

JOURNAL OF THE (1444th) MEETING OF THE
BOARD OF TRUSTEES
THE METROPOLITAN ST. LOUIS SEWER DISTRICT
May 10, 2007 – 4:00 P.M.

The Trustees of the District met in Rooms 111/112 at 2350 Market on the above date. Present at meeting:

Board of Trustees

D. B. Rosenberg, Chair
J. H. Goffstein, Vice Chair
E. Harshman
D. J. Hayes
C. Karam
J. H. Buford

Staff Members

J. L. Theerman, Executive Director
R. E. Hayman, General Counsel (excused)
K. J. Tyminski, Secretary-Treasurer
J. M. Zimmerman, Director of Finance
B. Hoelscher, Director of Engineering
D. St. Pierre, Director of Operations

Also present were Mr. Tom Sullivan, 35 N. Central; Ed Sweet, Parsons Water; Shameka Watts, KPMG; Tom Ratzki, Black & Veatch; Dave Egger, Black & Veatch; Robert Bella, HDR; Mark Kollitz, Woolpert; Andy Gottsobly, KPMG; Jon Bergenthal, Jacobs; Nicole Tompkins, CDM; Tom Curran, St. Louis County; Clay Stockwell, Peppertree Village; Wade Wicht, Peppertree Village; Rick Hoffman, Peppertree Village; Ron Cox, Peppertree Village; Gary Wolff, Peppertree Village; Steven Shaw, Peppertree Village; Darline Crawley; Cleric Gladney; Cary Duchene, Black & Veatch; Chris Tatham, ETC; Bently Green, CH2M Hill; Vicki Taylor Edwards, Director of Human Resources; Susan Myers, General Counsel; Marie Collins, Assistant Director of Engineering; Jonathon Sprague, Assistant Director of Operations; Lance LeComb, Public Affairs Specialist; Gene Rhodes, Audit Administrator; Debbie Johnson, Public Affairs Rep.; Steve Brown, Asst. Director of Human Resources; Barbara Mohn, Director of Information Systems, and Pam Bell, Secretary to the Executive Director.

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Mr. David Rosenberg opened the meeting pursuant to notice and call.

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Motion made by Mr. Goffstein, seconded by Ms. Joyce-Hayes, that the Board go into closed session to discuss confidential or privileged matters under §610.021(1), RSMO 1988 SUPP.; leasing, purchase or sale of real estate under §610.021(2); personnel actions under §610.021(3); and discussions regarding negotiations with employee groups under §610.021(9) RSMO 1988

Motion passed – 6 ayes, no nays

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| Poll taken: | J. Goffstein | aye | C. Karam | aye |
| | D. Rosenberg | aye | D. Joyce-Hayes | aye |
| | J. Buford | aye | E. Harshman | aye |

During closed session the Board had discussion regarding confidential, legal, or privileged matters under section 610.021 (1); leasing, purchase or sale of real estate under §610.021(2); personnel actions under §610.021(3); and discussions regarding negotiations with employee groups under §610.021(9) RSMO 1988.

During closed session, the District discussed issues related to personnel actions which are covered under 610.021 (3), and union negotiations which are covered under 610.021 (9). The Board also discussed the lease and sale of real estate which is covered under 610.021 (2), however a vote was taken and the transaction has been completed. The discussion and the vote are as follows.

The Board discussed the lease of real property located at 3820 Bates Avenue near Holly Hills in South St. Louis City. The parcel of land is approximately 14,000 square feet and the District was approached by the Holly Hills Homeowners Association for their use as a community garden. The property is appraised at \$400 and the District can save on maintenance cost such as grass cutting by turning it over to the Association. The recommendation is to lease it to the Holly Hills Homeowners Association for \$1 per year.

Ms. Joyce-Hayes moved to introduce this property, motion seconded by Mr. Karam. There were no objections to the suspension to the rules.

Ms. Joyce-Hayes motioned to adopt this item. Mr. Karam seconded.

Motion passed – 6 ayes, no nays

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| Poll taken: | J. Goffstein | aye | C. Karam | aye |
| | D. Rosenberg | aye | D. Joyce-Hayes | aye |
| | J. Buford | aye | E. Harshman | aye |

Motion made by Ms. Joyce-Hayes, seconded by Mr. Karam, to reconvene into open session.

Motion passed – 6 ayes, no nays

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| Poll taken: | J. Goffstein | aye | C. Karam | aye |
| | D. Rosenberg | aye | D. Joyce-Hayes | aye |
| | J. Buford | aye | E. Harshman | aye |

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Upon motion made by Ms. Joyce- Hayes, seconded by Mr. Karam, the Journal of the April 26, 2007 (1443rd) Meeting was approved by unanimous voice vote.

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Mr. Rosenberg called upon Mr. Tyminski to provide the quarterly pension report. Mr. Tyminski provided the pension investment report for the quarter ending March 31, 2007, with the aid of a PowerPoint presentation and handouts, he summarized the plan's investment performance indicating it was the best overall performance the District had in the last five years. Many times some components of the plan performed well while others trailed their benchmarks. But for the first quarter of 2007, all the components worked in unison and performed quite well. He noted that many of the managers who were on the District's "watch list" rebounded during the quarter. Particularly noteworthy was the performance of the District's emerging market manager Morgan Stanley and that of Pimco, which finished in the first percentile of all managers. He noted that the acid allocation is on target all investments are within their tolerance limits and summarized that it was a very strong quarter. Mr. Karam asked how the District compared to the overall market. Mr. Tyminski responded that the pension investment portfolio performed more favorably than the general market. In fact, our performance finished in the 28th percentile, this meant that the District was ahead of 72% of the plans. Mr. Rosenberg indicated that the plan did well for its low level of risk exposure.

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The Chair responded to several remarks that were made at the last Board meeting and at the public hearing last Thursday by Mr. Tom Sullivan. Mr. Sullivan is a frequent critic of MSD, which is his right as a member of the public. While MSD welcomes public input and should be held accountable for its actions, criticism should be based on fact and not on slanderous comments or a distortion of the truth.

For several meetings, Mr. Sullivan has made unsubstantiated allegations pertaining to bid rigging and no bid contracts being issued by the District. MSD does not award "no-bid" contracts for design and engineering work. MSD uses a selection / qualification based process that takes into account both the firms ability and cost. The process the District uses is laid out in accordance with federal guidelines and the laws of the State of Missouri – specifically Chapter 8 of the Missouri Revised Statutes. Additionally, independent parties from outside the District have reviewed MSD's selection process on numerous occasions over the last several years. Each of these reviews has recognized the integrity and exemplary nature of the selection process. If anyone, including Mr. Sullivan, is aware of any improprieties surrounding this process, then they should give names and specifics; not vague allegations and rumor mongering.

