

**MEETING CANCELLED ON 11/08/2018 AT 4:31 P.M.**

## **NOTICE OF MEETING OF THE SAN LUIS FACILITY DEVELOPMENT CORPORATION**

In accordance with section 38-431.01 of the Arizona Revised Statutes of the State of Arizona, notice is hereby given to the Members of San Luis Facility Development Corporation and to the general public that the Board Members of the San Luis Facility Development Corporation will hold a **Special Meeting Thursday, November 8, 2018 at 5:30 p.m.** The meeting will take place at City Hall in **Council Chambers**, located at 1090 E. Union Street, San Luis, Arizona, 85349. Everyone from the public is invited to attend the open meeting.

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, the City of San Luis does not discriminate on the basis of disability in the admission of or access to, or treatment of employment in its programs, activities, or services. For information regarding rights and provisions of the ADA or Section 504, or to request reasonable accommodations for participation in City programs, activities or services contact: ADA/Section 504 Coordinator, City of San Luis Human Resources Department, 1090 E. Union Street, San Luis, Arizona, 85349; (928) 341-8520.

Notice is hereby given that pursuant to A.R.S. §1-602.A.9, subject to certain specified statutory exceptions, parents have a right to consent before the State or any of its political subdivisions make a video or audio recording of a minor child. Meetings of the City Council are audio and/or video recorded, and, as a result, proceedings in which children are present may be subject to such recording. Parents in order to exercise their rights may either file written consent with the City Clerk to such recording, or take personal action to ensure that their child or children are not present when a recording may be made. If a child is present at the time a recording is made, the City will assume that the rights afforded parents pursuant to A.R.S. §1-602.A.9 have been waived.

### **THIS NOTICE IS APPROVED BY:**

/s/ Kay M. Macuil, Attorney for the San Luis Facility Development Corporation

**CANCELACION DE JUNTA 11/08/2018 4:31 P.M.**

### **VISO DE JUNTA DE LA CORPORACIÓN**

De acuerdo con los Estatutos del Estado de Arizona "A.R.S § 38-431.01", se le informa a los miembros de la Corporación San Luis Facility Development Corporation y al público en general que los miembros de la Corporación San Luis Facility Development Corporation, tendrán una **junta especial jueves el día 8 de noviembre del 2018 a las 5:30 p.m.** La junta se llevará a cabo en el **Salón Del Cabildo** ubicada en el 1090 E. Union Street, San Luis, Arizona 85349. El público está cordialmente invitado a la junta.

De acuerdo con el Acta de Americanos con Discapacidades y la Sección 504 del Acta de Rehabilitación del 1973, la Ciudad de San Luis, Arizona no discrimina por causa de discapacidad la admisión y acceso a sus programas, actividades, servicios o en el trato en cuanto a empleo. Para más información referente a derechos y provisiones del Acta de Americanos con Discapacidades o Sección 504, o para solicitar adaptaciones que sean razonables para la participación en programas, actividades o servicios de la Ciudad, contactar al: Coordinador del Acta de Americanos con Discapacidades/Sección 504, Departamento de Recursos Humanos de la Ciudad de San Luis, Arizona, ubicada en el 1090 E. Union Street, San Luis, Arizona, 85349; (928) 341-8520.

Por medio de este aviso y de acuerdo con los Estatutos del Estado de Arizona "A.R.S § 1-602.A.9", sujeto a ciertas excepciones reglamentarias, los padres de familia tienen el derecho de dar el consentimiento ante el Estado o cualquiera de sus subdivisiones políticas para hacer una grabación de audio o video de su hijo menor de edad. Las juntas del Cabildo se graban en audio y/o video y como resultado, el hecho de que haya menores presentes puede ser sujeto a que sean grabados. Para que los padres de familia puedan ejercer sus derechos pueden dar el consentimiento por escrito con la Secretaria de la Ciudad a tal grabación, o tomar acción personal para asegurarse que su hijo menor no esté presente cuando la grabación se lleve a cabo. Si un menor de edad está presente en el momento de la grabación, la Ciudad asumirá que los padres de familia están cediendo los derechos sobre una posible grabación de acuerdo con los Estatutos del Estado de Arizona "A.R.S. §1-602.A.9."

### **ESTE AVISO ES APROBADO POR:**

/f/ Kay M. Macuil, Abogada de la San Luis Facility Development Corporation

**MEETING CANCELLED ON 11/08/2018 AT 4:31 P.M.**

**AGENDA  
SAN LUIS FACILITY DEVELOPMENT CORPORATION  
San Luis Council Chambers  
1090 E. Union Street  
San Luis, Arizona 85349  
November 8, 2018  
5:30 p.m.**

PLEASE TAKE NOTICE

- That Board Members May Attend The Meeting either in person, telephone, or video conference communication.
- The President or Acting President may change the order of the items.
- If authorized by law and by a majority vote of a present quorum of the Board of Directors, an executive session will be held immediately following the vote in accordance with A.R.S. §38-431.03(A) and the meeting will be temporarily recessed while the Board retires to executive session which will not be open to the public .

