse feasibility study; and

WHEREAS, The LACCD’s conservation actions embrace sustainable standards and guidelines for construction and renovation projects that include permeable surfaces around all structures, installation and use of waterless urinals, design and construction of swales in new or renovated parking lots, permeable concrete in walkways and driveways; and
WHEREAS, The District has incorporated sustainable landscape guidelines that include the replacement of grass with field turf on the majority of college athletic fields, the use of drought-resistant plants, the installation of smart irrigation, and the installation of purple pipe for irrigation where purple pipe supply is available; and

WHEREAS, The bond program includes $25 million for storm water projects to meet state and federal storm water regulations; now, therefore, be it

RESOLVED, That the District identify and accelerate the implementation of water use and water conservation projects such as project-specific recycled water implementation, connection to Los Angeles Department of Water and Power (LADWP) or other municipal recycled water lines, if available, and re-use of water collected for storm water management; and be it further

RESOLVED, That the District work closely with other water agencies within its jurisdiction such as the LADWP, the Metropolitan Water District, and the city of Monterey Park to share ideas, to collaborate on common water conservation approaches, and to jointly educate students and staff; and be it further

RESOLVED, That a water usage baseline be established to help identify key strategies for further water efficiency opportunities and to track progress.

Student Trustee Advisory Vote: Aye (Griggs)
ADOPTED: 7 Ayes

Com. No. BT4. Authorize a Corrective Action for Executive Payment

Motion by Trustee Santiago, seconded by Trustee Field, to adopt Com. No. BT4.

Trustee Field noted the following amendment:

The following motion is presented by President Santiago:

Authorize a corrective action for payment to the Interim Chancellor for the period from July 1, 2013 through the completion of that assignment effective May 31, 2014, for a total amount of $6,442.37

$7,731.00.

Background: . . .

Student Trustee Advisory Vote: Aye (Griggs)
ADOPTED AS AMENDED: 7 Ayes

Com. No. BT3. Resolution – In Appreciation of Interim Chancellor Dr. Adriana D. Barrera

Motion by Trustee Santiago, seconded by Trustee Field, to adopt Com. No. BT3. as follows:

The following resolution is presented by President Santiago:

WHEREAS, Dr. Adriana D. Barrera has served as Interim Chancellor of the Los Angeles Community College District for the past year; and

WHEREAS, Dr. Barrera has played a crucial and invaluable role in keeping LACCD on a steady course through a 11-month transition, including significant changes in the operation of the Board of Trustees; and

WHEREAS, Dr. Barrera continued to carry the duties and responsibilities of Deputy Chancellor while serving as Interim Chancellor; and,
WHEREAS, Dr. Barrera maintained oversight of the business operations of procurement, contracting, health and safety, Worker’s Compensation, employee benefits, budget development and management, and information technology; and,

WHEREAS, Dr. Barrera ensured the quality of services even while facing severe staffing shortages; and

WHEREAS, Dr. Barrera worked with smart, critical thinking and for long hours to ensure that the many committee meetings and other demands of the District were met; and

WHEREAS, The District benefited from her years of experience in higher education, as well as her endless capacity for facing new challenges that arose on many fronts; and

WHEREAS, Interim Chancellor Barrera has demonstrated a calm, task-oriented, patient and steady demeanor in handling the challenges before her this year, including the simultaneous searches for multiple executives, and innumerable other critical tasks; now, therefore, be it

RESOLVED, That all involved in the Los Angeles Community College District and its nine colleges will be forever grateful for her role in providing strong leadership and maintaining an unwavering focus on student success during this critical period.

President Santiago expressed his appreciation to Interim Chancellor Barrera for stepping into the role of Chancellor as well as continuing to handle the duties of the Deputy Chancellor.

On behalf of the Board, Trustee Svonkin presented a certificate to Interim Chancellor Barrera.

Trustees Eng and Field commended Interim Chancellor Barrera for her outstanding leadership.

* * *

Matters Requiring a Majority Vote

Motion by Trustee Svonkin, seconded by Trustee Field, to adopt the Consent Calendar on Matters Requiring a Majority Vote.

