

PURSUANT TO A.R.S. §38-431.02.H, THE TRI-CITY REGIONAL SANITARY DISTRICT BOARD OF DIRECTORS WILL HOLD AN OPEN MEETING AT THE IBEW 518 MEETING HALL, 1383 NORTH HIGHWAY 188, GLOBE, ARIZONA 85501.

**A REGULAR MEETING SHALL BE HELD ON
MONDAY, JULY 22, 2024, AT 5:15 p.m.**

Members of the Tri-city Regional Sanitary District Board of Directors may attend either in person or by telephone, video or online communications, in accordance with guidance and direction from Federal, State and local health authorities. Members of the public may attend the meeting in person or view the proceedings at the following link:

Live-Stream Regular Meeting

Join Zoom Meeting:

<https://us02web.zoom.us/j/4773076911?pwd=cEh1ZTT0PXVHNjYjdtazZFaHVLZz09>

Meeting ID: 477 307 6911

Password: qyXVu7

Dial by your location: +1 301 715 8592 US (Washington, D.C.)

Find your local number: <http://us02web.zoom.us/j/kcUkagu8fs>

REGULAR BOARD MEETING AGENDA

Item #	Description	Procedure	Lead Presenter
1	<u>Call to Order</u>		
2	<u>Pledge of Allegiance</u>		
3	<u>Roll Call</u>		M. Harper
4	<u>Approval of Meeting Minutes</u> Approval of Regular Board Meeting Minutes from June 17, 2024	Discussion/ Possible Action	R. Jacques
5	<u>Financial Report</u>	Discussion/ Possible Action	R. Jacques
6	<u>Payment of Bills</u>	Discussion/ Possible Action	M.A. Moreno

<i>Item #</i>	<i>Description</i>	<i>Procedure</i>	<i>Lead Presenter</i>
7	<p><u>Call to the Public re Agenda Items:</u> A District Resident desiring to speak on a matter that is on this agenda may do so at this time provided that the individual has completed a "Request to Speak Form" and returned it to the Board Secretary prior to the beginning of the meeting. Comments will be limited to three minutes per person and shall be addressed to the Board, not to any individual member. The forms are located with the Agendas at the Board Table.</p>		
8	<p><u>Respond to Questions from Call to the Public:</u> Address the following questions raised at the June 17, 2024, Regular Board Meeting:</p> <ul style="list-style-type: none"> • Question from H. Farster: How is the assessment to be used for loans and taxes? • Question from H. Farster: Why are retired people paying more than working people? • Question from T. Watson: What files were copied from the Board's former lawyer? 	Discussion	R. Jacques
9	<p><u>Responses to Questions Related to the TRSD Project:</u> Status of TRSD's written responses to Project questions that were submitted by email from Ms. Stanneart on June 19, 2024.</p>	Discussion	J. Jacques M. Harper
10	<p><u>Status of Phase 1 Interim Loan Financing Agreement:</u> Update on the Interim Financing Agreement which closed on June 6, 2024.</p>	Discussion	R. Jacques L. Valdez T. Stratton
11	<p><u>Request for Board Approval to Conduct a Rate Study by an Outside Consulting Firm:</u> The District has followed its approved procurement process to seek the services of a Financial Consulting Firm to conduct a Rate Study for the Project. The Board of Directors will review the proposals a potentially approve a firm to provide the study.</p>	Discussion/ Possible Action	R. Jacques L. Valdez T. Stratton
12	<p><u>Update on Work Shops #1 and 2:</u> Update the District Board on the results of Workshops #1 (06/25/24) and #2 (07/16/24).</p>	Information	R. Jacques M. Krebs
13	<p><u>Request for Board Approval of BHP, FMI and AERR Pipeline Easements:</u> Easements are required on several existing BHP, FMI and Arizona Eastern Railroad properties for the District's pipeline collection system. The Board's attorney will discuss the needs for and associated costs of said easements. The Board will then consider the potential approval of the easements proposed.</p>	Discussion/ Possible Action	R. Jacques M. Harper

