

Tri-City Regional Sanitary District

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GLOBE AZ 85501-4430 CLAYPOOL AZ 85532-2198

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

www.TRSD.org
www.TRSDWastewater.org

Bill Clemmens, General Counsel
Fred Rosenfeld, Bond Counsel

PUBLIC HEARING and Regular Meeting of the Board of Directors Live-Stream Meeting

Join Zoom Meeting: <https://gilacountyaz-gov.zoom.us/j/92274475485?pwd=ZUFFcnhHWDE5Q2RLdVo5eXdJVktzd09>

Meeting ID: 922 7447 5485
Password: 376985

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<https://gilacountyaz-gov.zoom.us/j/92274475485?pwd=ZUFFcnhHWDE5Q2RLdVo5eXdJVktzd09>

Monday May 18, 2020 – 5:15 pm

For Call in Questions or Public Comments:
928-200-5086

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.
- Those wishing to address TRSD need to request permission in advance and must fill out a REQUEST TO ADDRESS BOARD FORM by 3pm the day of the TRSD Board Meeting. Support staff and consultants are exempt from this requirement. The TRSD Board will discuss or take action on any item raised in the call to the public in the next regularly scheduled meeting of TRSD.

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: Appointment of Ernest Miranda to fill the vacancy created by the recent resignation of one of the TRSD Board members. Administration of the Oath of Office for Ernest Miranda. [Malissa Buzan, Notary Public]
- 02 Information, Discussion & Action: Accept the resignation of John Chism 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 John Chism 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]

Acronyms:

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

— NOTICE —

Based upon the most recent guidelines from the Federal Government, no members of the public will be allowed to be in attendance at the meeting of the TRSD Board of Directors and access will be provided solely by Live-Stream Meeting via Zoom.

AGENDA

Public Hearing – Deannexation of Vertical Heights

- 03 Information, Discussion & Action: Recess and open Public Hearing pursuant to ARS § 48-262 concerning the deannexation of the area commonly known as Vertical Heights from the boundary of TRSD. [Malissa Buzan, Bill Clemmens]

- 04 Information, Discussion & Action: **Close Public Hearing.** Reconvene to Regular session. Possible adoption of Resolution approving the deannexation of Vertical Heights from the boundary of TRSD. [Malissa Buzan, Bill Clemmens]

- 05 Information, Discussion & Action: Approval of the 04-20-2020 TRSD Board of Directors meeting minutes. [Malissa Buzan, Mary Anne Moreno]

- 06 Information, Discussion & Action: Financial Report. [Malissa Buzan, Mary Anne Moreno]

- 07 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]

- 08 Information, Discussion & Action: Status 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]

- 09 Information, Discussion & Action: Status on request by owners of properties within Miami Gardens concerning withdrawal from the boundaries of TRSD. 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. Possible decision by TRSD Board of Directors regarding the parcels to be part of the withdrawal. [Malissa Buzan, Mike Krebs, Bill Clemmens]

- 10 Information, Discussion & Action: Status of work on proposed budget for TRSD Budget FY 2020 – 2021. Possible scheduling of a Work Study Session to finalize the details of the budget for adoption at the next regularly scheduled meeting of the TRSD Board of Directors. [Malissa Buzan, Mike Krebs, Bill Clemmens]

- 11 Information, Discussion & Action: Receive report by General Counsel on the status of the review of Amendment No. 6 proposed by PACE to the existing contract and amendments 1-5 required to move forward with Phase IA of the Project. Possibly setting a Work Study meeting to review the terms of Amendment No. 6 and supporting documentation once the members of the TRSD Board have had an opportunity to review the document in detail. [Malissa Buzan, Bill Clemmens, Mike Krebs]

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

- 13 Call to the Public. Requests to Address the Board will be accepted up until 3pm on May 18, 2020. These forms may be submitted in person to the TRSD office receptionist counter located at 5515 South Apache Avenue – Suite 200, Globe, Arizona or via email at trsd@trsd.org in the form of the standard TRSD Request to Address the Board. Hard copies of the Request to Address the Board forms are available at the TRSD office. Please note that responses to these requests will be addressed at the next regularly scheduled TRSD Board Meeting.

