

Tri-City Regional Sanitary District

5515 S APACHE AVE STE 200 PO BOX 2198
GLOBE AZ 85501-4430 CLAYPOOL AZ 85532-2198

Malissa Buzan, President
Mary Anne Moreno, Secretary
John Chism
Stephen Palmer
Bill Tower

www.TRSD.org
www.TRSDWastewater.org

Bill Clemmens, General Counsel
Fred Rosenfeld, Bond Counsel

Regular Meeting of the Board of Directors

IBEW Local 518

**1383 North Hwy 188
Globe, AZ 85501**

**Monday February 10, 2020
5:15 pm**

AGENDA

Acronyms:

| | |
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| ADEQ | Arizona Department of Environmental Quality |
| A.R.S. | Arizona Revised Statutes |
| CAG | Central Arizona Governments |
| DMA | Designated Management Area |
| EA | Environmental Assessment |
| EDUs | Equivalent Dwelling Units |
| EPC | Environmental Planning Committee |
| FAQs | A list of questions and answers |
| FY | Fiscal Year |
| IBEW | International Brotherhood of Electrical Workers |
| IDA | Gila County Industrial Development Authority |
| IGA | Intergovernmental Agreement |
| IRS | Internal Revenue Service |
| MHI | Median Household Income |
| PACE | PACE Advanced Water Engineering |
| PER | Preliminary Engineering Report |
| RCAC | Rural Community Assistance Corporation |
| TRSD | Tri-City Regional Sanitary District |
| USDA-RD | U.S. Department of Agriculture-Rural Development |
| USPS | United States Postal Service |
| Wescas | Western Coalition of Arid States |
| WIFA | Water Infrastructure Finance Authority of Arizona |
| WRF | Wastewater Reclamation Facility |

Call to Order
Roll Call

Open Meeting Law Reminders:

- Board members will only speak on agenda items during the meeting. No discussion will take place before or after any meetings on any agenda items or possible agenda items between board members or between board members and the public.
- A third party can tape any public meeting without letting the Board of Directors or the public know. The Board and the public must be mindful of the Open Meeting Law at all times.
- Open Public Discussion: Consideration and discussion of comments and complaints from the public.
- Those wishing to address TRSD need not request permission in advance but must fill out a REQUEST TO ADDRESS BOARD FORM before the meeting. Support staff and consultants are exempt from this requirement. The TRSD Board is not permitted to discuss or take action on any item raised in the call to the public. However, individual Board members may be permitted to respond to criticism directed to them. Otherwise, the Board may direct that the staff review the matter or that the matter be placed on a future agenda. The TRSD Board cannot discuss or take legal action on any issue raised during the Call to the Public due to restrictions of the Open Meeting Law.

Executive Sessions:

- [The TRSD Board may vote to hold an executive session for the purpose of obtaining legal advice from the TRSD Legal Counsel on any matter listed on the agenda pursuant to ARS § 38-431.03(A)(3)].

Item #:

- 01 Information, Discussion & Action: Approval of the 01-13-2020 TRSD Board of Directors meeting minutes. [Malissa Buzan, Mary Anne Moreno]
- 02 Information, Discussion & Action: Financial Report. [Malissa Buzan, Mary Anne Moreno]
- 03 Information, Discussion & Action: Status on Bridge Loan (financing for the engineering and certain incidental expenses for the TRSD Phase I Project) including update on progress regarding funding. [Bill Clemmens, Fred Rosenfeld, Mike Krebs, Leo Valdez]

- 04 Information, Discussion & Action: Status on Vertical Heights withdrawal from the boundaries of TRSD. Petitions for withdrawal to Gila County Board of Supervisors for determination of validity of petitions. [Mike Krebs, Bill Clemmens]

- 05 Information, Discussion & Action: Status on request by owners of properties within Miami Gardens concerning de-annexation from the boundaries of TRSD. Contacted Gila County Assessor's Office and have received the list of parcels which comprise Miami Gardens. Status on the preparation of the legal description by the engineering firm. PACE report on boundaries and determination of whether or not certain parcels are in or out of the list of parcels which comprise Miami Gardens. [Malissa Buzan, Mike Krebs, Bill Clemmens]