Specific to CH2M Hill, the firm responsible for designing the Lower Meramec Wastewater Treatment Plant, they made a \$22 million error in estimating construction cost. For this

error they were punished. In addition to other sanctions, CH2M Hill was made to pay for verification of the plant's current costs, forbidden from bidding on MSD work for one year, and had a previously awarded contract taken away. The firm's error was serious, but competitive bidding showed the plant's ultimate cost figure to be correct.

In regard to the District's sewer backup insurance programs, this type of program is one of the few offered by a public sewer agency in the United States. It is designed not as a means of primary insurance coverage, but as a supplement to help replace those items that are vital to a household – items such as washer, dryers, water heaters, etc. For backups resulting from overcharged sewer mains, the District will cover up to \$2,500 in damages and cleanup costs. For backups due to blocked mains, the District will cover all costs. While the Board increased the level of coverage for overcharged sewer backups from \$2,000 to \$2,500 in 2003, it must be understood that the costs of this program are paid directly by the District and total several million dollars per year. Dollars that are paid out through this program are dollars not available for projects that will eliminate basement backups. As such, the District works to achieve a balanced approach in setting insurance limits.

In the weeks leading up to the annual public hearing for the budget, all the Trustees were fully briefed and engaged in reviewing the budget. This process began in March when each Trustee was sent the budget for their individual review. Subsequently, three public meetings of the Board's finance committee were held. At these meetings, Trustees reviewed the budget step-by-step and went through the details of the budget. The public hearing itself is an opportunity for the public to weigh in with their opinion. During the hearing, a court reporter was present so that a full and accurate transcript of the public's input would be captured. This transcript is provided to each individual Trustee. To allege that this Board is not engaged in MSD's budget setting process is baseless, and given Mr. Sullivan's history of comments and grandstanding, such an assertion is not supported by the facts.

Lastly, the Board of Trustees gives many hours a month to provide oversight, direction, and fiscal accountability to the District. This responsibility is taken very seriously by all trustees. The six trustees are selected by either Mayor Slay or St. Louis County Executive Dooley. Each one of the trustees brings a tremendous amount of talent to the District. Members of the trustees hold fulltime positions in the public and private sector.

They come from varying backgrounds including the President of a major social services agency, Dean of the business school at St. Louis University, an attorney in private practice and former prosecuting attorney for the City of St. Louis, an attorney in private practice, former city engineer from the City of Overland, and me. I have been involved in real estate development, construction, site acquisitions and brokerage in the St. Louis area for more than 30 years.

To my knowledge we have never attempted nor will we discredit any person who elects to invoke their rights to talk to this Board. Rather, in supporting or discrediting how this Board oversees MSD and this organization operations, all parties should be held accountable for the statements they make. For the Board's part, we choose to use verifiable facts when speaking of MSD's accountability - not unsubstantiated rhetoric and half-truth's.

Pursuant to Section 7.280(f) of the MSD Charter, this afternoon I received a written request from the Rate Commission requesting an additional 45 day period for which to issue and

deliver to the Board its Rate Recommendation Report. This issue will be formally voted on during the communication section.

Mr. Rosenberg asked Staff if granting an extension to the Rate Commission would adversely impact the District.

Mr. Theerman indicated that the District had built this extension into its existing timetable and it would have no impact.

Mr. Rosenberg noted that this item will be voted on during the communication section of the agenda.

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Ms Harshman reported that on May 3, 2007, the Stakeholder Relations Committee met at the District's Headquarters at 2350 Market Street at 7:30 a.m. In attendance were Trustees Harshman, Rosenberg, Buford, Goffstein and District staff.

First on the agenda, the Committee heard the results of a customer survey that was conducted in 2006. Over the last three years, the District has increasingly used independent surveying to measure the level of service that MSD provides its customers. The results of these surveys have been used as the impetus for improvements throughout the District's various customer service functions. MSD currently conducts four separate types of surveys. The first is the Annual Customer Satisfaction Survey, which measures general perceptions and opinions of customers throughout MSD's service area. The second is Post-Contact Customer Surveying, which measures the quality and effectiveness of service that has been rendered directly to customers. The third type of surveying measures the quality and effectiveness of service that has been provided to those customers that use the District's permitting and design review services. And the fourth is Construction Impact Surveying, which measures the affect MSD's projects had on customers that live directly adjacent to construction work. Chris Tatham from the ETC Institute is here this evening to give a short presentation on this survey.

Also during the meeting, Brian Hoelscher, with the assistance of John Lodderhose, explained the new sewer ordinance with regard to MSD's pretreatment program. This program, mandated by EPA & MDNR regulations, was approved in 1981. This ordinance informs our industrial users as to what is acceptable to discharge into the system. The program requires the District to randomly inspect and sample the effluent of industrial users, identify pollutants, and enforce standards and limits designed to protect the health and safety of the community. Changes in water quality standards require us to change the discharge limits that the District places on industries that discharge into our system. This ordinance prohibits industrial users from discharging waste into the system that are unable to be treated by the District.

Ms. Edwards discussed the District's Deferred Compensation 457 Plan which allows District's employees to make pre-taxed contributions and changes to the retirement program on a quarterly basis. Staff presented a proposal that will allow employees to make changes to their contributions on a monthly basis. This item will be introduced at the next Board meeting.

Ms. Edwards also informed the Committee that the Civil Service Commission has approved the modifications to the rules that were recommended. The Civil Service Commission has asked that the District modify the language centered on part-time employees with the unions. The Civil Service Commission recommended that any person covered by a bargaining unit would need to have permission before being allowed to work for the District on a part-time basis. The Civil Service Commission has given staff permission to bring this item to the Board at its June meeting.

Later in the meeting, there was a discussion on the Missouri Sunshine Law. The District's General Counsel, Randy Hayman noted that the District has consistently made every effort to follow the rules outlined in the Sunshine Law in the past and will continue to do so in the future. The discussion served as a primer for the Board. The main theme of the discussion was that if a quorum is present and official District business is to be discussed, then the discussion is required to take place in open session, unless the topic falls under one of the specific exceptions stated in the law.

Ms. Edwards informed the Committee of the District's current opening on the Civil Service Commission. The opening has been posted on the District's website and one person, William Duffe, showed interest. Ms. Edwards has recommended that the Committee give consideration to Mr. Duffe for this appointment to the Civil Service Commission. She also recommends that the Committee re-appoint Joseph Krispin, whose term is due to expire in July 2007. The full Board will have an opportunity to vote on this issue later in this meeting.

The meeting adjourned at 9:20am

Ms. Harshman asked Chris Tatum of ETC Institute to provide a brief summary of the District's Customer Survey.