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

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

- 16 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 May 18, 2020 was posted on Friday May 15, 2020 at the USPS (Claypool) at 2pm.

Roxie Hadley

Roxie Hadley, Legal Assistant | TRSD Staff

RESOLUTION NO. 20-001

RESOLUTION OF THE BOARD OF DIRECTORS OF THE TRI-CITY REGIONAL SANITARY DISTRICT OF GILA COUNTY, ARIZONA, APPROVING THE WITHDRAWAL OF VERTICAL HEIGHTS FROM THE BOUNDARY OF THE TRI-CITY REGIONAL SANITARY DISTRICT

WHEREAS, the Tri-City Regional Sanitary District ("TRSD") was requested to consider the withdrawal of the area commonly known as Vertical Heights from the boundary of the TRSD by the owners of property located within Vertical Heights and described by Gila County Assessor Parcel Numbers set forth in Exhibit A hereto; and

WHEREAS, that pursuant to Arizona Revised Statutes § 48-262 the TRSD Board reviewed and approved the Boundary Change Impact Statement prepared in support of the withdrawal of Vertical Heights; called a Public Hearing on August 19, 2019 to review the Boundary Change Impact Statement and voted to approve the Boundary Change Impact Statement and to authorize the Circulation of Petitions as provided in Arizona Revised Statutes § 48-262(A)(5); and

WHEREAS, the Petitions were circulated, collected, and submitted for review by the Gila County Board of Supervisors; and

WHEREAS, the Gila County Board of Supervisors entered a determination of validity for the Petitions:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE TRI-CITY REGIONAL SANITARY DISTRICT OF GILA COUNTY, ARIZONA, as follows:

That in adopting this Resolution and pursuant to Arizona Revised Statutes § 48-262(A)(13), the Board hereby orders the withdrawal of the area commonly known as Vertical Heights as described in the circulated and executed Petitions from the Boundary of the Tri-City Regional Sanitary District;

PASSED, ADOPTED AND APPROVED by the Board of Directors of the Tri-City Regional Sanitary District of Gila County, Arizona, on May 18, 2020.

Malissa Buzan, TRSD President

ATTEST:

Mary Anne Moreno, TRSD Secretary

APPROVED AS TO FORM

William L. Clemmens, General Counsel

CERTIFICATE

I hereby certify that the above and foregoing Resolution No. 20-001 was duly passed by the Board of Directors of Tri-City Regional Sanitary District of Gila County, Arizona, at a regular meeting held on May 18, 2020, and that a quorum was present thereat and that the vote thereon was ____ ayes and ____ nays. ____ did not vote or were absent.

Mary Anne Moreno, TRSD Secretary

William L. Clemmens

Attorney at Law

Law Offices of William L. Clemmens
136 North Miami Avenue
Miami, Arizona 85539-1494

928-812-3604
email: wclommenslaw@cablone.net

EXHIBIT A

Known as Exhibit B to the Petitions Circulated for Vertical Heights Deannexation
dated September 16, 2019

The Tri-City Regional Sanitary District ("TRSD") believes that the list below contains the Gila County Assessor's Office parcel numbers of all of the parcels of real property which comprise the area known as Vertical Heights. The legal descriptions for the properties set forth in this list is available at the Gila County Assessor's Office. This list was used in all notices to property owners and Gila County in support of the requests by the property owners to be removed from the boundary of TRSD.

Parcel Numbers:

205-01-011S	205-01-025J	205-01-045A
205-01-011T	205-01-025R	205-01-045B
205-01-011T	205-01-025V	205-01-046B
205-01-013A	205-01-025Z	205-01-048F
205-01-015E	205-01-027A	205-01-048G
205-01-015H	205-01-027B	205-01-053B
205-01-015J	205-01-030C	205-01-070A
205-01-015K	205-01-031D	

Tommie C. Martin, District I
610 E. Hwy 260, Payson, 85547
(928) 402-8753
(800) 304-4452, ext.7100
tmartin@gilacountyaz.gov

