

APPROVED BY MEMBERS

DATE: JANUARY 26, 2023

Minute Taker: s/J.Taylor

**MINUTES**  
**SAN LUIS FACILITY DEVELOPMENT CORPORATION**  
**San Luis Council Chambers**  
**1090 E. Union Street**  
**San Luis, Arizona 85349**  
**May 17, 2021**  
**5:00 p.m.**

PLEASE TAKE NOTICE THAT BOARD MEMBERS MAY ATTEND THE MEETING BY TELEPHONIC COMMUNICATION

PLEASE TAKE NOTICE: *The Chair or Acting Chair may change the order of the items.*

PLEASE TAKE NOTICE: *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.*

PLEASE TAKE NOTICE: *The Chair or Acting Chair may change the order of the items.*

1. **CALL TO ORDER/ROLL CALL** *President Jenny Torres called the meeting to order at approximately 5:18 p.m.*

Name	Present	Absent
Director Maria Gonzalez		X
Director Joe Harper	X	
Director Marco Pinzon – via zoom at appx. 5:32 p.m.	X	
Vice President John Starkey-seat vacant deceased March 19, 2020.		
President Jenny Torres	x	

**There was no quorum at the time the meeting began. Presentation meeting only.**

**Others present:**

Kay Marion Macuil, City Attorney. Attorney for the Corporation

Monica Castro, Finance Director

David Rivas, Warden – via zoom

Curt Craig, LaSalle I.T. Specialist – via zoom

Glenn Gimtut Assistant City Attorney – arrived at appx. 5:27 p.m.

Axel Chayra, IT Department

Domingo Sosa, IT Department

Melissa Lopez, Deputy City Clerk

Janet Taylor, Clerk of the Board

## **2. CONSENT AGENDA**

All matters are considered to be routine by the Commission 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 the Regular Meeting held February 27, 2020

### **NO MOTION OR VOTE DUE TO LACK OF QUORUM**

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

**3.A.** Presentation followed by discussion and possible action on any and all matters regarding using the Operating Reserve/Repair/Contingency Account under Section 5.06 (e) to pay for equipment and upgrades to the information technology systems at the San Luis Regional Support and Detention Center. **(Warden David Rivas and LaSalle I.T. Specialist Curt Craig)**

Warden Rivas began by stating that the detention center has done some upgrades and included are electronic medical records. A huge volume of commissary and would like to upgrade in order to support those things properly. Also, get iPads for the inmate population in order to circumvent drugs that have been at high volume at the facility.

Curt Craig began by discussing the two slides he had sent over earlier in the day (copy included with the minutes). He discussed the additional benefits of moving from the current wireless internet connection service to a wired internet connection service. Their current provider is WISP and is basically a wireless backbone connection connecting from the facility over the airways to a tower in San Luis. The speed is 40 megabits download to 10 megabits upload. With the number of employees and the volume of internet traffic they are using, it is insufficient.

For a facility of this size across the organization, we would be at a minimum of 200 megabits down and 200 megabits up connection. A megabit is just a measurement of internet speed.

Mr. Craig also explained the effects of having a lot of dust or moisture in the air and how it can impact the quality and speed of that connection and possibly block the signal altogether. If that happens, the facility could be left with no internet access until the air clears up.

By moving to a wired system (fiber optic cable), speeds would tremendously increase. This would improve the operations of the facility and be more dependable. And would be able to do more over the line than they can currently do.

This would allow LaSalle to provide better I.T. service to the facility personnel as well. Currently, it is spotty to remote in and assist personnel. The fiber optic connection would solve that.

The fiber internet connection would enable the facility to offer better services to those in their care. Another benefit, the analog phone systems are becoming obsolete and are being replaced with voice-over I.P. solutions; it is more cost-effective and gives more flexibility. With the quality and speed of the current internet system, an I.P. system would not be practical. This would open a doorway to better use of technology within the facility.

The Warden mentioned the fiber internet connection would enable us to offer better services to those that are in our care. Across several of their facilities, they have developed something called tech-friends. It allows inmates and detainees to communicate with their families over email or text messages and would all but eliminate the requirement for traditional mail service.

For medical records, they are currently using Correct-Tech across their other facilities; it resides in the cloud. The reason is that there is a medical staff in the corporate office, a chief medical officer, nurses, and practitioners who need to access Correct-Tech remotely. Correct-tech is not an issue for their other facilities. Currently, it resides on a server at the San Luis Facility Detention Center because of the quality of the internet connection. That impedes our corporate medical staff from reviewing and inspecting records in the E.M.R. for San Luis. The fiber internet connection would eliminate that issue.

Live-check is a jail check system where every dorm or cell would have a barcode affixed to the outside of the door. As the corrections officers make their rounds, they scan that bar code with a handheld device (instead of logging by hand) and then enter their observation that is then relayed to the cloud and preserved indefinitely and preserved for historical purposes.

Due to the pandemic, remote court has seen an explosion of court sessions being held over video and also video consultations with attorneys. With internet over fiber, it would really open up possibilities for remote court, and that would include having more remote court sessions simultaneously. The quality of the video and audio would be much better than it is now.