Com. No. BSD1. Ratifications for Business Services

With respect to Roman Numeral I. Authorize Legal Service Provider Contracts – Class 2 Matters (Bond Program), Ms. Veima Butler requested that the list of law firms providing legal services indicate which ones are ethnic minority law firms.

Ms. Goulet indicated that she made a commitment to the Board of Trustees that subsequent to the awarding of contracts, she would survey the diversity of the law firms. She indicated that the survey would be conducted and provided to the Board.
Com. No. ISD1. Adopt Revisions to Board Rules Chapter VII Article VI – Student Matriculation

Trustee Eng requested that the Board be provided with a report stating the number of students that will be denied registration priority because they are on probation or have reached the 100-unit cap.

President Santiago relinquished the gavel to Vice President Svonkin.

(Trustee Santiago left at 5:59 p.m.)

Ms. Bobbi Kimble, Interim Vice Chancellor, Educational Programs and Institutional Effectiveness, indicated that she would provide this report to the Board by August 2014.

(Trustee Santiago returned at 6:01 p.m.)

Vice President Svonkin relinquished the gavel to President Santiago.

Student Trustee Advisory Vote: Aye (Griggs)
ADOPTED: 7 Ayes

RECOMMENDATIONS FROM THE CHANCELLOR
None.

REPORTS FROM THE CHANCELLOR
Recognition of Participants of the Los Angeles Community College District Inaugural Class of Essentials of Supervision

Interim Chancellor Barrera indicated that in June 2013, the Board of Trustees requested the District to implement a training program for supervisors. She introduced Dr. Albert J. Román, Vice Chancellor, Human Resources, to introduce the first group of graduates.

Dr. Román acknowledged Ms. Katrelia Walker, Employee Benefits Manager, and the Human Resources Division for spearheading this program. He introduced the following graduates:

Mr. Rodney Allen, Maintenance and Operations, LAPC; Ms. Stephanie Atkinson-Alston, Academic Affairs, LAHC; Mr. Rudy Besikof, Academic Affairs, LAVC; Mr. Galen Bullock, SEIU Local 721, LATT; Ms. Maria Cheikosman, Financial Aid, ELAC; Ms. Silvia Diaz, Financial Aid, LAVC; Ms. Ashley Dunn, Admissions and Records, LAVC; Mr. Reynold Garcia, CalWORKs, LACC; Ms. Valeria Hale, Admissions and Records, LAPC; Mr. Anil Jain, Administrative Services, LACC; Mr. Eric Kim, Office of General Counsel, Educational Services Center; Mr. Yung Kim, Information Technology, LATT; Mr. Joachim Morera, Plant Facilities, WLAC; Ms. Frances Nguyen, Administrative Services, LAMC; Ms. Blanca Oviedo, Financial Aid, LAPC; Ms. Susan Rhl-Kleinert, Economic and Workforce Development, LAHC; Mr. Abel Rodriguez, Plant Facilities, WLAC; Ms. Zoila Doucette-Rodriguez, Student Store/Bookstore, LAMC; Mr. Andrew Sanchez, Economic and Workforce Development, LAHC; Ms. Pamela Sanford, Administrative Services, LASC; Ms. Emmy Stovall, Personnel Commission, Educational Services Center; Mr. Derick Taylor, Physical Plant, LATT; Ms. Rosalie Torres, Admissions and Records, LAMC; and Ms. Claudia Velasco, ASC/TRIO, WLAC.

Dr. Román expressed his appreciation to the following individuals for facilitating the training courses:

Mr. Gene Little, Director, Diversity Programs; Ms. Catherine Lakatos, CalWORKs, LACC; and Ms. Katrelia Walker.

(Trustee Moreno left at 6:09 p.m.)

Trustee Pearlman congratulated all of the graduates.
RECESS TO COMMITTEE OF THE WHOLE

Motion by Student Trustee Griggs, seconded by Trustee Svonkin, to recess to the Committee of the Whole

Student Trustee Advisory Vote: Aye (Griggs)
APPROVED: 6 Ayes Absent: Trustee Moreno

The regular meeting recessed to the Committee of the Whole at 6:17 p.m.

