

El Paso Independent School District
Minutes of Board Construction Committee Meeting
January 20, 2004
5:00 p.m.
Education Center-Boeing

Present: Mr. Sal Mena, Jr., Board President, Board Construction Committee
Chairperson
Ms. Lisa Colquitt-Muñoz, Board Member
Mr. Carlos Cordova, Board Secretary
Mr. David Dodge, Board Member
Mr. Anthony Safi, School District Attorney

Administration: Mr. Charles Tafoya, Superintendent
Miss Carolyn Grantham, Associate Superintendent, Human Resources
Mr. Hector Martinez, Associate Superintendent, Operations
Mr. Nick Corona, Executive Director, Facilities, Maintenance and
Construction
Mr. Juan Sandoval, Executive Director, Auxiliary Services
Mr. Al Anderson, Director, Planning, Engineering and Construction
Mr. Terry Freiburg, Director, Purchasing
Mr. Kyle Jeglum, Assistant Director, Risk Management/Workers'
Compensation

Guests: Miss Leonor Garcia, Board Member
Dr. Lorraine O'Donnell, Board Vice President
Mr. Randy McGraw, G. P. Graham & Associates

The meeting was called to order at 5:07 p.m. by Mr. Mena.

The topics discussed were as follows:

- 1A. Discuss the Provision of Custodial Housing and Related Liability by the EPISD Including Wage and Hour Issues
 - a. EPISD and one other school district in Texas provide housing for head custodians.
 - (1) no clearly defined duties and responsibilities
 - (2) possible liability; e.g., Department of Labor wage-and-hour issues
 - (3) need definition now with Bond issue
 - b. Discussed and legal counsel provided information on requirements of District related to compensation.
 - c. Legal issues that have arisen
 - (1) alcohol use at custodial quarters (school property)
 - (2) tobacco use
 - (3) pets
 - (4) value of housing/IRS reporting
 - (5) forcing custodians to live in quarters and possible IRS issues if giving them a choice
 - (6) campuses without custodial housing and providing compensation equal to benefit of having housing provided
 - (7) asbestos, lead-based paint in housing
 - (8) FLSA (Fair Labor Standards Act) – overtime, wages, etc.

- d. New campuses containing surveillance equipment to monitor grounds, thus providing security that on-site custodians provide.
- e. Discussed not providing custodial quarters and administration finding alternatives to recommend to the Board.
- f. Administration to provide breakdown of overtime costs for custodians and incident reports at campuses.

It was moved by Mr. Dodge and seconded by Miss Garcia that the Committee recommend to the Board of Trustees that custodial quarters be eliminated for new construction and rebuilding to be financed with Bond proceeds.

It was moved by Mr. Dodge, seconded by Miss Garcia, and carried unanimously to amend the motion to include Mary N. Tippin Elementary School.

Upon the vote on the main motion, the motion, as amended, carried unanimously.

The administration will provide a recommendation for a phase-out for existing custodian living quarters.

1B. Discussion of an Owner Controlled Insurance Program

Owner Controlled Insurance Program (OCIP) is an insurance program for construction projects that allows a school district to purchase a master insurance program covering all contractors associated with a project. Savings would be generated by the school district purchasing less-expensive insurance rather than contractors purchasing individual policies.

- a. Reviewed advantages/disadvantages for owner and contractors.
- b. Discussed EPISD providing only Builder's Risk coverage and not Worker's Compensation.
- c. No other OCIP in El Paso – no local model.
- d. Administration to continue to investigate OCIP and bring back additional information to Board Construction Committee.

1C. Possible Discussion of Other Construction-Related Issues

- a. Construction Project, Change Order, and Architecture/Engineering (A/E) Reports.

Mr. Dodge requested the Committee's consideration on whether these reports should continue to be provided to all Trustees on a monthly basis or just reports on (1) construction – exceptions; (2) change orders – percentage/parameters (over X-percent); and (3) A/E fees (over X-percent).

It was the consensus of the Committee that quarterly reports are to be provided to the Trustees.

The administration will submit suggestions to the Superintendent and work with the Construction Manager-Agent for Bond projects and bring back to Committee.

- b. Discussed prevailing wage rates and conducting new survey and prevailing wage rates for Apprenticeship Program.

Meeting Adjourned

The meeting was adjourned 6:38 p.m.

Date Approved: March 9, 2004