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Mr. Tatum indicated that the overall results of the survey were good. One area the survey touched upon dealt with people who actually called MSD. Of those people contacting MSD, approximately 150 per month have been contacted for a follow-up survey. In the prior year, 2 of 3 people surveyed felt that their issue was satisfactorily resolved. However for this survey period, 4 of 5 customers felt that their issue had been satisfactorily resolved. Mr. Tatum indicated that this was a substantial improvement over the prior years. He also emphasized that the survey showed that people felt that MSD's staff was polite and courteous. Mr. Tatum pointed out that only 1 in 5 people surveyed actually contacted MSD therefore, the opinion of MSD is heavily impacted by media and other issues. Overall, the satisfaction rating dropped among all utilities surveyed this year. The largest decline was that of Ameren UE. Because of that fact, MSD moved from the third highest rated to the second highest rated utility. One area where the survey felt that MSD needs improvement is the length of time to obtain approval for developments. Here MSD is rated as being slower than other government agencies on a 2:1 basis of customer surveyed. Mr. Tatum concluded by indicating that for people who are impacted by construction activity, 97% said they received advanced notice and 82% felt it was provided on a timely basis.

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Mr. Karam reported that The Program Management Committee met on May 1, 2007 at 7:30 a.m. The meeting was attended by trustees Karam, Joyce-Hayes, and Rosenberg.

The minutes of the April 3, 2007 meeting were approved.

Staff presented and discussed the agenda items to be introduced tonight. There was a detailed discussion regarding the following items:

Item 22 – January – Thurston Storm Extension – Staff explained the Land Bank mitigation program overseen by the Corps of Engineers that the District will participate in on this project to provide mitigation for streambanks lost during the construction of this storm sewer.

Item 25 – University Place – Tulane Avenue – This project is the third phase of a pilot program in University City to separate house laterals from stormwater connections with the cooperation of homeowners.

Item 27 – Infrastructure Repairs (FY2007) – The low bid on this project is just over \$6 million. Staff is requesting that a total of \$7.5 million be appropriated to address other infrastructure repair locations identified by the Operations Department since this project was developed. Additional work will be performed at the unit prices bid for this project. Based on these unit prices, the additional work will be performed at a lower total cost when compared to the unit bid prices submitted by the other two bidders.

Item 29 – Baumgartner Lagoon Closure – This is the final project required by the Administrative Order with the State of Missouri. Work is scheduled to be completed in the Fall of 2008 ahead of the March 2009 deadline.

Item 31 – Lower Meramec Phase II – This project will review the impact recent and anticipated changes in State and Federal environmental regulations will have on the future expansion of the Meramec Plant. This information is needed to evaluate possible future disinfection needs at the plant, to allow for the design and construction of expanded odor control facilities to handle future plant expansion, and evaluation of corridor reservation requirements for the future transmission of flows from the existing Fenton Treatment Plant to the current upstream termination of the Baumgartner Tunnel at the Old Baumgartner Lagoons.

Item 55 – Separate Sewer Overflow Program – Staff is requesting introduction and adoption of an ordinance to correct the funding source for this project. This action will provide sufficient funds to appropriate the remaining funds for Item 32 – Stormwater Facility Planning.

Item 58 – Resolution No. 2708 – This resolution will adopt the projects in the Capital Program previously presented with minor modifications.

Staff then discussed a letter sent to stakeholders addressing the implementation of the stormwater quality requirements included in the new regulations. The letter was developed in

cooperation with the Home Builders' Association and clarifies when stormwater plans for phased developments approved prior to the new regulations can be built per the original approval conditions and when stormwater plans will have to be changed to address new requirements. It also establishes how long current approvals will apply. The Committee directed Staff to remind the stakeholders that State or Federal requirements could override these approvals. Staff will see that this happens in the near future.

Finally, Staff informed the Committee of the possibility of Levee Districts providing some or all of the stormwater services currently being provided by the District under an agreement with the District. The Levee Districts are large public bodies located within watershed boundaries that collect revenues and operate stormwater facilities that discharge directly to the Missouri River. An agreement could simplify the development review process and maintenance programs by eliminating duplication of efforts. Staff will pursue this option and present a draft agreement for consideration by the Board, if feasible.

The meeting was adjourned at 9:00 a.m.

The next meeting is tentatively scheduled for Tuesday, June 5, 2007 at 7:30 a.m.

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Mr. Goffstein reported that the Audit Committee & Finance Committee met at 3:00 PM at 2350 Market Street in a joint meeting. The meeting was attended by Board Trustees John Goffstein, Dee Joyce-Hayes, Charles Karam, James Buford, Dr. Harshman, and David Rosenberg. Minutes from prior Finance Committee Meetings April 3, 10, and April 18th were approved as presented.

Presentation by McGriff, Seibels & Williams of Missouri, Inc. the District's Insurance Broker presented the Insurance Renewal Program of \$3.7 million for FY08. The Finance Committee is bringing forward its recommendation of placing our insurance with the outlined carriers in agenda items #37 through #48.

Also presented to the Committee was a recommendation to retain CCMI as the District's claim paying agent resolution recommending the service provider CCMI as the District's Claim paying agent and is item #57 on the agenda.

Ms. Zimmerman presented the revised budget figures that will be introduced at tonight's Board meeting. The total budget being recommended is \$448.1 million verses the original \$502.1 million, with CIRP of \$282.8 million and Operating budget of \$165.3 million and is item #35 on the agenda.

The Audit Committee was presented with the Internal Audit status update. Additionally, the Audit Committee was presented with the proposed FY2008 budget and audit plan. This plan was approved as presented. Audit Reviews were deferred to next Audit committee meeting as well as ARC Report for March 2007 and presentation of Financial Condition March 2007 for the Finance Committee.

The meeting was adjourned at 3:55 PM.

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Mr. Theerman reported that Staff is requesting that item 29, the Baumgartner Lagoon Closure, be pulled from tonight's agenda. Continuing discussions with the low bidder have determined that their bid is non-responsive. Because the completion of this project is the final milestone in the District's Administrative Agreement with the State of Missouri, staff plans on requesting introduction and adoption of an ordinance awarding this project to the second low bidder at the next Board meeting. Details of this project will be discussed at the next Program Management Committee meeting tentatively scheduled for June 5, 2007.

The District is responsible for the operation of the floodwall pumping facilities that are operated during periods when there is flooding on the Mississippi River. MSD operates 26 pump stations on the Mississippi and an additional 7 stations on the River Des Peres. During periods of high river stage local rainfall is pumped to the Mississippi and River Des Peres through these pump stations to avoid flooding in the areas protected by levees.

When we are in flood operations, we have around the clock staffing of flood station monitoring stations at the Baden Pump Station in North St. Louis and the Mill Creek Station south of the Arch. We also add a crew 24/7 that visits all stations periodically during the flood to assure that operations proceed smoothly. We expect the Mississippi River to crest next week at a river stage of about 30 feet. For reference, the highest elevation on record was in 1993 when the Mississippi River crested at a river stage of 49.5 feet.

MSD does not operate flood protection systems on the Missouri River. In these areas, levee operations are the responsibility of a number of levee districts. We do not expect any adverse impacts to our treatment plants or other facilities as a result of the flooding.