The Warden mentioned commissary is an internet-based service. When we have issues with the wireless, it directly impacts the ability to conduct commissary sales across the inmate and detainee population. The wired internet connection would solve those issues.

Mr. Craig asked if there were any questions up to this point.

President Jenny Torres responded that she did have questions but would wait until after the proposals.

Curt Craig then presented the proposals and pricing options. The first slide was the San Luis Detention Center Internet Options (print-out included with the minutes).

Mr. Craig stated that in October of last year, he brought an IT team from their office in Louisiana to the facility in San Luis and did a wholesale upgrade of the IT infrastructure at the facility. They replaced all of the switches used for all the computers across the facility together—replaced some of the PCs that were aging and installed wireless access points across the facility. Originally, the wireless access points were primarily intended to solve some of the pain points around pill calls, dispensing prescription medications to detainees and inmates.

Mr. Craig discussed the pricing and installation of all proposals, including the disappointments with Lumin for the build-out costs changing from the original proposal. The Frontier proposal was a little weary with the original build-out cost. The concern is that the same thing will happen as it did with Lumin once they come out and do the inspection and find that there are no more fibers

AT&T would allow payments throughout the contract for the build-out costs.

AT&T came in a little cheaper meg per meg compared to Lumin.

(proposals included with the minutes).

Curt Craig thanked the board for their attention and opened the floor for questions.

Mr. Harper asked if we had the money to do any of this?

Finance Director Monica Castro stated that she was verifying the amount that was in the contingency account, and pretty much we don't have funds there. So if the board approves this purchase, it will be paid out of the operating account. It will be added as an operational expenditure and would be reimbursed on that basis. As everyone knows, we have the waterfall, and first is the Trust, then the Operational, and third is the Contingency. We have not been able to put any money in the account since we signed the new contract.

President Jenny Torres asked Monica if the invoice they provided from C&V internet says the operating account is that just their internal operating account?

Monica Castro responded with; it can be paid as the operational account. It is a capital project. I also saw the option to be on a lease. For accounting purposes, it will be treated as a capital expenditure. At the end of the day, we need to be making a monthly payment, and those funds in terms of cash, if approved, will be disbursed from the operational account despite the accounting treatment LaSalle gives to this purchase.

President Jenny Torres asked Ms. Castro how she looked at this proposal?

Ms. Castro responded it was more of a decision from the board. We need to look and see if it is necessary, is it part of the day-to-day operations. Is this going to be improving the operation? Is it going to bring a return for the amount of money we put in it? We are looking at it as we are buying something we did not have before and we are going to be adding expenditure each month. We have to weigh the cost versus the benefit.

President Jenny Torres stated that she knew that broadband had become a critical element in all businesses. The City of San Luis has been looking along with the City of Yuma and the County to do regional broadband because we know it is a necessity just like water and sewer it has become that important.

Based on Curt's information, they are looking at several programs they need Connect-tech, the live-check the remote port; those are things that will help the operation based on the list provided.

Ms. Torres stated that she saw they went ahead and researched three (3) internet providers and was curious to know why you didn't reach out to Century Link and Spectrum in this area?

Mr. Craig responded that they did reach out to Century Link and Century is either Lumin or Lumin is Century Link. There is some relationship between them. The Lumin proposal is representative of both Lumin and Century Link. They did reach out to Spectrum, and they replied that they could not provide service and could be because Lumin/Century Link owns the fiber and may not have some type of deal with them. I will go through my email and look for the outcome.

Ms. Torres stated the other question she had was assuming they were recommending the AT&T proposal. Are you recommending the three (3), the four (4), or the five (5) years?

Mr. Craig responded that he recommended the three (3) year option for the 500 megabits connection up and down. He thought that three (3) years was a long time, especially like anything else; this will get cheaper with time and can be renegotiated. We will probably see up to thirty percent savings over the initial monthly charge.

Ms. Torres asked Curt if he was expecting to get that bandwidth, or is it always at a lower speed?

Mr. Craig responded that it should be at what is called a "committed information right," especially since it is over fiber, so we should have full access to the 500 megs up and 500 megs down.

Ms. Torres responded, that make sure you do that because we have that issue around the area. You are promised a certain capacity, and they don't deliver.

Mr. Harper asked Curt if he had it set up to be able to go out and bid with this? Or how are we going to do this? We have to be apples to apples with everybody. I know that you are interested in AT&T, but how do we get it to that point?

Monica Castro replied to Mr. Harper that she hadn't had an opportunity to compare services and interest rates. Analysis I am sure Curt did that. Right now, we are only looking at the proposal. In terms of funding it, my recommendation will be just to go with a lease rather than a capital purchase; that way, we are just paying slowly, and the impact won't be as hard as if we did it all at once. It would be interesting to see the cost if we went with that option which I didn't have the opportunity to do.

Mr. Craig replied that he could provide the AT&T capital document to anyone that needs it.

Ms. Torres asked if they were required to go out for proposals since they are a private firm?

