

## 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 at 4:30 p.m. on Thursday, October 12, 2023**. 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

### AVISO 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 el día Jueves 12 de Octubre a las 4:30 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

**AGENDA**  
**SAN LUIS FACILITY DEVELOPMENT CORPORATION**  
**San Luis Council Chambers**  
**1090 E. Union Street**  
**San Luis, Arizona 85349**  
**OCTOBER 12, 2023**  
**4:30 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.*

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

**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:**

-Special meeting held August 22, 2023

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

**3. A.** Discussion and possible action on any and all matters regarding using the Operating/Reserve/Repair/Contingency Account to purchase a new water heater/boiler to replace the one that stopped working. **(Monica Castro, Finance Director)**

**4. 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."*

**San Luis Facility Development Corporation**

**2. A.**

Meeting Date: 10/12/2023

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Summary

MINUTES OF:

-Special meeting held August 22, 2023

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Attachments

Minutes of 2023-08-22

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**MINUTES**  
**SAN LUIS FACILITY DEVELOPMENT CORPORATION**  
**San Luis Council Chambers**  
**1090 E. Union Street**  
**San Luis, Arizona 85349**  
**August 22, 2023**  
**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 an executive session that will not be open to the public.***

- 1. CALL TO ORDER/ROLL CALL** President Jenny Torres called the meeting to order at approximately 5:04 p.m.

**THOSE PRESENT:**

Director Joe Harper  
Director Eulogio Vera  
President Jenny Torres

**OTHERS PRESENT:**

David Rivas, Warden, LaSalle Detention Center  
Thomas Carroll, Assistant Warden, LaSalle Detention Center  
Kay Marion Macuil, General Counsel  
Janet Taylor, Clerk of the Board  
Domingo Sosa, Media Graphics Specialist  
Ruben Lopez, IT Technician

**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 January 26, 2023

**MOTION:** Director Joe Harper and Director Eulogio Vera approved the consent agenda. **Motion passed unanimously.**

**The vote was as follows:**

President Jenny Torres	Aye
Director Joe Harper	Aye
Director Eulogio Vera	Aye

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

**3.A.** Discussion and possible action on any and all matters regarding using the Operating Reserve/Repair/Contingency Account to purchase a new A.C. to replace one that stopped working in the San Luis Regional Detention and Support Center's Kitchen. **(Kay Marion Macuil, General Counsel).**

Ms. Macuil presented the urgent need for a new air conditioning unit to the board - because the old one (2007 original) stopped working. Ms. Macuil stated that she spoke to the trustees and that there were sufficient funds to replace the air conditioner. She said the Warden gave two (2) bids; the low bid was \$37,050.50. She also stated that the Warden and Assistant Warden were present to provide an update.

Director Joe Harper stated that this was an emergency due to the weather we have been having.

President Jenny Torres stated to Mr. Harper that they did talk to Keith Marshal, the trustee from U.S. Bank, and I, as the chair was willing to sign off and bring it back to the board to ratify because it was an emergency. She stated that the Warden did talk to the company, and they were able to work out a time frame and that the installation would be taking place this Friday.

Ms. Macuil stated that the company with the lowest bid was willing to proceed with the installation and invoice us.

Director Eulogio Vera commented that bids were competitive, and that is what they like to see. Mr. Vera then asked if others were the same age as this one. And might we have similar expenses down the road?

Warden Rivas explained that others are originals from 2007. They also have a good crew in maintenance that services them and preserves parts from others. Warden Rivas said he estimates that there are three (3) others or four (4) maybe.

Joe Harper asked how many air conditioners there were at the detention center. Warden Rivas responded that there were 26 in Unit 1 and 8 in various sizes.

The 15-ton is the biggest one. Mr. Rivas included that the cost has gone up tremendously. A year and a half ago, they replaced one that cost \$18,000.00, and now it cost \$37,000.00.

President Jenny Torres asked the Warden if they had done an evaluation of the air conditioners and maybe start replacing them one at a time. The Warden responded that they do this once a year. And that every year, they do a Capitol Expense Report to the corporate office of all of their equipment, including the original purchase and installation date. Including maintenance records and life expectancy.