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Mr. Clay Stockwell of Peppertree Village addressed the Board and indicated that the subdivision, in particular several properties, were experiencing a severe erosion problem that not only impacted their use of the property, but also impacted the housing values in the area and created a significant safety issue to children and others trying to use the common ground. He pointed out that when this subdivision was constructed in the mid 1980's, the backyard creek was approximately 120-feet away. Currently, it's about 20-feetaway. There was a general discussion between the Board of Trustees, Mr. Stockwell, and Mr. Theerman regarding the erosion problem. Mr. Theerman indicated that at the present time, the District does not have a significant funding source to handle projects of this nature in the part of the District. He emphasized that MSD is trying to be creative, however a project to remedy the situation would cost approximately \$500,000 to \$1Million, but MSD collects only \$10 per year from a property such as the Stockwell's. Mr.

Stockwell pointed out that the subdivision attempted a solution to the erosion problem in the 1990's, but the force of the water flow took out the solution.

Mr. Karam asked who permitted the subdivision. Mr. Theerman responded that the subdivision was permitted prior to 1985. The district took over that project in 1989; therefore it was most likely permitted by St. Louis County. Mr. Rosenberg asked when the District could provide a time table to the residents. Mr. Theerman indicated that the District would need 2-3 months to take a look at an appropriate approach.

Mr. Stockwell was joined at the podium by Mr. Wade Wicht, Mr. Rick Hoffman, Mr. Ron Cox, Mr. Gary Wolff, and Mr. Steven Shaw who are also residents of Peppertree Village. These residents addressed the Board and supported Mr. Stockwell's position on the erosion damage to the properties in Peppertree Village. They asked the Board to work with them for a resolution of this issue.

The Trustees responded that the Board is still in the information gathering stage regarding this problem and will look at creative methods for resolving it.

Ms. Darline Crawley addressed the Board and indicated that she was here approximately two years ago with a 25 year old problem related to stormwater drainage through her property and adjacent properties. She said that this problem was created by MSD many years ago and was never resolved. She reminded the Board that she is still waiting for the construction of a project that will relieve her flooding and her neighbors on Ferguson Avenue in Pagedale. Mr. Hoelscher indicated that he will check with his staff and obtain the status of the project. Ms. Crawley also addressed to Board about a billing problem related to her son-in-law who is in Iraq and has cut off the water at his property but still continues to get a bill each month. Ms. Zimmerman indicated that she and her staff will look into this issue.

Mr. Cleric Gladney addressed the Board and indicated that his problem is similar to that of Ms. Crawley since he is the adjacent property owner. He expressed a considerable amount of frustration at the District's inability to rectify the sewer drainage over his property during a 25 year period. He felt that the District had quite a bit of time to rectify the issue and has done basically nothing. He asked the Board when his project would be completed and stated that a 25 year time frame was way too long. Messrs. Hoelscher, Theerman, and Rosenberg indicated they would need a day to digest the problem and get back with Mr. Gladney.

Mr. Sullivan challenged Mr. Rosenberg's opening comments. He indicated that Mr. Rosenberg is working for one of the largest developers in the area and is an owner of such firm. Mr. Rosenberg pointed out that it was not true and he's the Director of Development for Woolpert. Mr. Sullivan requested information for an employee survey that cost \$10,500 and requested information from the Rate Commission about the various interveners in the process. Mr. Sullivan questioned who was responsible for the District's fraud abuse hotline. He questioned the appointment of Mr. William Duffe to the Civil Service Commission considering that he was the only person to respond to the District's ad for the position. He raised questions about items 31 and 32 on the agenda and concluded by challenging the Board to prove their level of accountability and transparency.

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Mr. Rosenberg called for a vote on the approval of Mr. William Duffe to serve on the Civil Service Commission.

Motion made by Mr. Goffstein, seconded by Ms. Harshman.

Voice vote, all ayes. Motion passed.

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The Chair called for a vote on the renewal of Mr. Joseph Krispin to serve on the Civil Service Commission.

Motion made by Mr. Goffstein, seconded by Ms. Harshman.

Voice vote, all ayes. Motion passed.

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The Chair called for a vote to grant the Rate Commission a 45 Day Extension to the Rate Process as allowed for in the District's Charter.

Motion made by Mr. Rosenberg, seconded by Ms. Harshman.

Voice vote, all ayes. Motion passed.

Mr. Buford and Mr. Karam left the meeting.

CONSENT AGENDA

ADOPTION OF PROPOSED ORD. NO. 144-07 (ORDINANCE NO. 12424) AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE BOARD OF TRUSTEES OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH THE FIRM OF HOCHSCHILD BLOOM & COMPANY LLP FOR AN INDEPENDENT AUDIT OF THE ACCOUNTING RECORDS OF THE DISTRICT.

ADOPTION OF PROPOSED ORD. NO. 161-07 (ORDINANCE NO. 12425) APPROPRIATING \$84,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF COMBINED SEWERS IN CSO – RIVERVIEW NORTH SEWER SEPARATION/ELIMINATION (I-280) (2003052B), IN THE CITY OF ST. LOUIS, MISSOURI, AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH XL CONTRACTING, INC. FOR THE CONSTRUCTION OF THE AFORESAID CONSTRUCTION.

ADOPTION OF PROPOSED ORD. NO. 162-07 (ORDINANCE NO. 12426) APPROPRIATING \$140,000.00 FROM THE OPERATION, MAINTENANCE AND CONSTRUCTION IMPROVEMENT FUND OF BLACK CREEK TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF STORM SEWERS IN BON AIRE STORM SEWER (2004042), IN THE CITIES OF LADUE AND OLIVETTE, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH D.H.I. CONTRACTING, LLC FOR THE CONSTRUCTION OF THE AFORESAID STORM SEWERS.

ADOPTION OF PROPOSED ORD. NO. 163-07 (ORDINANCE NO. 12427) AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH XL CONTRACTING, INC. FOR THE CONSTRUCTION OF STORM AND SANITARY SEWERS IN HELEN AVE. STORM SEWER RELOCATION PHASE II (INFRASTRUCTURE REPAIR) (2005094A), IN THE CITY OF BRENTWOOD, MISSOURI.

ADOPTION OF PROPOSED ORD. NO. 164-07 (ORDINANCE NO. 12428) APPROPRIATING \$1,500,000.00 FROM THE SANITARY REPLACEMENT FUND FOR ENGINEERING SERVICES FOR THE DESIGN OF WESTERN MILL CREEK COMBINED SEWER SYSTEM (2006172) AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO CONTRACT E-1211 WITH URS CORPORATION FOR THE AFORESAID ENGINEERING SERVICES.