President Santiago relinquished the gavel to Vice President Svonkin to chair the Committee of the Whole.

(Trustee Moreno returned at 6:19 p.m.)

The following members were present: Mike Eng, Mona Field, Ernest H. Moreno, Nancy Pearlman, Miguel Santiago, Scott J. Svonkin, and Steve Veres. Student Trustee Michael J. Griggs was present.

Public Speakers

None.

Presentations/Initiative Reviews

- Bridging the Higher Education Divide: Strengthening Community Colleges and Restoring the American Dream

Interim Chancellor Barrera introduced Mr. Richard D. Kahlenberg, Senior Fellow, The Century Foundation, and discussed Mr. Kahlenberg's background.

A document entitled "Bridging the Higher Education Divide: Avoiding a Separate and Unequal System of Postsecondary Education" was distributed.

Mr. Kahlenberg gave a PowerPoint presentation and discussed the document with respect to the principle of "separate but equal" schooling, the Century Foundation Task Force, significance of community colleges today, degree goals vs. completion, six-year outcomes for community college students (National Student Clearinghouse), economic stratification in higher education, growing stratification over time, reaction to stratification, inequality in higher education spending, education and related spending (excluding research), large subsidies for private four-year colleges, increases in spending in last decade, inequality in faculty, diminished outcomes, racial stratification within community college sector, negative effects of segregation on community college performance in California, are there lessons from K-12 schooling?, progressive K-12 state funding based on student needs, recommendations, and California context.

A question and answer session was conducted regarding the presentation.

(Student Trustee Griggs left at 6:56 p.m.)

Other Business

None.

Adjournment

There being no objection, Vice President Svonkin adjourned the Committee of the Whole at 6:58 p.m.

Vice President Svonkin relinquished the gavel to President Santiago.
RECONVENE REGULAR MEETING OF THE BOARD OF TRUSTEES

The regular meeting of the Board of Trustees of the LACCD reconvened at 6:58 p.m. with President Miguel Santiago presiding.

For the record, President Santiago noted that the Board members were present with the exception of Student Trustee Griggs.

Interim Chancellor Adriana D. Barrera was present.

NOTICE REPORTS AND INFORMATIVES


Presented by Interim Chancellor Barrera.

Com. No. HRD/B. [Collective Bargaining Notice] Adopt the District’s Initial Proposal to the Exclusive Representatives of the Service Employees International Union, Local 721

Notice by Interim Chancellor Barrera.

Com. No. HRD/C. [Collective Bargaining Informativ] Initial Proposal of the Joint Labor/Management Benefits Committee to the Los Angeles Community College District regarding Negotiations of the Master Benefits Agreement

Presented by Interim Chancellor Barrera.

Com. No. HRD/D. [Collective Bargaining Notice] District’s Initial Proposal to the Exclusive Representatives of the District’s Employees Regarding Negotiation of the Master Benefits Agreement

Notice by Interim Chancellor Barrera.


Notice by Interim Chancellor Barrera.

ANNOUNCEMENTS AND INDICATIONS OF FUTURE PROPOSED ACTIONS

Trustee Svonkin requested that the Board meeting be adjourned in the memory of the six students who were killed in Santa Barbara as well as in the memory of Maya Angelou, Writer and Poet, who passed away on May 28, 2014.

REQUESTS TO ADDRESS THE BOARD OF TRUSTEES – CLOSED SESSION AGENDA MATTERS

None.

RECESS TO CLOSED SESSION

Motion by Trustee Field, seconded by Trustee Svonkin, to recess to Closed Session in accordance with The Ralph M. Brown Act, Government Code sections 54950 et seq., and the Education Code to discuss the matters on the posted Closed Session agenda pursuant to Government Code section 54954.5 (see Attachment A).

Without objection, so ordered.
The regular meeting recessed to Closed Session at 7:01 p.m.

