

**Irvine Unified School District**  
Irvine, California

**Board of Education**  
**Minutes of Special Meeting**  
**October 11, 2011**

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**Call to Order**

The Special Meeting of the Board of Education was called to order by President Kuwabara at 2:30 p.m., in the District Administration Center, 5050 Barranca Parkway, Irvine, California.

**Roll Call**

**Members Present:**

Gavin Huntley-Fenner, Sue Kuwabara, Carolyn McInerney, Mike Parham, Sharon Wallin

**Members Absent:**

None

**Oral Communication**

None

**Closed Session**

The Board adjourned to Closed Session at 2:32 p.m.

**Conference with Legal Counsel - Existing Litigation**

The Board discussed existing litigation relative to Great West Contractors, Inc.

**Reconvene Special Meeting**

President Kuwabara reconvened the Special Meeting at 3:10 p.m.

**Pledge of Allegiance**

The Pledge of Allegiance to the United States of America was led by Member Huntley-Fenner and was followed by a moment of silence.

### **Roll Call**

#### **Members Present:**

Gavin Huntley-Fenner, Sue Kuwabara, Carolyn McInerney, Mike Parham, Sharon Wallin

#### **Members Absent:**

None

#### **Staff:**

Terry Walker, Superintendent of Schools

Lee Brooks, Executive Assistant to the Superintendent

#### **Other Staff:**

Jeff Dixon, Ian Hanigan, Ed Hernandez, Joe Hoffman, Spencer Jordan, Lloyd Linton,  
Bruce Monroe, Lorrie Ruiz

### **Report of Closed Session Discussion/Action**

President Kuwabara reported on the discussion in Closed Session.

### **Adoption of the Agenda**

On the motion of Member Parham, seconded by Member McInerney and carried 5-0, the Board adopted the agenda, as presented.

### **Items of Business**

#### **Responsibility Hearing – Great West Contractors, Inc.**

District legal counsel Ed Connor, Connor, Fletcher & Williams LLP, reviewed the purpose, scope and format of the hearing. He then presented the issues and evidence relative to whether Great West should be deemed to have been a "responsible bidder" on May 8, 2008, to serve as the general contractor for the Northwood Elementary School Modernization Project No. M02088601 and the Eastshore Elementary School Modernization Project No. M01088601.

Patricia Teunisse, Pitre & Teunisse, Inc., legal counsel for Great West, responded to questions raised by District counsel and presented evidence in support of Great West's qualifications and fitness to serve as general contractor for the two projects.

Member Huntley-Fenner was excused from the meeting at 3:45 p.m.

Mr. Connor asked Ms. Teunisse if she would be providing the documentation (Items A-J) requested in his letter of September 21, 2011. Ms. Teunisse responded that she would provide what is available and relevant.

Richard G. Wolfinger, President, Great West, addressed the Board regarding his credibility.

Richard (Dick) J. Wolfinger, distributed copies of an Arbitrator's Report and Decision dated June 4, 1992, (Case No. 626416) involving RJW Construction Company and the District, which he stated had direct bearing on the contract awards in May 2008.

Both attorneys and staff member Lloyd Linton responded to questions from the Board.

On the motion of Member McInerney, seconded by Member Parham and carried 4-0, the Board continued the item to a future date (which was determined to be December 13, 2011 after the vote).

### ***Closed Session***

On the motion of Member Parham, seconded by Member McInerney and carried 4-0, the Board adjourned to Closed Session at 4:40 p.m. to continue their discussion regarding existing litigation relative to Great West Contractors, Inc.

### ***Report of Closed Session Discussion/Action***

President Kuwabara reported on the discussion in Closed Session.

### ***Adjournment***

There being no further Board of Education business, the meeting was adjourned at 5:15 p.m.

Sue Kuwabara  
Board President

Terry L. Walker  
Superintendent of Schools