ADOPTION OF PROPOSED ORD. NO. 165-07 (ORDINANCE NO. 12429) APPROPRIATING \$528,000.00 FROM THE SANITARY REPLACEMENT FUND FOR ENGINEERING SERVICES FOR THE STUDY OF ST. LOUIS FLOOD PROTECTION SYSTEM – PUMP STATIONS EVALUATION (2006109) AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO CONTRACT E-1212 WITH CH2M HILL, INC. FOR THE AFORESAID ENGINEERING SERVICES.

ADOPTION OF PROPOSED ORD. NO. 166-07 (ORDINANCE NO. 12430) DECLARING THE NECESSITY FOR THE ACQUISITION OF EASEMENTS AND LICENSES IN CERTAIN REAL PROPERTY WITHIN THE METROPOLITAN ST. LOUIS SEWER DISTRICT FOR THE PURPOSE OF CONSTRUCTION OF SEWERS AND RELATED APPURTENANCES IN THE PROJECT KNOWN AS SPRING GARDEN – BANFF TO

RIVERVIEW SANITARY RELIEF (2003037) TO SERVE THE NEEDS OF RESIDENTS OF THE AREA, AND AUTHORIZING THE ACQUISITION OF SAID EASEMENTS AND LICENSES BY PURCHASE OR BY THE INSTITUTION OF CONDEMNATION PROCEEDINGS.

ADOPTION OF PROPOSED ORD. NO. 167-07 (ORDINANCE NO. 12431) AUTHORIZING THE CHAIRMAN OF THE BOARD, EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A TRUST AGREEMENT WITH US BANK, N.A., WHEREIN US BANK, N.A. WILL ACT AS TRUSTEE UNDER THE DISTRICT'S PENSION PLAN.

ADOPTION OF PROPOSED ORD. NO. 168-07 (ORDINANCE NO. 12432) AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH FIRSTECH PAYMENT PROCESSING SOLUTIONS WHEREBY FIRSTECH PAYMENT PROCESSING SOLUTIONS WILL PROVIDE LOCKBOX SERVICES FOR THE DISTRICT.

Plan Approval

Springdale Lateral Sanitary Relief (SKME-305) (2006051)

This project, located in the Village of Bel Ridge at the intersection of Springdale and Smithfield, is to eliminate two bypasses and relief basement backups. This project is in the Fiscal Year 2007 Budget and the estimated construction cost is \$ 220,000.

Willowbrook #1420 Storm Sewer (2006106)

This project, located in the city of Florissant at the intersection of Willowbrook and Foxrun, is to eliminate rear yard flooding. This project is in the Fiscal Year 2007 Budget and the estimated construction cost is \$ 90,000.

Motion made by Mr. Goffstein, seconded by Mr. Rosenberg, that the Consent Agenda be adopted.

Motion passed – 4 ayes, no nays

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| Poll taken: | J. Goffstein | aye | E. Harshman | aye |
| | D. Rosenberg | aye | D. Joyce-Hayes | aye |

The Chair declared the Consent Agenda adopted and proposed Ord. Nos. 144-07, 161-07, 162-07, 163-07, 164-07, 165-07, 166-07, 167-07 and 168-07, and were assigned Ordinance Nos. 12424, 12425, 12426, 12427, 12428, 12429, 12430, 12431 and 12432.

- - - -

UNFINISHED BUSINESS

Ordinances

None

Resolutions

None.

- - - -

NEW BUSINESS

Ordinances

INTRODUCTION OF PROPOSED ORD. NO. 177-07 APPROPRIATING \$900,000.00 FROM THE OPERATION, MAINTENANCE AND CONSTRUCTION IMPROVEMENT FUND OF COLDWATER CREEK TO BE USED FOR THE CONSTRUCTION OF STORM SEWERS IN JANUARY – THURSTON STORM EXTENSION (2000040), IN THE CITIES OF BERKELEY AND FERGUSON, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH KARSTEN EQUIPMENT CO. FOR THE CONSTRUCTION OF THE AFORESAID STORM SEWERS.

Proposed Ord. No. 177-07 was presented and read. The work to be done under this contract consists of the construction of approximately 1,806 lineal feet of storm sewers varying in size from 8-inches to 66-inches in diameter and appurtenances. The purpose of this project is to alleviate flooding of homes and properties due to an inadequate drainage system. This project is scheduled to be completed in 270 days.

Motion made by Ms. Joyce-Hayes, seconded by Mr. Goffstein that proposed Ord. No. 177-07 be introduced.

Motion passed – 4 ayes, no nays

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| Poll taken: | J. Goffstein | aye | E. Harshman | aye |
| | D. Rosenberg | aye | D. Joyce-Hayes | aye |

INTRODUCTION OF PROPOSED ORD. NO. 178-07 APPROPRIATING \$985,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF SANITARY SEWERS IN CC-13 CREVE COEUR CREEK SANITARY RELIEF (SKME-023) (89131), IN ST. LOUIS COUNTY, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH XL

CONTRACTING, INC., LTD. FOR THE CONSTRUCTION OF THE AFORESAID SANITARY SEWERS.

Proposed Ord. No.178-07 was presented and read. The work to be done under this contract consists of the construction of approximately 2,846 lineal feet of pipe sewers varying in size from 8-inches to 18-inches in diameter and appurtenances. The purpose of this project is to alleviate basement backups due to overcharged sanitary sewers. This project will also eliminate two bypasses. This project is scheduled to be completed in 330 days.

Motion by Ms. Joyce-Hayes, seconded by Mr. Goffstein that proposed Ord. No. 178-07 be introduced.

Motion passed – 4 ayes, no nays

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| Poll taken: | J. Goffstein | aye | E. Harshman | aye |
| | D. Rosenberg | aye | D. Joyce-Hayes | aye |

INTRODUCTION OF PROPOSED ORD. NO. 179-07 APPROPRIATING \$1,630,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF SANITARY SEWERS IN FISHPOT EAST SANITARY RELIEF PHASE IV (90022D), IN THE CITY OF BALLWIN, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH J.M. MARSCHUETZ CONSTRUCTION, FOR THE CONSTRUCTION OF THE AFORESAID SANITARY SEWERS.

Proposed Ord. No. 179-07 was presented and read. The work to be done under this contract consists of the construction of approximately 4,150 lineal feet of 8-inch to 27-inch diameter sanitary sewers, manholes, creek stabilization, and other related materials to relieve an existing 8-inch to 18-inch overcharged sanitary sewer. The purpose of this project is to alleviate property loss and damage due to basement backups and overloaded sanitary sewers. Four wet weather bypasses will be eliminated. This project is scheduled to be completed in 365 days.

Motion by Ms. Joyce-Hayes, seconded by Mr. Rosenberg that proposed Ord. No. 179-07 be introduced.