<i>Item #</i>	<i>Description</i>	<i>Procedure</i>	<i>Lead Presenter</i>
14	<p><u>Request for Board Approval for PACE to Expend Allowance Funds Included in the Phase 1 Engineering Estimate - Allowance Use Request #7:</u></p> <p>PACE is requesting, through the submission of Allowance Use Request #7, Board Approval to expend additional Engineering Agreement Allowance Funds. After an explanation by PACE of the need for the added Allowance Funds expenditure (\$85,923.00), and possible discussion by Board Members, the District's Board will consider approving said request. It is noted that, despite this request for additional expenditures, the total Allowance Fund estimate in the Phase 1 Engineering Agreement will not be exceeded.</p>	Discussion/ Possible Action	R. Jacques M. Krebs
15	<p><u>Request for Board Approval to Increase the Allowance Fund Limit Included in the Phase 1 Engineering Estimate - Phase 1 Engineering Agreement, Amendment #2:</u></p> <p>By way of the subject Amendment, PACE is requesting Board Approval to increase the Engineering Agreement Allowance Funds Limit by \$177,985.00. PACE will explain the need to increase that Limit, after which time the District's Board will consider approving said request.</p>	Discussion/ Possible Action	R. Jacques M. Krebs
16	<p><u>Request for Board Approval Enabling PACE to Pre-pay a Permit to be issued by the Arizona Department of Environmental Quality (ADEQ):</u></p> <p>A 4.01 Permit (Sewage Collection System Permit) is required to convey sewage from the service area to the wastewater treatment plant, generally by gravity, or a force main and lift station. ADEQ requires a pre-payment (estimated to be \$50,000) to review the 4.01 Permit Application. The Board will consider approving said pre-payment.</p>	Discussion/ Possible Action	R. Jacques M. Krebs
17	<p><u>PACE - CoBANK Pay Request #3:</u></p> <p>Consider approval of PACE's CoBANK Pay Request #3, dated 07/18/2024, in the amount of \$92,165.66. PR#3 includes PACE's Pay Applications #31 dated 05/31/24 in the amount of \$18,593.30 and #32 dated 06/30/24 in the amount of \$39,079.50. Board approval of PR#3 would result in the approval of PA#31 and #32.</p>	Discussion/ Possible Action	R. Jacques
18	<p><u>Request for a Policy Regarding Communications with Attendees at Board Functions:</u></p> <p>Request that the District's Board develop a Policy Requiring communications between Board Members/Board Consultants and the Attendees at Board Functions relating to the District's Project be Recorded and Posted for Public Viewing.</p>	Discussion/ Possible Action	R. Jacques M. Harper

<i>Item #</i>	<i>Description</i>	<i>Procedure</i>	<i>Lead Presenter</i>
19	<p><u>Call to Public:</u> Any individual desiring to speak on a matter that IS NOT on this agenda may do so at this time provided the individual has completed a "Request to Speak Card" and returned it to the Board Secretary prior to the beginning of the meeting. Comments will be limited to three minutes per person and shall be addressed to the Board, not to any individual member. The forms are located with the Agendas at the Board Table.</p> <p>Pursuant to the Arizona Open Meeting Law, the Board cannot discuss or act on items presented at this time. Pursuant to A.R.S. § 38-431.01(H), action taken as a result of public comment on topics not specifically identified on the agenda will be limited to potentially scheduling the matter for further consideration and decision at a later date.</p>	Discussion/ Possible Action	R. Jacques
20	<p><u>Executive Session</u> pursuant to A.R.S. §38-431.03(A)(1) and A.R.S. § 38-431.03(A)(3); Information/Discussion of Legal Matters Information/Discussion of Personnel Matters Discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body's position regarding contracts that are the subject of negotiations pursuant to A.R.S. § 38-431.03(A)(4).</p>		
21	<u>Items discussed in Executive Session</u>	Discussion/ Possible Action	R. Jacques
22	<u>Announcements</u>		
23	<p><u>Schedule any Topic or Issue</u> Next Regular Meeting will be Monday, August 19, 2024. If anyone has an item they wish to add to the Agenda, please submit an e-mail to robertbjacques@gmail.com and mjh@harperazlaw.com no later than 10:00 A.M. on the 4th day prior to the scheduled meeting day.</p>		
24	<u>Adjournment</u>		

IF SPECIAL ACCOMMODATIONS ARE NEEDED, PLEASE CONTACT 512-468-6957 AS EARLY AS POSSIBLE TO ARRANGE THE ACCOMMODATION. THE BOARD MAY VOTE TO HOLD AN EXECUTIVE SESSION FOR THE PURPOSE OF OBTAINING LEGAL ADVICE FROM THE BOARD'S ATTORNEY ON ANY MATTER LISTED ON THE AGENDA PURSUANT TO A.R.S. SECTION §38-431.03(A) (3).

THE BOARD RESERVES THE RIGHT TO CONSIDER ANY MATTER OUT OF ORDER.

Certificate of Posting – I certify that the Agenda for the TRDS Regular Board Meeting of MONDAY, July 22, 2024, was posted on July 19, 2024, at the USPS (Claypool) at 5:15 p.m.

PUBLIC NOTICE

Pursuant to A.R.S. § 38-431.02, Notice is hereby given that there will be a regular meeting of the Tri-City Regional Sanitary District Board of Directors at the IBEW 518 Meeting Hall, 1383 North Highway 188, Globe, Arizona 85541 on:

MONDAY, JULY 22, 2024, at 5:15 PM.

This is a public meeting and anyone wishing to attend is invited.

The Board reserves the right to adjourn into Executive Session when needed, pursuant to A.R.S. §38-431.02(B) for legal consultation of the attached agenda items.

EXECUTIVE SESSION

There could be an Executive Session of the Tri-City Regional Sanitary District, Board of Directors immediately following the above referenced meeting at the same location for discussion and legal consultation of the Governing Board, pursuant to A.R.S. § 38-431.03, A3 and to discuss personnel matters, pursuant to A.R.S. §38-431.03, A1.