

Tri-City Regional Sanitary District

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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

PUBLIC HEARING and Regular Meeting of the Board of Directors

IBEW Local 518

1383 North Hwy 188
Globe, AZ 85501

Monday August 19, 2019
5:15 pm

AGENDA

Call to Order
Roll Call

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

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)].

Public Hearing

Public Hearing – Removal of Vertical Heights from the Boundaries of TRSD

Open Public Hearing pursuant to A.R.S. § 48-262(A)(2), review Boundary Change Impact Statement, consider comments of the Gila County Board of Supervisors, hear those who appear for and against the proposed change and determine whether the proposed change will promote the public health, comfort, convenience, necessity or welfare. [Malissa Buzan, Bill Clemmens, Mike Krebs]

Boundary Change Impact Statement Attached

Close Public Hearing. [Malissa Buzan]

Regular Meeting

Call to order regular meeting of the TRSD Board of Directors.

Item #:

- 01 Information, Discussion & Action: If the TRSD Board determines that the public health, comfort, convenience, necessity or welfare will be promoted, a motion may be introduced to approve the Boundary Change Impact Statement and to authorize the circulation of petitions as provided in A.R.S. § 48-262(A)(5). [Malissa Buzan, Bill Clemmens, Mike Krebs]

- 02 Information, Discussion & Action: Approval of the 07-09-2019 TRSD Board of Directors meeting minutes. [Malissa Buzan, Mary Anne Moreno]

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

- 04 Information, Discussion & Action: Update on Bridge Loan (financing for the engineering and certain incidental expenses for the TRSD Phase I project) including discussion of negotiations with RCAC and USDA regarding funding. [Bill Clemmens, Fred Rosenfeld, Mike Krebs, Leo Valdez]

- 05 Information, Discussion & Action: Report by TRSD Engineer Mike Krebs on status of Letters of Support for the revised DMA for Town of Miami, City of Globe and TRSD. Update by Mike Krebs on timing for CAG stakeholders meeting for the 208 Plan Amendment. [Malissa Buzan, Mary Anne Moreno, Mike Krebs, Bill Clemmens, Fred Rosenfeld]

- 06 Information, Discussion & Action: Discussion of possible adoption of Rules of Conduct for members of the TRSD Board of Directors. Possible direction to TRSD Staff. [Malissa Buzan, Mary Anne Moreno, Bill Clemmens]

- 07 Information, Discussion & Action: Work required to improve public relations. Update on a TRSD Facebook Page, modification(s) to the TRSD website including revisions to the website to make the information more accessible to the public. Report by Stephen Palmer on status of finalization of his work. Report by Mariano Gonzales concerning work on the Citizens Advisory Committee. Possible direction to staff. [Malissa Buzan, Mary Anne Moreno, Stephen Palmer, Mariano Gonzales, Bill Clemmens, Mike Krebs, Fred Rosenfeld]

- 08 Information, Discussion & Action: Report on office hours and staffing for the new TRSD office. Direction to staff. [Malissa Buzan, Mary Anne Moreno, Bill Clemmens]

- 09 Information, Discussion & Action: Update on meeting to be held on Thursday August 29, 2019 with Congressman O'Halleran and staff. This will be posted as a public meeting because a quorum of TRSD Board Members may be present but the notice will specifically state that no action will be taken at this meeting. [Malissa Buzan, Bill Clemmens]

- 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 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 Public Hearing and TRSD Regular Board Meeting of Monday August 19, 2019 was posted on Monday August 12, 2019 at the USPS (Claypool) at 8:27pm.

Roxie Hadley

Roxie Hadley, Legal Assistant | TRSD Staff

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@cableone.net

TO: Board of Directors
Tri-City Regional Sanitary District

FROM: William L. Clemmens, TRSD General Counsel

DATE: August 12, 2019

RE: Boundary Change Impact Statement – Vertical Heights

The following impact statement has been drafted at the direction of the TRSD Board for the area commonly known as Vertical Heights based upon a request by the owners of property within Vertical Heights to be removed from the TRSD boundaries. This matter has been reviewed numerous times by TRSD staff and the TRSD Board so that the TRSD Board and the public at multiple scheduled meetings have been fully informed of the impact to the TRSD by the removal of Vertical Heights from the boundaries of TRSD. This impact statement in memorandum form has been prepared to support the hearing and meeting of the TRSD Board presently set for August 19, 2019. The impact statement is set forth below and responds specifically to the requirements of Arizona Revised Statutes (“A.R.S.”) § 48-262(A)(1).