Motion passed – 4 ayes, no nays

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| Poll taken: | J. Goffstein | aye | E. Harshman | aye |
| | D. Rosenberg | aye | D. Joyce-Hayes | aye |

INTRODUCTION OF PROPOSED ORD. NO. 180-07 APPROPRIATING \$78,000.00 FROM THE SANITARY REPLACEMENT TO BE USED FOR PROJECT COSTS FOR THE REHABILITATION OF MANHOLES IN UNIVERSITY PLACE - TULANE AVENUE SEPARATE SEWER AREA I/ REDUCTION (2004069A), IN THE CITY OF UNIVERSITY CITY, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH ACE

PIPE CLEANING, INC. FOR THE REHABILITATION OF THE AFORESAID MANHOLES.

Proposed Ord. No. 180-07 was presented and read. The work to be done under this contract consists of the rehabilitation of approximately 39 manholes using various methods. The purpose of this project is to eliminate stormwater infiltration into the sanitary sewer system. This project is scheduled to be completed in 30 days.

Motion by Ms. Joyce-Hayes, seconded by Mr. Rosenberg that proposed Ord. No. 180-07 be introduced.

Motion passed – 4 ayes, no nays

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| Poll taken: | J. Goffstein | aye | E. Harshman | aye |
| | D. Rosenberg | aye | D. Joyce-Hayes | aye |

INTRODUCTION OF PROPOSED ORD. NO. 181-07 APPROPRIATING \$199,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF LEMAY WASTEWATER TREATMENT PLANT SODIUM HYPOCHLORITE SYSTEM (2006189); IN ST. LOUIS COUNTY, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH PANGEA, INC. FOR THE AFORESAID CONSTRUCTION.

Proposed Ord. No. 181-07 was presented and read. The work to be done under this contract consists of the installation of two 6,000 gallon HDXPE storage tanks associated piping, valves, grating, handrail, secondary containment systems, protective coatings, weatherproof pump enclosures, and electrical supply and control wiring. The purpose of this project is to replace a temporary sodium hypochlorite system with a permanent system to control seasonal filamentous bulking of secondary sludge. This project is scheduled to be completed in 120 days.

Motion by Ms. Joyce – Hayes, seconded by Mr. Rosenberg that proposed Ord. No. 181-07 be introduced.

Motion passed – 4 ayes, no nays

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| Poll taken: | J. Goffstein | aye | E. Harshman | aye |
| | D. Rosenberg | aye | D. Joyce-Hayes | aye |

INTRODUCTION OF PROPOSED ORD. NO. 182-07 APPROPRIATING \$7,500,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF SANITARY SEWERS IN INFRASTRUCTURE REPAIRS (REHABILITATION) (FY 2007) (2006096), IN THE CITY OF ST. LOUIS AND ST. LOUIS COUNTY, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH MICHELS PIPE SERVICES, DIV. OF MICHELS CORP. FOR THE CONSTRUCTION OF THE AFORESAID SANITARY SEWERS.

Proposed Ord. No. 182-07 was presented and read The work to be done under this contract consists of the rehabilitation of approximately 215,500 lineal feet of sewers using CIPP methods varying in size from 6-inches to 42 x 54 inches in diameter and manhole rehabilitation of approximately 1,200 lineal feet. The purpose of this project is to rehab older, damaged and deteriorated sewers that are causing pipe collapses, blocked mains, and leaking pipes. This project is scheduled to be completed in 365 days.

Motion by Ms. Joyce-Hayes, seconded by Mr. Rosenberg that proposed Ord. No. 182-07 be introduced.

Motion passed – 4 ayes, no nays

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| Poll taken: | J. Goffstein | aye | E. Harshman | aye |
| | D. Rosenberg | aye | D. Joyce-Hayes | aye |

INTRODUCTION OF PROPOSED ORD. NO. 183-07 APPROPRIATING \$2,100,000.00 FROM THE OPERATION, MAINTENANCE AND CONSTRUCTION IMPROVEMENT FUND OF THE LOWER MERAMEC RIVER BASIN TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF SANITARY SEWERS IN WILLIAMS CREEK SANITARY INTERCEPTOR PHASE I (2000046) IN ST. LOUIS COUNTY, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH KARSTEN EQUIPMENT CO. FOR THE CONSTRUCTION OF SAID SANITARY SEWERS.

Proposed Ord. No. 183-07 was presented and read. The work to be done under this contract consists of the construction of approximately 8,641 lineal feet of pipe sewers varying in size from 15-inches to 24-inches in diameter and appurtenances. The purpose of this project is to provide a sanitary sewer interceptor for the Williams Creek Watershed. This project is scheduled to be completed in 270 days.

Motion by Ms. Joyce-Hayes, seconded by Mr. Rosenberg that proposed Ord. No. 183-07 be introduced.

Motion passed – 4 ayes, no nays

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| Poll taken: | J. Goffstein | aye | E. Harshman | aye |
| | D. Rosenberg | aye | D. Joyce-Hayes | aye |

INTRODUCTION OF PROPOSED ORD. NO. 185-07 APPROPRIATING \$200,000.00 FROM THE SANITARY REPLACEMENT FUND FOR RADAR RAINFALL DATA (2007261) SERVICES AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH VIEUX AND ASSOCIATES, INC. FOR THE AFORESAID SERVICES.

Proposed Ord. No. 185-07 was presented and read. This ordinance appropriates funds and authorizes the District to enter into a contract with Vieux and Associates, Inc. This appropriation will allow the District to continue work in improving the integration between the existing rain gauge network (20 rain gauges) and NEXRAD radar data in an effort that produces Gauge Adjusted Radar Rainfall (GARR) data for use by District engineers, various planning and design consultants, Operations divisions, and to support defense of legal action against the District.

Motion by Ms. Joyce-Hayes, seconded by Mr. Rosenberg that proposed Ord. No. 185-07 be introduced.

Motion passed – 4 ayes, no nays

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| Poll taken: | J. Goffstein | aye | E. Harshman | aye |
| | D. Rosenberg | aye | D. Joyce-Hayes | aye |

INTRODUCTION OF PROPOSED ORD. NO. 186-07 APPROPRIATING \$2,500,000.00 FROM THE SANITARY REPLACEMENT FUND FOR ENGINEERING SERVICES FOR THE DESIGN OF LOWER MERAMEC RIVER WWTP PH. II AND FACILITY PLAN UPDATE (2006167); AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO CONTRACT E-1213 WITH HDR ENGINEERING, INC. FOR THE AFORESAID ENGINEERING SERVICES.

Proposed Ord. No. 186-07 was presented and read. This project consists of the preparation of a design study to evaluate requirements to expand the Meramec Wastewater Treatment Plant from 15 mgd to 60 mgd including evaluation of proposed and potential regulations, evaluation and selection of a seven mile long conveyance system corridor from Fenton Wastewater Treatment Plant to Baumgartner, and a monitoring evaluation of odor generation followed by a design of odor control for the Meramec Wastewater Treatment Plant. The design study will determine the improvements that are required to handle the future design flows, treatment process, disinfection, nutrient removal and other regulatory compliance issues and the associated schedules and construction cost. Project requires approximately 13,500 man-hours of effort.

