

Regular Meeting of the Board of Directors
Live-Stream Meeting

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Monday September 21, 2020 – 5:15 pm

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 ◆ ◆ ◆

Due to the Coronavirus Pandemic and in support of the distancing guidelines, the TRSD Regular Board Meeting set for Monday September 21, 2020 is being held via Live-Stream "Zoom" meeting. TRSD Board Members and staff will be assembled in a meeting room, but only limited seating will be available to the public due to social distancing requirements of the Arizona Department of Health Services. Participation via Live-Stream meeting – Zoom has been provided.

However, for specific questions or comments for those not in attendance during the conduct of the TRSD Meeting, the public may call in at 928-200-4219. Roxie Hadley, Legal Assistant | TRSD Staff will field the comments or questions which will be given to Mary Anne Moreno, TRSD Secretary on a per agenda item basis for review and possible comment by TRSD Board and/or Staff.

Please note that participation by the members of the public requires that they identify themselves upon joining the meeting.

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 at the Gila County Office Complex which is the location of the TRSD office. 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)].

AGENDA

Call to Order

Roll Call

Item #:

01 Information, Discussion & Action: Accept the resignation of Malissa Buzan as a member of the TRSD Board of Directors and TRSD President. [Mary Anne Moreno]

- 02 Information, Discussion & Action: Take possible action to vote on a replacement for the office of TRSD President for the TRSD Board of Directors. [Mary Anne Moreno, Bill Clemmens, Notary]

- 03 Information, Discussion & Action: Review recommendations of members of the TRSD Board for person(s) having the necessary qualifications to replace Malissa Buzan and Bill Tower as members of the TRSD Board of Directors for the balance of their terms of office. Please note that in replacing a member of the TRSD Board of Directors it should be indicated in the vote the specific term of office for which the replacement is being made. Take possible action to vote on the replacement of the members of the TRSD Board of Directors having resigned. Administer Oath(s) of office for persons filling the vacancies on the TRSD Board of Directors. [Mary Anne Moreno, Notary]

- 04 Information, Discussion & Action: Approval of the 08-24-2020 TRSD Board of Directors meeting minutes. [Mary Anne Moreno]

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

- 06 Information, Discussion & Action: Status on Bridge Loan (financing for the engineering and certain incidental expenses for the TRSD Phase I Project). Discussion of TRSD Board on the move for Leo Valdez to a new financial consulting firm and direction to staff regarding legal steps to accomplish a replacement of a financial consulting firm. [Bill Clemmens, Fred Rosenfeld]

- 07 Information, Discussion & Action: Status on the site selection for the TRSD wastewater reclamation facility. [Bill Clemmens]

- 08 Information, Discussion & Action: Update on request by owners of properties within Miami Gardens concerning withdrawal from the boundaries of TRSD. Discussion on Impact Statement revised by Bill Clemmens concerning the withdrawal of Miami Gardens and additional parcels. Report by TRSD Board Members on contacts with owners of parcels adjacent to Miami Gardens concerning whether or not the owners wish to be part of any action to remove the property of the owners from the TRSD boundary. Possible decision by TRSD and direction to staff. This agenda item will also include a discussion of the TRSD position concerning wastewater treatment for parcels having adequate wastewater treatment systems in place at the time the TRSD wastewater collection and treatment is available to the parcels. Possible decision by TRSD and direction to staff. [Mary Anne Moreno, Ernie Miranda, Bill Clemmens]
- 09 Information, Discussion & Action: Update on review of the independent study prepared by Kimley-Horn under contract with Gila County concerning wastewater treatment in Gila County in the areas of Miami, Globe and TRSD and discussion of response prepared by Jeff Hays of USDA-RD. Opportunity will be given for Fred Barcon, member of the public to address the TRSD Board concerning issues which were contained in the Kimley-Horn report (this agenda item will include a discussion of the release of the letter dated July 29, 2020 from Jeff Hays of USDA-RD which was labeled as Confidential). This agenda item may include an executive session concerning contract negotiations and legal advice from general counsel. [Mary Anne Moreno, Bill Clemmens]
- 10 Information, Discussion & Action: Update and discussion by General Counsel on the status on replacement of the proposed PACE Amendment No. 6 and new proposed PACE Amendment No. 4 to the existing EJCDC Agreement dated July 01, 2012 and steps required to move forward with Phase I of the Project. As a first step in the legal steps required to move forward to achieve a solution to the issues concerning the contract for engineering services with PACE, proposed Resolution No. 20-002 will be reviewed with possible action by the TRSD Board to adopt the Resolution. As a second step the TRSD Board will review an RFQ for engineering design services for Phase I of the Project drafted by General Counsel. This agenda item may include an executive session concerning contract negotiations and legal advice from general counsel. [Mary Anne Moreno, Bill Clemmens]
- 11 Information, Discussion & Action: Update on new ideas and approaches to make the TRSD website more user friendly, accessible and visually of greater interest to the public. Determine what documents should be accessible to the Public on the TRSD website. Discussion of access to present and past live-stream (ZOOM) meetings on TRSD website. [Mary Anne Moreno, Ernie Miranda, Stephen Palmer]

12 Information, Discussion & Action: Payment of Bills.

Discussion and possible direction to staff concerning PACE Application for Payment No. 6 dated 09-11-2020 – engineering work TRSD Wastewater Collection & Treatment System – Phase II. Possible direction to TRSD Staff concerning drafting of requirements for applications for payment or invoices submitted to TRSD prior to any review and placement on the TRSD Agenda for payment.

This agenda item may include an executive session concerning contract negotiations and legal advice from general counsel. [Karen Samuel, Mary Anne Moreno]

13 Information, Discussion & Action: Call to the Public. Requests to Address the Board will be accepted up until 3pm on September 21, 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 Mary Anne Moreno, as soon as reasonably possible, by phone at 928-200-4140 or by e-mail at mamoreno@cableone.net

CERTIFICATE OF POSTING: I certify that the Agenda for the TRSD Regular Board Meeting of Monday September 21, 2020 was posted on Friday September 18, 2020 at the USPS (Claypool) at 2:48pm.

Roxie Hadley

Roxie Hadley, Legal Assistant | TRSD Staff