**RECONVENE REGULAR MEETING OF THE BOARD OF TRUSTEES**

The regular meeting of the Board of Trustees of the LACCD reconvened at 9:28 p.m. with President Miguel Santiago presiding.

The Board members were present with the exception of Trustee Svonkin and Student Trustee Griggs.

Interim Chancellor Adriana D. Barrera was present.

**REPORT OF ACTIONS TAKEN IN CLOSED SESSION – MAY 28, 2014**

President Santiago indicated that under The Ralph M. Brown Act, the Board is required to report certain actions taken during Closed Session.

The Board reports that it authorized the initiation of an action against a contractor. The defendants and the other particulars shall, once formally commenced, be disclosed to any person upon inquiry, unless to do so would jeopardize the District's ability to effectuate service of process or jeopardize its ability to conclude settlement negotiations to its advantage. The vote was unanimous.

The Board reports that it accepted a settlement with Sinanian Development regarding the Center for the Sciences project at Los Angeles Pierce College. The settlement was for $2.1 million, and the District's contribution to the settlement is $1,067 million. A copy of the settlement agreement is available from the Office of General Counsel. The vote was unanimous.

The Board reports that it accepted a settlement with Taisei Construction Company regarding the Performing Arts and Fine Arts Center at East Los Angeles College. The District will receive $4.3 million from the architect's insurance carrier, and Taisei will receive $3.2 million, approximately $1.74 million paid by the District and the balance paid by the architect's insurance carrier. In addition, the insurance carrier, the District and Taisei will share equally in another Builder's Risk claim that totals approximately $100,000 to $200,000. A copy of the settlement agreement is available from the Office of General Counsel. The vote was unanimous.

The Board took no further actions required to be reported.

**ADJOURNMENT**

There being no objection, the regular meeting was adjourned at 9:30 p.m.

FRANCISCO C. RODRIGUEZ  
Chancellor and Secretary of the Board of Trustees

By:  
Laurie Green  
Assistant Secretary to the Board

APPROVED BY THE BOARD OF TRUSTEES:

Scott J. Svonkin  
President of the Board

Date: July 9, 2014

Minutes - Regular Meeting - 10 - 5/28/14 3:30 p.m.
ATTACHMENT A

CLOSED SESSION
Wednesday, May 28, 2014

Educational Services Center
Hearing Room – First Floor
770 Wilshire Boulevard
Los Angeles, CA 90017

I. Public Employee Employment
   (pursuant to Government Code section 54957)
   A. Position: President, Los Angeles Valley College
   B. Position: President, Los Angeles Harbor College
   C. Position: President, Los Angeles Southwest College
   D. Position: Chief Business Officer

II. Public Employee Evaluation
    (pursuant to Government Code section 54957)
    A. Position: Interim Chancellor

III. Conference with Labor Negotiator
     (pursuant to Government Code section 54957.6)
     A. District Negotiators: Adriana D. Barrera
        Albert Román
        Employee Units: All Units
        All Unrepresented Employees
B. District Negotiators: Ken Takeda
   Lawrence Frank
   Albert Román

   Employee Unit: Building and Construction Trades Council

C. District Negotiators: Albert Román
   Renee Martinez
   Farley Herzek

   Employee Unit: Academic Administrators, Teamsters Local 911

D. District Negotiators: Albert Román
   Monte Perez

   Employee Unit: SEIU Local 99

IV. Public Employee Discipline/Dismissal/Release/Charges/Complaints
    (pursuant to Government Code section 54957)

V. Conference with Legal Counsel - Existing Litigation
    (pursuant to Government Code section 54956.9(d)(1)

   A. Peopleworks v. URS Corporation and LACCD

   B. Edrik Stamps v. Dr. Adriana Barrera

   C. Taisei Construction Corporation v. LACCD

VI. Conference with Legal Counsel - Potential Litigation

   A. Claim regarding construction at Van de Kamp Innovation Center (pursuant to
      Government Code 54956.9(d)(2))

   B. Claim regarding construction at Pierce College (pursuant to Government
      Code 54956.9(d)(2))