Motion by Ms. Joyce-Hayes, seconded by Mr. Goffstein that proposed Ord. No. 186-07 be introduced.

Motion passed – 4 ayes, no nays

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| Poll taken: | J. Goffstein | aye | E. Harshman | aye |
| | D. Rosenberg | aye | D. Joyce-Hayes | aye |

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 187-07 MAKING A SUPPLEMENTAL APPROPRIATION OF \$1,000,000.00 FROM THE IMPROVEMENT FUND FOR ADDITIONAL ENGINEERING SERVICES TO AUGMENT, ASSIST, AND FACILITATE VARIOUS PLANNING TASKS AND ACTIVITIES FOR AN EXPANDED STORMWATER CAPITAL PROGRAM IN STORMWATER FACILITY PLANNING (2005122); AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS

SEWER DISTRICT TO ENTER INTO AMENDMENT NO. 2 OF CONTRACT E-1173 WITH PARSONS WATER & INFRASTRUCTURE, INC. FOR THE AFORESAID ENGINEERING SERVICES.

Proposed Ord. No. 187-07 was presented and read. This ordinance appropriates supplemental funds and authorizes the District to enter into Amendment No. 2 with Parsons Water & Infrastructure Inc. The primary services to be provided by the Stormwater Planning Consultant for this amendment are: a) perform approximately 1,500 detention/retention basin investigations using various means and methods to organize the information for stormwater management activities per Phase II Stormwater regulations. The consultant will develop an inventory system that will be used in the future by District staff; b) approximately 400 of the 1,800 existing identified projects will be conceptually reviewed and analyzed. All projects will be evaluated and ranked by the new priority system; c) approximately 40 – 50 preliminary studies/project definitions within existing OMCI areas will be completed 6 to 8 months prior to budget preparation each year; d) assist District staff in watershed planning to analyze and establish watershed based solutions that address regional issues and coordinate with the infrastructure watershed planning efforts. It is anticipated that two additional years will be needed to complete these primary services.

Motion by Ms. Joyce-Hayes, seconded by Mr. Rosenberg that proposed Ord. No. 187-07 be introduced.

Motion passed – 4 ayes, no nays

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| Poll taken: | J. Goffstein | aye | E. Harshman | aye |
| | D. Rosenberg | aye | D. Joyce-Hayes | aye |

INTRODUCTION OF PROPOSED ORD. NO. 188-07 AUTHORIZING THE EXECUTIVE DIRECTOR AND THE SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO AN AGREEMENT WITH THE ST. LOUIS COUNTY, MISSOURI TO SPECIFY THE TERMS AND CONDITIONS UNDER WHICH THE DISTRICT MAY USE THE FOLLOWING PRIVATE ROADWAY, WESTERMAN ROAD, WITHIN ST. LOUIS COUNTY, MISSOURI.

Proposed Ord. No. 188-07 was presented and read. The District needs to have the ability to access its Grand Glaize Facilities when access via Grand Glaize Parkway is not possible. With the recent purchase of property for the improvements to the Grand Glaize Wastewater Treatment Plant, the District needs to have permanent access along Westerman Road, which is a private street half owned by the District and half owned by St. Louis County along a common property line. The County and the District mutually agreed for the best interest of each to enter an access agreement covering Grand Glaize Parkway and Westerman Road.

Motion by Ms. Joyce-Hayes, seconded by Mr. Rosenberg that proposed Ord. No. 188-07 be introduced.

Motion passed – 4 ayes, no nays

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| Poll taken: | J. Goffstein | aye | E. Harshman | aye |
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D. Rosenberg aye D. Joyce-Hayes aye

INTRODUCTION OF PROPOSED ORD. NO. 189-07 REPEALING ORDINANCE NO. 12139, ADOPTED DECEMBER 8, 2005, AND ENACTING A NEW ORDINANCE IN LIEU THEREOF ON THE SAME SUBJECT, ESTABLISHING AN AMENDED AND RESTATED DEFERRED COMPENSATION PLAN AND TRUST FOR EMPLOYEES OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT.

Proposed Ord. No. 189-07 was presented and read.

Motion by Ms. Harshman, seconded by Mr. Rosenberg that proposed Ord. No. 189-07 be introduced.

Motion passed – 4 ayes, no nays

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| Poll taken: | J. Goffstein | aye | E. Harshman | aye |
| | D. Rosenberg | aye | D. Joyce-Hayes | aye |

INTRODUCTION OF PROPOSED ORD. NO. 190-07 MAKING APPROPRIATIONS FOR CURRENT EXPENSES OF THE DISTRICT, THE WASTEWATER REVENUE FUND, THE STORMWATER REVENUE FUND, THE GENERAL FUND, THE REAL PROPERTY IMPROVEMENTS & ALTERATIONS FUND, THE WATER BACKUP INSURANCE & REIMBURSEMENT FUND, THE EMERGENCY FUND, AND THE WASTEWATER REVENUE BOND SERVICE FUND FOR THE FISCAL YEAR BEGINNING JULY 1, 2007 AND ENDING JUNE 30, 2008, NOT INCLUDING SUMS HEREBY SET APART FOR AND TRANSFERRED TO SPECIAL FUNDS, AMOUNTING IN THE AGGREGATE TO \$165,281,887.00, WHICH SUM IS HEREBY APPROPRIATED FROM THE GENERAL AND SPECIAL FUNDS NAMED TO PAY INTEREST FALLING DUE ON BONDS ISSUED, THE COSTS OF SUPPORT, OPERATION, AND MAINTENANCE OF THE DISTRICT AND ITS VARIOUS SUB-DISTRICTS, AND EMERGENCIES.

Proposed Ord. No. 190-07 was presented and read.

Motion by Ms. Harshman, seconded by Mr. Rosenberg that proposed Ord. No. 190-07 be introduced.

Motion passed – 4 ayes, no nays

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|-------------|--------------|-----|----------------|-----|
| Poll taken: | J. Goffstein | aye | E. Harshman | aye |
| | D. Rosenberg | aye | D. Joyce-Hayes | aye |

INTRODUCTION OF PROPOSED ORD. NO. 191-07 DETERMINING THE AMOUNT OF TAXES WHICH SHALL BE LEVIED, ASSESSED, AND COLLECTED IN THE YEAR 2007 ON ALL TAXABLE TANGIBLE PROPERTY IN THE DISTRICT WITHIN THE CORPORATE LIMITS OF THE CITY OF ST. LOUIS AND ST. LOUIS COUNTY, RESPECTIVELY, AND IN SUB-DISTRICTS WITHIN THE CORPORATE LIMITS OF ST. LOUIS COUNTY AS FOLLOWS: COLDWATER