The description of the boundaries of the area known as Vertical Heights is shown in Exhibit A attached, which permits a property owner to determine whether a particular property is within Vertical Heights. It should be noted that property owners of the area known as Vertical Heights have been informed of the proposed removal of Vertical Heights from the boundaries of TRSD by letter dated August 09, 2019. See A.R.S. § 48-262(A)(1)(a).

The detailed list of taxable properties within Vertical Heights based upon information provided to TRSD by the Gila County Assessor’s Office is attached as Exhibit B. See A.R.S. § 48-262(A)(1)(b).

An estimate of the assessed valuation of Vertical Heights (within the boundaries of the proposed change) has been prepared from the table set forth in Exhibit B attached. The total assessed valuation of the properties within Vertical Heights is \$226,293.00. See A.R.S. § 48-262(A)(1)(c).

An estimate of the change in the tax rate of TRSD if Vertical Heights is removed from the boundaries of TRSD would be an increase of approximately 1.5%. See A.R.S. § 48-262(A)(1)(d).

An estimate of the change in the property tax liability, as a result of the removal of Vertical Heights from the boundaries of TRSD, of a typical resident of a portion of TRSD, not in the area of the proposed change, before and after the proposed change is as follows:

The proposed change is estimated to cause the TRSD secondary taxes on a \$100,000 home based upon the adopted budget for FY 2019-2020 to be \$122.63 (total proposed taxes after the adoption of the proposed change in the boundaries). Without the proposed removal of Vertical Heights from the boundaries of TRSD, the total taxes that would be owed on a \$100,000 home would have been \$120.82. Of course, the owners of property in Vertical Heights would no longer be required to pay taxes to TRSD. See A.R.S. § 48-262(A)(1)(e).

The benefits that will result from the removal of Vertical Heights from the boundaries of TRSD is that the TRSD will not be required to expend the funds to provide wastewater collection and treatment services for the properties which are part of Vertical Heights. In presentations by PACE Engineering representing TRSD, it was clearly stated that providing wastewater collection and treatment to Vertical Heights would be very expensive and that this cost would necessarily be distributed over the remaining property owners of TRSD. See A.R.S. § 48-262(A)(1)(f).

TRSD is not aware of any injuries that may result from the removal of the Vertical Heights area from the boundaries of TRSD based upon the fact that TRSD has been made aware of the fact that the property owners within Vertical Heights already have adequate on-site wastewater treatment. See A.R.S. § 48-262(A)(1)(g).

Sincerely,



William L. Clemmens, TRSD General Counsel

WLC:rh

Attachments

cc via email only TRSD Board Members & Staff:

Malissa Buzan, President
maliss39@hotmail.com

Bill Clemmens, TRSD General Counsel
wclommenslaw@cableone.net

Mary Anne Moreno, Secretary
mamoreno41@gmail.com

Roxie Hadley, Legal Assistant | TRSD Staff
RoxieHadley@icloud.com

John Chism, Board Member
JHC05@cableone.net

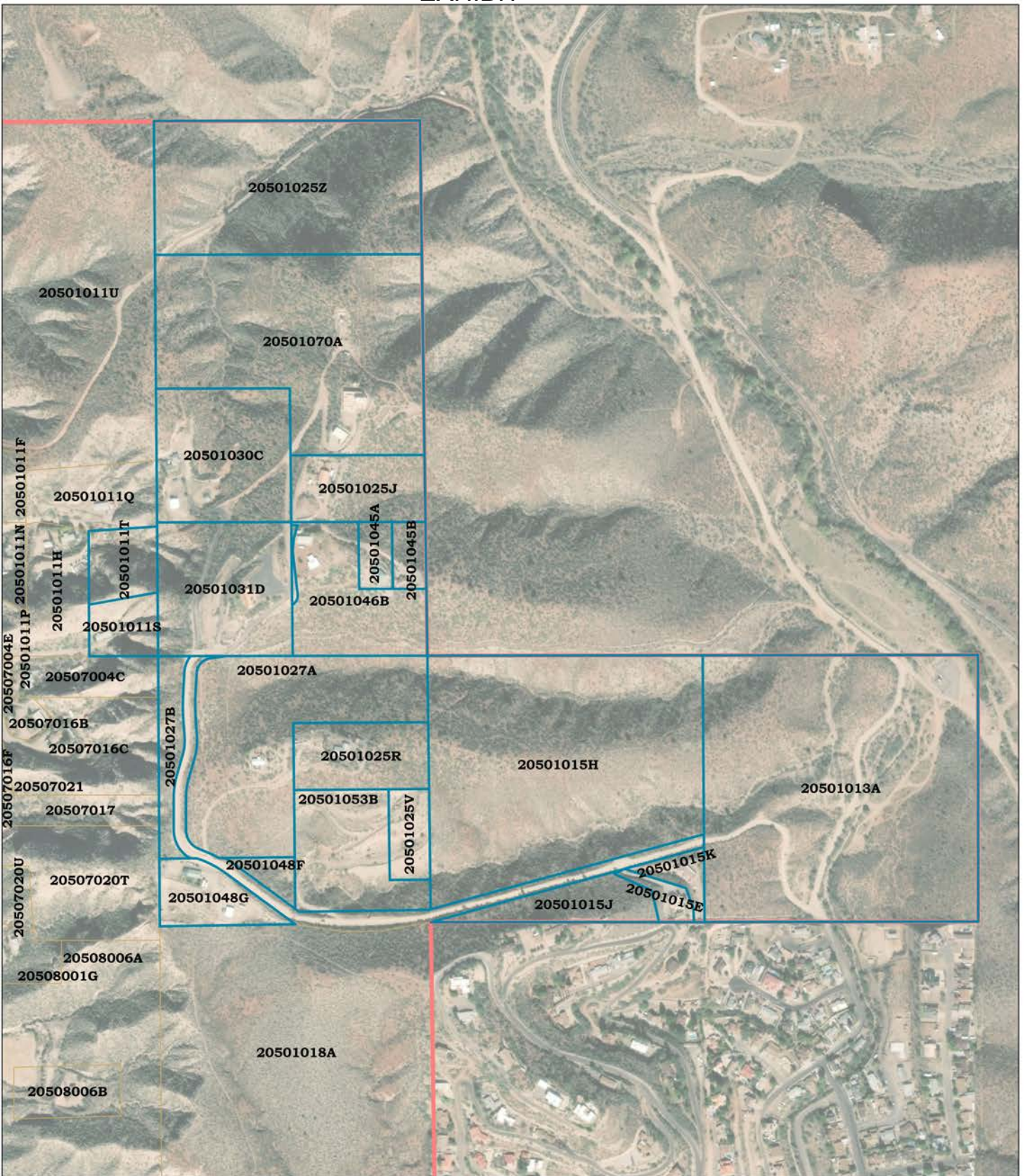
Michael Krebs, TRSD Engineer | PACE
mikekrebbs@pacewater.com

Stephen Palmer, Board Member
StephenPalmer84@yahoo.com

Andrea Jaycox, Assistant to Mike Krebs | PACE
ajaycox@pacewater.com

Bill Tower, Board Member
btower@asarco.com

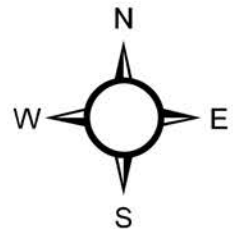
EXHIBIT



Legend

-  Vertical Heights
-  TRSD Boundary
-  Parcels

Vertical Heights



EXHIBIT

Parcel Valuations - Vertical Heights

Parcel Number	Gila County Property Report Assessed LPV
205-01-011S	\$ 5,528.00
205-01-011T	\$ 539.00
205-01-011T	\$ 2,883.00
205-01-013A	\$ 129.00
205-01-015E	\$ 12,946.00
205-01-015H	\$ 104.00
205-01-015J	\$ 11.00
205-01-015K	\$ 18,403.00
205-01-025J	\$ 13,808.00
205-01-025R	\$ 11,203.00
205-01-025V	\$ 1,807.00
205-01-025Z	\$ 5,250.00
205-01-027A	\$ 8,630.00
205-01-027B	\$ 654.00
205-01-030C	\$ 11,954.00
205-01-031D	\$ 27,575.00
205-01-045A	\$ 14,292.00
205-01-045B	\$ 8,387.00
205-01-046B	\$ 10,327.00
205-01-048F	\$ 150.00
205-01-048G	\$ 7,809.00
205-01-053B	\$ 3,445.00
205-01-070A	\$ 60,459.00
	\$ 226,293.00

Note: Mobile home valuations included.

In documents provided to TRSD the owners of the following parcels requested to be removed as TRSD taxpayers. The matter was reviewed on 02-18-2019 by Mike Krebs, TRSD Engineer and these parcels were determined not to be a part of the area known as Vertical Heights and have not been included in any of the calculations.

Parcel Number	Gila County Property Report Assessed LPV
205-01-026A	\$ 2,322.00
205-01-026B	\$ 3,722.00
205-01-049L	\$ 1,944.00
	\$ 7,988.00

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Claypool, Arizona 85532-2198

Robert J. Zache, President
Mary Anne Moreno, Secretary
Malissa Buzan
John Chism

William L. Clemmens, General Counsel
Fred Rosenfeld, Bond Counsel

Public Participation at Board Meetings
REQUEST TO ADDRESS THE BOARD

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

Item #	

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