**1. CALL TO ORDER/ROLL CALL**

**2. CONSENT AGENDA**

All matters are considered to be routine by the Board and will be enacted by one motion. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

**2. A. MINUTES OF**

--Minutes of Special Meeting held October 29, 2018

**3. DISCUSSION AND POSSIBLE ACTION ITEMS:**

**3. A. EXECUTIVE SESSION**

Vote to hold an Executive Session pursuant to A.R.S. §38-431.03(A) (3)(4).

Discussion and possible action to hold an executive session pursuant to A.R.S. §38-431.03(A) (3) and (4) on any and all matters regarding contracts and proposals related to the San Luis Regional Detention and Support Center and its operation by and management by LaSalle Corrections, L.L.C. for discussion or consultation for legal advice with the Board's attorneys, in order to consider and instruct the Board's attorneys regarding the Board's position regarding said contracts and proposals. **(Kay Marion Macuil, Corporation Attorney)**

**4. MOTION TO GO BACK INTO REGULAR SESSION**

**5. DISCUSSION ITEMS:**

- 5. A.** Discussion and possible action on any all matters regarding Resolution No. 2018-02, a resolution of the Board of Directors of the San Luis Facility Development Corporation adopting and approving the Facility Operation and Management Agreement effective December 1, 2018 through November 30, 2019 with LaSalle Corrections, L.L.C. for the operation and management of the San Luis Regional Detention and Support Center.. **(Kay Marion Macuil, Corporation Attorney)**

**6. ADJOURNMENT**

*Suggested adjournment by President: "Since we have come to the end of the items on the agenda and there is no further business, the meeting is adjourned."*

**Facilities Development  
Corporation-CANCELLED**

**2.A.**

Meeting Date: 11/08/2018

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Summary

**MINUTES OF**

--Minutes of Special Meeting held October 29, 2018

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**Attachments**

2018-10-19 Minutes

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**MINUTES**  
**Special Meeting**  
**San Luis Facility Development Corporation**  
**San Luis Council Chambers**  
**1090 E. Union Street**  
**San Luis, Arizona 85349**  
**October 29, 2018**  
**5:30 p.m.**

PLEASE TAKE NOTICE

- Board Members will attend the meeting either in person, telephone, or video conference communication
- The President or Acting President may change the order of the items.
- If authorized by law and by a majority vote of a present quorum of the Board of Directors, an executive session will be held immediately following the vote in accordance with A.R.S. §38-431.03(a) and the meeting will be temporarily recessed while the Board retires to executive session which will not be open to the public.

1. **CALL TO ORDER/ROLL CALL** President Jenny Torres called the meeting to order at approximately 5:35 PM.

Name	Present	Absent
<b>Director Maria Gonzalez</b>	X	
<b>Director Joe Harper – arrived at approximately 5:40 PM at the beginning of e-session.</b>	X	
<b>Secretary Olivia Jenkins</b>	X	
<b>Vice President John Starkey</b>	X	
<b>President Jenny Torres</b>	X	

**OTHERS PRESENT:**

Kay Marion Macuil, Attorney for the Corporation  
 Janet Taylor, Clerk of the Board  
 David Rivas, Warden, LaSalle Corrections – Open session only.  
 Tim Kurpiewski – Director of Finance, LaSalle Corrections – Open session only.  
 Westley McConnell, CPA, LaSalle Corrections – Open session only.  
 Ralph Velez, City Consultant – by phone for E-session only.  
 Bill Sims, Attorney for the Corporation – by phone for E-session only.  
 Glenn Gimbut, Assistant City Attorney – Open session only.  
 Jorge Mungaray, IT – Open session only.  
 Monica Castro, Finance Director

## **2. CONSENT AGENDA**

All matters are considered to be routine by the Board and will be enacted by one motion. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

### **2. A. MINUTES OF**

- Special Meeting held October 22, 2018

**MOTION:** Vice President John Starkey and Secretary Olivia Jenkins to approve minutes of the Special Meeting held on October 22, 2018. **Motion passed unanimously.**

## **3. DISCUSSION AND POSSIBLE ACTION ITEMS:**

### **3. A. EXECUTIVE SESSION**

Vote to hold an Executive Session pursuant to A.R.S. §38-431.03(A) (3)(4) and (7)

Discussion and possible action to hold an executive session pursuant to A.R.S. §38-431.03(A) (3) and (4) on any and all matters regarding contracts and proposals related to the San Luis Regional Detention and Support Center (the "Detention Center) for discussion or consultation for legal advice with the Board's attorneys, in order to consider and instruct the Board's attorneys regarding the Board's position regarding contracts and proposals on the Detention Center regarding negotiating an operating and management agreement with LaSalle Corrections, L.L.C. effective December 1, 2018. **(Kay Marion Macuil, Corporation Attorney)**

