



**Rio School District
Minutes
Special Board Meeting
February 12, 2020
District Office
1800 Solar Drive
Oxnard, CA 93036
Closed Session: 5:30 p.m.
Open Session: 6:30 p.m.**

Members present

Eleanor Torres, Edith Martinez-Cortes, Felix Eisenhauer, Linda Aguilar, Joe Esquivel

1. Preliminary Business- 5:30 p.m.

1.1 Call to Order-5:30 p.m

President Aguilar convened the meeting a 5:31 p.m.

1.2 Pledge of Allegiance

President Aguilar led the pledge of allegiance.

1.3 Roll Call

Trustee Torres called the roll all present, Trustee Martinez-Cortes arrived at

2. Approval of the Agenda

2.1 Agenda corrections, additions, and modifications.

There were no corrections or corrections made to the agenda.

2.2 Approval of the Agenda

Motion by Joe Esquivel, second by Felix Eisenhauer.

Final Resolution: Motion Carries

Yes: Eleanor Torres, Felix Eisenhauer, Linda Aguilar, Joe Esquivel

Not Present at Vote: Edith Martinez-Cortes

3. Public Comment-Closed Session

There were no public comments for closed session.

4. Closed Session

4.1 Conference with legal counsel – anticipated litigation. Significant exposure to litigation, pursuant to Gov. Code Section 54946.9(d)(2). Number of cases: 1.

4.2 Conference with legal counsel – anticipated litigation. Initiation of litigation, pursuant to Gov. Code Section 54956.9(d)(4). Number of cases: 1.

4.3 Conference with Real Property Negotiators, pursuant to Government Code 54956.8 Property: Property adjacent to Rio del Valle Middle School Oxnard, CA 93030 (APNs 144-0-110-225, 144-0-110-055, and 144-0-110-590 Agency Negotiators: Dr. John Puglisi, Superintendent, and Joel Kirschenstein, Sage Realty Group Negotiating Parties: Rio School District Under negotiation: Price and terms of payment.

5. Communications

5.1 Reconvene Open Session and Report of Closed Session

The Governing Board reconvened into open session at 6:40 p.m.

Jacquelyn Ruffin, Legal Counsel, read the following action took place during closed session:

Pursuant to Government Code Section 54957.1, the Board is publicly reporting action taken on items 4.1 and 4.2 of the agenda. These closed session matters concern a dispute between the District and RAN Enterprises, Inc., the HVAC contractor for Phase 1 construction at the Rio delSol Academy. RAN's original contract price was \$1,648,000. At the end of phase 1 of the project, RAN filed a Government Claims Act claim for \$906,250 in rejected change orders. Additionally, the District asserted various claims against RAN. The Board previously approved draft settlement agreement with RAN and directed legal counsel to finalize the settlement agreement. The RAN agreement states that the District will pay RAN \$330,000 in full settlement of the disputed change orders and the District's claims against RAN, with a \$40,000 contribution from the District's architect, Architecture for Education. Tonight, the Board voted to approve a separate agreement with the District's construction manager, Balfour Beatty Construction, whereby the construction manager will contribute \$110,000 to the RAN settlement. Therefore, the District's total liability with respect to this matter is \$180,000.

The Board's vote by roll call was unanimous.

5.2 Public Comment Procedures for receiving communication from the public on topics that fall under the subject jurisdiction of the Governing Board. 1. Special Board Meeting - A member of the public may address the Governing Board on any item(s) on the agenda. (Each person speaking may not exceed a total of three minutes on each item). The speaker may choose to speak during public comment or at the time of the agenda item prior to board consideration. These presentations are limited to three minutes or a total of twenty minutes.

Public comments were heard from Richard Solis, Alejandro Sandoval, Alejandro Vargas, and Leonel Carrizales.

6. Information/Action

6.1 Master Plan Workshop

Wael Saleh, Assistant Superintendent of Business Services, began by reviewing the projects that are currently in progress, have been completed or are scheduled to begin. A list of priorities were also presented that were given to Mr. Saleh and Oscar Hernandez, Assistant Superintendent of Educational Services, received when they visited sites and met with staffs.

Discussions continued as to the cost and how the Governing Board would like the board to proceed and provide staff recommendations to the next projects.

6.2 2020 Phase II Project List Approval

The Governing Board began discussion regarding Phase II project list and asked for direction on next steps. Following discussion the Governing Board directed staff to make HVAC throughout the district and develop a plan to begin the process.

7. Adjournment

7.1 Adjournment

President Aguilar adjourned the meeting at 8:32 p.m.

Approved on this 18th day March, 2019.



John Puglisi, Ph.D., Secretary

Date

4.30.20

Eleanor Torres





04 / 21 / 2020

Eleanor Torres, Clerk of the Board

Date

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