- 06 Information, Discussion & Action: Update by Mariano Gonzales concerning work on the Citizens Advisory Committee and any new members. [Mariano Gonzales]

- 07 Information, Discussion & Action: Report by PACE on the site selection for the TRSD wastewater reclamation facility. Based upon the existing confidentiality agreement with BHP, this agenda item may include an executive session. [Malissa Buzan, Mike Krebs, Bill Clemmens]

- 08 Information, Discussion & Action: Information, Discussion & Action: Accept the resignation of Bill Towers as a member of the TRSD Board of Directors. Request that members of the TRSD Board recommend person(s) having the necessary qualifications to replace Bill Tower as a member of the Board of Directors for the balance of his term of office. Take possible action to set a time to receive recommendations, review and to vote on a replacement member of the TRSD Board of Directors. Please note that any member of the Board of Directors must reside within the boundaries of TRSD. [Malissa Buzan, Bill Clemmens]

- 09 Information, Discussion & Action: Discussion of request by Harley Farester (a member of the public) to address the TRSD Board as to where in ARS 48-2041 through 48-2083 are the rights to vote taken away. Formal response by Bill Clemmens, General Counsel on behalf of TRSD.

- 10 Information, Discussion & Action: Payment of Bills. [Malissa Buzan, Karen Samuel, Mary Anne Moreno]

- 11 Call to the Public. Any citizen desiring to speak on a matter that IS NOT scheduled on this agenda may do so at this time. This is a time for the public to comment to TRSD Board Members explicitly, not to members of TRSD Staff. Comments will be limited to **three minutes per person** and shall be addressed **explicitly** to the TRSD Board Members and addressed to the TRSD Board Members as a whole public body, and not to any individual member. **Please complete a “Request to Address the Board” form, located with the Agendas at the location of the Sign-In Sheets and turn it back in at this location prior to the beginning of the TRSD Board Meeting.** Issues raised shall be limited to those within the jurisdiction of the TRSD Board. Pursuant to the Arizona Open Meeting Law, the TRSD Board Members cannot discuss or act on items presented at this time. At the conclusion of the Call to the Public, individual TRSD Board Members may; (1) respond to criticism made by those who have spoken, (2) ask TRSD Staff to review a matter, and (3) ask that a matter be put on a future agenda. [Malissa Buzan, TRSD Board and TRSD Staff]

- 12 Information, Discussion & Action: Update list of addresses for email notices of meetings and agendas. [Malissa Buzan, Mary Anne Moreno, Roxie Hadley]

- 13 Set date, time and location for next meeting.

- 14 Information, Discussion & Action: Take Action to Recess the meeting into an Executive Session to receive legal advice from General Counsel and Bond Counsel and to reconvene at the conclusion of advice from legal counsel. The executive session will include advice from legal counsel 1) concerning the application of Title 34 of the Arizona Revised Statutes to the procurement of engineering services, and 2) the repayment of engineering fees in the event that the construction bids received for the construction of the project exceed the engineer’s estimate. **Please note that no action can be taken in the executive session.**

- 15 Adjournment.

Notice: Pursuant to A.R.S. Section 38-431.03 Paragraphs (A)(1), (A)(3), (A)(4), (A)(7), the Board of Directors reserves the right to move into executive session as provided for by the Arizona Revised Statutes for any or all of the agenda items noticed herein.

Persons with disabilities requiring special accommodation to participate in this meeting should contact Malissa Buzan, as soon as reasonably possible, by phone at 928-961-6439 or by e-mail at maliss39@hotmail.com | mbuzan@gilacountyaz.gov

CERTIFICATE OF POSTING: I certify that the Agenda for the TRSD Regular Board Meeting of Monday February 10, 2020 was posted on Friday February 07, 2020 at the USPS (Claypool) at 1:05pm.

Roxie Hadley

Roxie Hadley, Legal Assistant | TRSD Staff

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**Public Participation at Board Meetings
 REQUEST TO ADDRESS THE BOARD**

I request permission to address the governing Board on the following items:

| Item # | |
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| NAME | DATE |
| STREET ADDRESS / CITY, STATE, ZIP CODE | PHONE NUMBER(S) |
| EMAIL ADDRESS | REPRESENTING |