**MOTION:** Secretary Olivia Jenkins and Vice President John Starkey to hold an executive session. **Motion passed unanimously.**

## **4. MOTION TO GO BACK INTO SPECIAL SESSION**

**MOTION:** Secretary Oliva Jenkins and Director Joe Harper to go back into Special Session at approximately 6:36 PM. **Motion passed unanimously.**

### **3.B.**

Discussion and possible action on any and all matters regarding Resolution No. 2018-02, a resolution of the Board of Directors of the San Luis Facility Development Corporation adopting and approving the Facility Operation and Management Agreement effective December 1, 2018 through November 30, 2019 with LaSalle Corrections, L.L.C. for the operation and management of the San Luis Regional Detention and Support Center. **(Kay Marion Macuil, Corporation Attorney)**

**Kay Marion Macuil, Corporation Attorney** stated that in executive session the board went through the contract and in executive session there are no decisions made, so if the board would like to make a motion at this time.

**MOTION:** Director Joe Harper and Vice President John Starkey to approve the contract as presented except section 3.01(b) which will be negotiated with the trustee.

**Motion passed unanimously.**

## **5. ADJOURNMENT**

*President Jenny Torres adjourned the meeting by stating: "Since we have come to the end of the items on the agenda and there is no further business, the meeting is adjourned."*

PENDING APPROVAL

**Facilities Development Corporation-CANCELLED**

**3.A.**

**Meeting Date:** 11/08/2018

**Department Head:** Kay Macuil, City Attorney, Attorney's Office

**Submitted By:** Janet Taylor, Legal Secretary, Attorney's Office

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**ITEM:**

**EXECUTIVE SESSION**

Vote to hold an Executive Session pursuant to A.R.S. §38-431.03(A) (3)(4).

Discussion and possible action to hold an executive session pursuant to A.R.S. §38-431.03(A) (3) and (4) on any and all matters regarding contracts and proposals related to the San Luis Regional Detention and Support Center and its operation by and management by LaSalle Corrections, L.L.C. for discussion or consultation for legal advice with the Board's attorneys, in order to consider and instruct the Board's attorneys regarding the Board's position regarding said contracts and proposals. **(Kay Marion Macuil, Corporation Attorney)**

**SUMMARY:**

The Board may be properly be advised on the above-described agenda item in executive session.

**RECOMMENDATION / SUGGESTED MOTION:**

**I MOVE TO HOLD AN EXECUTIVE SESSION AS DESCRIBED IN THIS AGENDA ITEM.**

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**Facilities Development  
Corporation-CANCELLED**

**5.A.**

**Meeting Date:** 11/08/2018

**Submitted By:** Janet Taylor, Legal Secretary, Attorney's Office

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**ITEM:**

Discussion and possible action on any all matters regarding Resolution No. 2018-02, a resolution of the Board of Directors of the San Luis Facility Development Corporation adopting and approving the Facility Operation and Management Agreement effective December 1, 2018 through November 30, 2019 with LaSalle Corrections, L.L.C. for the operation and management of the San Luis Regional Detention and Support Center.. **(Kay Marion Macuil, Corporation Attorney)**

**SUMMARY:**

Resolution 2018-02 authorizes and approves the negotiated operation and management agreement which will be available to the Board via email as soon as the Trustee has reviewed it. It is anticipated that the agreement will be ready on Friday, October 26, 2018. Your legal counsel will email you the agreement as soon as possible for your review.

**RECOMMENDATION / SUGGESTED MOTION:**

**I MOVE TO ADOPT AND APPROVE RESOLUTION 2018-02.**

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**Attachments**

Res. No. 2018-02

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# RESOLUTION

No. 2018-02

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN LUIS FACILITY DEVELOPMENT CORPORATION BOARD ADOPTING AND APPROVING THE FACILITY OPERATION AND MANAGEMENT AGREEMENT EFFECTIVE DECEMBER 1, 2018 THROUGH NOVEMBER 30, 2019 WITH LaSALLE CORRECTIONS, L.L.C. FOR THE OPERATION AND MANAGEMENT OF THE SAN LUIS REGIONAL DETENTION AND SUPPORT CENTER**

**BE IT RESOLVED** by the San Luis Facility Development Corporation Board of Directors, as follows:

**Section 1.** it is deemed in the best interest of the continued stability of the operation San Luis Regional Detention and Support Center that the San Luis Facility Development Corporation enter into a Facility Operation and Management Agreement to be effective December 1, 2018; and

**Section 2.** that a true copy of said Agreement is incorporated herein as though fully set forth again in full;

**PASSED, ADOPTED and APPROVED** by the Board of Directors of the San Luis Facility Development Corporation this \_\_\_\_\_ day of October 2018

\_\_\_\_\_  
Jenny Torres, President

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Olivia Jenkins, Secretary-Treasurer

\_\_\_\_\_  
Kay Marion Macuil  
Corporation Attorney