City Attorney Kay Macuil responded no. They do not have that requirement. And I don't know if Monica mentioned this, but there is nothing in the reserve fund. It is empty. It has been that way since the beginning. Our new contract had a way to get the money in there, but the numbers haven't been high enough to contribute to that fund.

Glenn Gimbut, Assistant City Attorney, stated the short legal answer is it depends on who's paying. If the city is paying, then we have to obey the procurement code. If it is a private company, then they don't. Your duty at the end of the day is a fiduciary duty, and the fiduciary duty is; have you acted responsibly with public monies. Here there is only a handful of providers. Not everybody has fiber optic. Each provider has been contacted here. Each has been given the opportunity to give a proposal, and you know what they are. The purpose of an RFP is to shop. Shopping has occurred.

Ms. Torres asked Curt where AT&T is tapping their fiber from?

Curt Craig responded that they would be reselling Lumin fiber oddly enough. Since AT&T is not a leek in that area, they will have to use the fiber conduit that Lumin owns. Often, suppose a customer has a preference over one provider or another. In that case, the providers will have reciprocal agreements to sell each other fiber or copper, whatever the medium happens to be. Curt also stated he was a little mystified about how AT&T can offer at a lower price, but they have it in writing. Curt also shared the AT&T Capital Services Memo for the board and others to see and explained the costs. Mr. Craig also asked Martha Combs if the detention center paid the monthly recurring charges out of their funds, and Ms. Combs responded; that is correct.

Ms. Torres asked if there was some type of backup plan. Does AT&T offer something in case their system goes down?

Mr. Craig replied that typically what they do in a case like that we install a MiFi or a JetPack. It's a portable internet service box that you can carry around with you, and it works over the cellular network, which would be sufficient for email and some limited internet access. That is what we do at most of our facilities.

Ms. Torres asked Mr. Craig what is included in the offer: the cost of the build-out and the service?

Mr. Craig replied there are two components to this. One component is the internet options which is the 500 meg up, and 500 meg down that's the internet service itself the \$3,017.00 is the recurring cost for the internet service itself. That is the amount the facility would pay out of their budget.

The other part is the one-time charge is the build-out cost which is \$44,563.00. Part of the \$3,017.00 AT&T offers a number of security-related features. They have intrusion protection. We also turn on attachment scanning for emails and downloads and help prevent malware, ransomware, and nasty things from making it into our network.

Mr. Harper asked about the other two proposals on the build-out cost and how they compare?

Mr. Craig replied that Lumin came to the table with an initial build-out cost of \$5,700.00. After sending their technician on-site and realizing there were no pre-fiber conductors in the conduit to the sewage treatment plant, they increased their build-out cost from \$5,700.00 to \$55,000.00.

AT&T, whether we go with the one gig or the 500 meg, is \$44,563.00.

Frontier for one gig up and one gig down has come to the table with a \$1,200.00 build-out charge that I think is flawed. If all the fiber connectors in that conduit are being used, there is no way possible Frontier is going to be able to install this service with the build-out cost of \$1,200.00. What will happen with Frontier is what happened with Lumin; they come to the table with \$1,200.00, then when they send their tech on-site, they are going to find the same thing Lumin found, and AT&T found.

Mr. Harper stated that conduit has gone up about 300%.

Ms. Torres asked Marco Pinzon if he had any questions or comments?

Mr. Pinzon replied no and that she had asked most of the right questions.

Ms. Torres stated that she has been trying to bring more broadband options to the east part of town and has been working with Wanrack to bring in fiber optic from Ave B down SR 195 to Cesar Chavez Blvd. to 10<sup>th</sup> Ave to the High School. And I asked them if they had the additional capacity to provide to other users, and they said yes.

Ms. Torres stated that all her questions had been answered and believe that this is a necessity. We have the same problem at the Port of Entry and Customs trying to use their Ipads to input information, and it is a difficult task. I understand where you guys are at.

Ms. Torres asked Mr. Harper if there were any questions; he replied he would like to see this on paper so they could get this done. Ms. Torres replied that she would forward the information to Monica Castro, Finance Director. If she had any specific questions, she could discuss them with Warden Rivas, Curt Craig, or Martha Combs. And try and figure out a way to get this done.

Ms. Torres stated that no action would be taken today and that the board wanted to hear the presentation and ask the questions. We will have to come back for a meeting.

Mr. Harper asked if he could get this presentation in writing, and Mr. Craig responded that he had sent it to some of the board members but would be happy to resend it. He also stated he would be interested in any other providers the board might know of and to feel free to reach out to him for any further questions.

Ms. Torres thanked Mr.Craig for his presentation and stated they would try to come up with the best deal for the facility. They would be in touch once the finance director had a chance to review everything.

Mr. Craig thanked the board for hearing them out and for their consideration.

Ms. Torres asked for any more questions, and there were none.

## **ADJOURNMENT**

**MOTION:** President Jenny Torres and Director Joe Harper to adjourn the meeting.

**Motion passed unanimously**

### **The vote was as follows:**

Board Member Marco Pinzon	Aye
Board Member Joe Harper	Aye
President Jenny Torres	Aye