**MOTION:** Director Eulogio Vera and Director Joe Harper approve the use of the operating reserve/repair/contingency account to pay Arizona Valley Refrigeration Heating and Cooling L.L.C. for the removal of the old A.C. and installation of a new A.C. for the Detention Center's kitchen and approve the attached requisition. **Motion passed unanimously.**

**The vote was as follows:**

Director Eulogio Vera	Aye
Director Joe Harper	Aye
President Jenny Torres	Aye

**4. Adjournment**

*The meeting adjourned at approximately 5:14 p.m.*

## San Luis Facility Development Corporation

3. A.

**Meeting Date:** 10/12/2023

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

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

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### **ITEM:**

Discussion and possible action on any and all matters regarding using the Operating/Reserve/Repair/Contingency Account to purchase a new water heater/boiler to replace the one that stopped working. **(Monica Castro, Finance Director)**

### **SUMMARY:**

#### **Water Heater/Boiler has stopped working.**

Water Heater/Boiler has rusted out and is no longer serviceable. It is an original piece of equipment (2007).

#### **Proposal**

The quote to replace it is \$6,266.21. There was only one quote obtained because Ferguson Enterprises LLC is the only company in Arizona that carries the brand the Detention Center requires. Other boiler brands will not match the detention center's plumbing connections. Retrofit other brands would be more expensive than the Ferguson Enterprise quote.

The Warden is requesting to use of the Operating/Reserve/Repair/Contingency Account to replace the water heater/boiler.

#### **Account Balance and Detention Center Waterfall**

As of the writing of this Agenda Item, the staff is in the process of contacting the U.S. Bank Trustee for the balance in the Operating Reserve/Repair/Contingency Account. Since January 2023, the Board agreed to use the same account to purchase a water softener system and an A.C. Unit.

The federal agencies pay directly into the U.S. Bank's Trust Account for the services of the Detention Center. The U.S. Bank Trustee pays out to each account in the below order as funding is available. This order of priority is called a "waterfall" and is found in the language of the contract (called the "Trust Indenture") between the U.S. Bank and the San Luis Facility Development Corporation.

The Waterfall under the Trust Indenture (references to the sections of the Trust Indenture):

All revenue is deposited in the General Account and disbursed in this priority (5.06 (a))

1. Bond Interest, see 5.06 (b)(i),
2. Restore Bond Reserve if necessary under 5.02; see 5.06(b),
3. Bond Principal, see 5.06 (b)(ii),
4. Operation and Maintenance Costs, see 5.06 (c),
5. Trustee Fees, see 5.06 (c) (sub-account of the Operating Account),
6. Operator Fee, see 5.06 (d),

Through the 2018 Operating Agreement with LaSalle, the \$35,000 City Business License Fee is paid equally with the 6% of Operation & Maintenance Costs paid to La Salle.

Note: LaSalle will be setting up a meeting with staff to discuss that the waterfall has not funded this fee.

**7. Operating/Reserve/Repair/Contingency pay up to \$10,000 per month until there is \$300,000 in the account, see 5.06 (e)**

8. Surplus, see 5.06 (f)

**Procedure to Pay**

For the Trustees at U.S. Bank to pay, they must have a requisition approved by the Board. The staff will bring to the Board meeting a letter, so the Trustee can release the funds from the Operating Reserve/Repair/Contingency account for the water heater/boiler.

**RECOMMENDATION / SUGGESTED MOTION:**

**I MOVE TO APPROVE THE USE OF THE OPERATING RESERVE/REPAIR/CONTINGENCY ACCOUNT TO PAY FERGUSON ENTERPRISES, LLC FOR THE PURCHASE OF A CCY 100G COMM NAT WATER HEATER AND APPROVE THE REQUISITION LETTER PROVIDED TO THE BOARD.**

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**Attachments**

Estimate

Ferguson Quote

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**LASALLE**  
CORRECTIONS

**Lasalle Corrections West  
San Luis Detention and Support Center**

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Date: 9/19/2023 Date PO Received: maintenance