Tim R. Humphrey, District II
(928) 425-3231
thumphrey@gilacountyaz.gov

Woody Cline, District III
(928) 402-4401
wcline@gilacountyaz.gov



GILA COUNTY
BOARD OF SUPERVISORS
1400 E. Ash Street
Globe, Arizona 85501

W. James Menlove,
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(928) 402-4257
jmenlove@gilacountyaz.gov

Marian Sheppard,
Clerk of the Board of Supervisors
(928) 402-8757
msheppard@gilacountyaz.gov

March 10, 2020

Mr. William L. Clemmens
Law Offices of William L. Clemmens
136 North Miami Avenue
Miami, AZ 85539

Dear Mr. Clemmens:

RE: VERTICAL HEIGHTS SIGNED PETITION – DETERMINATION OF VALIDITY

Earlier today, the Board of Supervisors unanimously accepted a report (attached) from the Gila County Assessor's Office regarding the petition signed by owners of property in the Vertical Heights area requesting to be de-annexed from the boundaries of the Tri-City Regional Sanitary District (TRSD); and validated that all signatures are owners of property for the respective listed parcel numbers on the petition except for parcel number 205-01-013A which is not within the taxing authority boundaries of the TRSD and not signed by owners of the subject property.

The petition was signed by Patricia Holder and Mitchell Holder as owners of parcel number 205-01-013A; however, according to the current records of the Assessor's Office the owner of said parcel is Cyprus Miami Mining Corporation KNA Phelps Dodge Miami Inc. Freeport McMoRan Miami Copper & Gold is working with the Assessor's Office to transfer ownership of parcel number 205-01-013A into their name.

Sincerely,

Marian Sheppard
Clerk of the Board

ms
Attachment

Account Number	Parcel Number	Owner Name	Owner Address Line 1	Owner City	Owner State	Owner Zip	Situs	City	Zip Code	Tax Area	Legal Class	FCV	LPV	Secondary Taxable	Primary Taxable	Secondary Net Assessed	Primary Net Assessed	Acres
R005098	20501013A	CYPRUS MIAMI MINING CORPORATION NKA, PHELPS DODGE MIAMI INC	PO BOX 4444	CLAYPOOL	AZ	85532	1317 N Pinal Creek RD	Globe	85501	150	02.R	\$ 858.00	\$ 858.00	\$ 129	\$ 129	\$ 129	\$ 129	39.78
R005138	20501015H	HOLDER MITCHELL R & PATRICIA	PO BOX 840	TONTO BASIN	AZ	85553				184	02.R	\$ 696.00	\$ 696.00	\$ 104	\$ 104	\$ 104	\$ 104	32.29
R005142	20501015J	HOLDER MITCHELL R & PATRICIA	PO BOX 840	TONTO BASIN	AZ	85553				184	02.R	\$ 73.00	\$ 73.00	\$ 11	\$ 11	\$ 11	\$ 11	3.39
R005146	20501015K	GORDON DAVID & ODESSA	PO BOX 1981	CLAYPOOL	AZ	85532	159 W Vertical HTS	Globe	85501	184	3.1	\$ 298,603.00	\$ 182,285.83	\$ 29,861	\$ 18,229	\$ 29,861	\$ 18,229	1.22
R005229	20501025J	HAWKINS KRIS W	PO BOX 1305	CLAYPOOL	AZ	85532	1035 W Vertical HTS	Globe	85501	184	3.1	\$ 216,976.00	\$ 138,611.47	\$ 21,698	\$ 13,861	\$ 21,698	\$ 13,861	4.87
R005241	20501025R	LORENZEN J CHRIS TRUSTEE, LORENZEN TRUST	5236 W ARIZONA FARMS RD	QUEEN CREEK	AZ	85142	662 W Vertical HTS	Globe	85501	184	4.1	\$ 129,316.00	\$ 96,086.20	\$ 12,932	\$ 9,609	\$ 12,932	\$ 9,609	4.9
R005245	20501025V	BELARDE CHRIS	498 TEBBS ST	GLOBE	AZ	85501		Globe	85501	184	02.R	\$ 12,045.00	\$ 12,045.00	\$ 1,807	\$ 1,807	\$ 1,807	\$ 1,807	2
R005249	20501025Z	LECOMPT LARRY & BARBARA	1025 W VERTICAL HEIGHTS	MIAMI	AZ	85539				184	02.R	\$ 34,998.00	\$ 34,998.00	\$ 5,250	\$ 5,250	\$ 5,250	\$ 5,250	19.37
R005280	20501030C	MARSHALL WILLIAM R TRUSTEE, MARSHALL LIVING TRUST	PO BOX 2714	CLAYPOOL	AZ	85532	863 W Vertical HTS	Globe	85501	184	3.1	\$ 142,392.00	\$ 88,842.57	\$ 14,239	\$ 8,884	\$ 14,239	\$ 8,884	9.74
R005284	20501031D	MANGUM JEFFREY D & LINDA C	971 VERTICAL HEIGHTS	MIAMI	AZ	85539	971 W Vertical HTS	Globe	85501	184	3.1	\$ 307,415.00	\$ 238,182.09	\$ 30,742	\$ 23,818	\$ 30,742	\$ 23,818	8.87
R005300	20501045A	POARCH CODY W & TIFFANY A	1076 W VERTICAL HEIGHTS	MIAMI	AZ	85539	1076 W Vertical Heights	Miami	85539	184	4.1	\$ 174,282.00	\$ 105,887.61	\$ 17,429	\$ 10,589	\$ 17,429	\$ 10,589	1.22
R005304	20501045B	BROWN JOHN F JR & LORA	1050 E SOUTH ST	GLOBE	AZ	85501	1077 W Vertical Heights	Globe	85501	184	3.1	\$ 101,746.00	\$ 62,213.26	\$ 10,174	\$ 6,221	\$ 10,174	\$ 6,221	1.22
R005329	20501048F	TWOHEY JAMES T	PO BOX 516	CLAYPOOL	AZ	85532				184	02.R	\$ 998.00	\$ 670.05	\$ 150	\$ 101	\$ 150	\$ 101	0.96
R005333	20501048G	TWOHEY JAMES T	PO BOX 516	CLAYPOOL	AZ	85532	649 W Vertical HTS	Globe	85501	184	3.1	\$ 91,731.00	\$ 59,358.02	\$ 9,173	\$ 5,935	\$ 9,173	\$ 5,935	3.27
R005376	20501053B	BELARDE KRIS L AND ESTELLA K	498 TEBBS ST	GLOBE	AZ	85501	516 W Vertical HTS	Globe	85501	184	02.R	\$ 23,184.00	\$ 23,184.00	\$ 3,478	\$ 3,478	\$ 3,478	\$ 3,478	6.92
R005396	20501070A	LECOMPT LARRY D & BARBARA A	1025 W VERTICAL HEIGHTS	MIAMI	AZ	85539	1025 W Vertical HTS	Globe	85501	184	3.1	\$ 689,084.00	\$ 437,032.61	\$ 68,909	\$ 45,703	\$ 68,909	\$ 45,703	10
R037706	20501027A	HOLBERT RANDY & DONNA K	14131 BERNAX AVE	SYLMAR	CA	91342	658 W Vertical Heights	Globe	85501	184	3.1	\$ 80,818.00	\$ 65,216.46	\$ 8,081	\$ 6,522	\$ 8,081	\$ 6,522	10
R037708	20501027B	HOLBERT RANDY & DONNA K	14131 BERNAX AVE	SYLMAR	CA	91342		Globe	85501	184	02.R	\$ 4,360.00	\$ 4,360.00	\$ 654	\$ 654	\$ 654	\$ 654	2.36
R037714	20501046B	BAACK PATTY TRUSTEE, BAACK LIVING TRUST	998 W VERTICAL HTS	MIAMI	AZ	85539	998 W Vertical HTS	Miami	85539	184	3.1	\$ 124,616.00	\$ 80,845.75	\$ 12,462	\$ 8,085	\$ 12,462	\$ 8,085	7.18

Indicates a parcel that is not located in the Taxing Authority's boundaries and/or is not owned by the owner that signed the petition to be removed. All others have been verified through ownership verification, property address and mailing address when possible.