Name: Angel Vaela

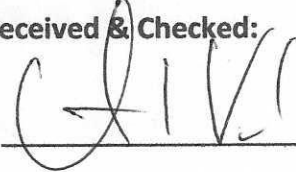
Depart.: Maintenance Check Request?: Yes (No)

Vendor Name and Address: Ferguson Enterprize 3267 E. 33RD PLACE 928-344-8884

Quantity	Description	Price	Total Price	Ordered	Received
1	CCY 100G COMM NAT WHTR HEATER	\$5,780.00	\$5,780.00		
		\$ -	\$ -		

Subtotal      \$5,780.00    \$ -  
 Tax              \$486.21        \$ -  
 Total             6,266.21

Date Received & Checked: \_\_\_\_\_ Delivered Date: \_\_\_\_\_

Signature: 

Print Name: Angel Varela



FERGUSON ENTERPRISES, LLC #1925  
 3267 E. 33RD PLACE  
 YUMA, AZ 85365-7553

Phone: 928-344-8884  
 Fax: 928-344-8885

Deliver To:  
 From: Robert Gutierrez  
 Comments:

12:59:10 SEP 19 2023

FERGUSON ENTERPRISES LLC #1001

Price Quotation  
 Phone: 928-344-8884  
 Fax: 928-344-8885

**Bid No:** B941822  
**Bid Date:** 09/19/23  
**Quoted By:** RYG

**Cust Phone:** 928-627-2101  
**Terms:** NET 10TH PROX

**Customer:** LASALLE CORRECTIONS WEST L  
 PO BOX 7710  
 SAN LUIS DETENTION CENTER  
 SAN LUIS, AZ 85349

**Ship To:** CUSTOMER PICK-UP

**Cust PO#:**

**Job Name:**

Item	Description	Quantity	Net Price	UM	Total
BD100T1993N	CCY 100G COMM NAT WHTR	1	5780.000	EA	5780.00
<b>Net Total:</b>					\$5780.00
<b>Tax:</b>					\$486.21
<b>Freight:</b>					\$0.00
<b>Total:</b>					\$6266.21

Quoted prices are based upon receipt of the total quantity for immediate shipment (48 hours). SHIPMENTS BEYOND 48 HOURS SHALL BE AT THE PRICE IN EFFECT AT TIME OF SHIPMENT UNLESS NOTED OTHERWISE. QUOTES FOR PRODUCTS SHIPPED FOR RESALE ARE NOT FIRM UNLESS NOTED OTHERWISE.

CONTRACTOR CUSTOMERS: IF YOU HAVE DBE/MBE/WBE//VBE/SDVBE/SBE GOOD FAITH EFFORTS DIVERSITY GOALS/ REQUIREMENTS ON A FEDERAL, STATE, LOCAL GOVERNMENT, PRIVATE SECTOR PROJECT, PLEASE CONTACT YOUR BRANCH SALES REPRESENTATIVE IMMEDIATELY PRIOR TO RECEIVING A QUOTE/ORDER.

Seller not responsible for delays, lack of product or increase of pricing due to causes beyond our control, and/or based upon Local, State and Federal laws governing type of products that can be sold or put into commerce. This Quote is offered contingent upon the Buyer's acceptance of Seller's terms and conditions, which are incorporated by reference and found either following this document, or on the web at <https://www.ferguson.com/content/website-info/terms-of-sale>  
 Govt Buyers: All items are open market unless noted otherwise.

LEAD LAW WARNING: It is illegal to install products that are not "lead free" in accordance with US Federal or other applicable law in potable water systems anticipated for human consumption. Products with "NP" in the description are NOT lead free and can only be installed in non-potable applications. Buyer is solely responsible for product selection.  
 Buyer shall accept delivery of products within 60 days of Seller receiving the products at Seller's warehouse. If Buyer causes or requests a delay in delivery of the products, Buyer may be subject to storage fees and additional costs caused by such delay. Seller reserves the right to requote the products and reschedule the delivery date, subject to manufacturer's lead times and price increases, if Buyer is unable to accept delivery within 60 days.



**HOW ARE WE DOING? WE WANT YOUR FEEDBACK!**

Scan the QR code or use the link below to complete a survey about your bids:

<https://survey.medallia.com/?bidsorder&fc=1002&on=1118811>