CREEK TRUNK SUB-DISTRICT, GRAVOIS CREEK TRUNK SUB-DISTRICT, MALINE CREEK TRUNK SUB-DISTRICT, WATKINS CREEK TRUNK SUB-DISTRICT, SUB-DISTRICT NO. 88 (FOUNTAIN CREEK), SUB-DISTRICT NO. 89 (LORETTA-JOPLIN), BENEFIT SUB-DISTRICT NO.111 (MARLBOROUGH), SUB-DISTRICT NO. 325 (PADDOCK CREEK), SUB-DISTRICT NO. 342 (CLAYTON-CENTRAL), SUB-DISTRICT NO. 366 (UNIVERSITY CITY BRANCH OF RIVER DES PERES STORMWATER SUB-DISTRICT), SUB-DISTRICT NO. 367 (DEER CREEK STORMWATER SUB-DISTRICT), SUB-DISTRICT NO. 369 (SUGAR CREEK), SUB-DISTRICT NO. 374 (WEDGEWOOD CREEK), SUB-DISTRICT NO. 376 (BLACK JACK-DELLWOOD CREEK), SUB-DISTRICT NO. 380 (UPPER PADDOCK CREEK), SUB-DISTRICT NO. 448 (MISSOURI RIVER - BONFILS), SUB-DISTRICT NO. 449 (MERAMEC RIVER BASIN - M.S.D. SOUTHWEST), SUB-DISTRICT NO. 453 (SHREWSBURY BRANCH OF RIVER DES PERES), SUB-DISTRICT NO. 454 (SEMINARY BRANCH OF RIVER DES PERES), SUB-DISTRICT NO. 455 (BLACK CREEK), SUB-DISTRICT NO. 1 OF THE RIVER DES PERES WATERSHED (CREVE COEUR-FRONTENAC AREA), SUB-DISTRICT NO. 4 OF THE RIVER DES PERES WATERSHED (NORTH AFFTON AREA), AND SUB-DISTRICT NO. 7 OF THE RIVER DES PERES WATERSHED (WELLSTON AREA), WITH AN EMERGENCY CLAUSE.

Proposed Ord. No. 191-07 was presented and read.

Motion by Ms. Joyce-Hayes, seconded by Mr. Goffstein that proposed Ord. No. 191-07 be introduced.

Motion passed – 4 ayes, no nays

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| Poll taken: | J. Goffstein | aye | E. Harshman | aye |
| | D. Rosenberg | aye | D. Joyce-Hayes | aye |

INTRODUCTION OF PROPOSED ORD. NO. 192-07 AWARDDING A CONTRACT TO F.M. GLOBAL INSURANCE COMPANY (MCGRUFF, SEIBELS & WILLIAMS, OF MISSOURI INC., AGENT) FOR THE DISTRICT'S PRIMARY PROPERTY, BOILER AND MACHINERY INSURANCE COVERAGE FROM JULY 1, 2007 TO JUNE 30, 2008.

Proposed Ord. No. 192-07 was presented and read. This insurance provides replacement cost coverage for real and personal property in excess of the deductible and subject to policy limits. This ordinance will authorize the District to enter into a contract with FM Global Insurance Company from July 1, 2007 to June 30, 2008.

Motion by Ms. Joyce-Hayes, seconded by Mr. Rosenberg that proposed Ord. No. 192-07 be introduced.

Motion passed – 4 ayes, no nays

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| Poll taken: | J. Goffstein | aye | E. Harshman | aye |
| | D. Rosenberg | aye | D. Joyce-Hayes | aye |

INTRODUCTION OF PROPOSED ORD. NO. 193-07 AWARDING A CONTRACT TO F.M. GLOBAL INSURANCE COMPANY (MCGRIFF, SEIBELS & WILLIAMS, OF MISSOURI INC., AGENT) FOR THE DISTRICT'S EXCESS FLOOD INSURANCE COVERAGE FROM JULY 1, 2007 TO JUNE 30, 2008.

Proposed Ord. No. 193-07 was presented and read. This insurance provides replacement cost coverage for real and personal property in excess of the policy limits provided under the property policy and FEMA. This ordinance will authorize the District to enter into a contract with FM Global Insurance Company from July 1, 2007 to June 30, 2008.

Motion by Ms. Joyce-Hayes, seconded by Mr. Rosenberg that proposed Ord. No. 193-07 be introduced.

Motion passed – 4 ayes, no nays

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| Poll taken: | J. Goffstein | aye | E. Harshman | aye |
| | D. Rosenberg | aye | D. Joyce-Hayes | aye |

INTRODUCTION OF PROPOSED ORD. NO. 194-07 AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO EXECUTE ALL DOCUMENTS NECESSARY IN ORDER TO PROCURE FLOOD INSURANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FROM JULY 1, 2007 TO JUNE 30, 2008, FOR THE BUILDINGS AND CONTENTS AT CERTAIN SPECIFIED DISTRICT LOCATIONS.

Proposed Ord. No. 194-07 was presented and read. This insurance provides replacement cost coverage for real and personal property in excess of the deductible, and subject to policy limits. This ordinance will authorize the District to enter into a contract with National Flood Insurance Program from July 1, 2007 to June 30, 2008.

Motion by Ms. Joyce-Hayes, seconded by Mr. Rosenberg that proposed Ord. No. 194-07 be introduced.

Motion passed – 4 ayes, no nays

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| Poll taken: | J. Goffstein | aye | E. Harshman | aye |
| | D. Rosenberg | aye | D. Joyce-Hayes | aye |

INTRODUCTION OF PROPOSED ORD. NO. 195-07 AWARDING A CONTRACT TO ST. PAUL/TRAVELERS INSURANCE COMPANIES (MCGRIFF, SEIBELS & WILLIAMS, OF MISSOURI INC., AGENT) FOR THE DISTRICT'S EXCESS LIABILITY INSURANCE COVERAGE FROM JULY 1, 2007 TO JUNE 30, 2008.

Proposed Ord. No. 195-07 was presented and read. This insurance provides coverage for liability claims and defense costs. This ordinance will authorize the District to enter into a contract with Travelers Insurance Company from July 1, 2007 to June 30, 2008.

Motion by Ms. Joyce-Hayes, seconded by Mr. Rosenberg that proposed Ord. No. 195-07 be introduced.

Motion passed – 4 ayes, no nays

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| Poll taken: | J. Goffstein | aye | E. Harshman | aye |
| | D. Rosenberg | aye | D. Joyce-Hayes | aye |

INTRODUCTION OF PROPOSED ORD. NO. 196-07 AWARDING A CONTRACT TO MIDWEST EMPLOYERS CASUALTY COMPANY (MCGRUFF, SEIBELS & WILLIAMS, OF MISSOURI INC., AGENT) FOR THE DISTRICT'S EXCESS WORKERS' COMPENSATION INSURANCE COVERAGE FROM JULY 1, 2007 TO JUNE 30, 2008.

Proposed Ord. No. 196-07 was presented and read. This insurance coverage indemnifies MSD against loss claim expense in excess of the retention level as a result of Workers' Compensation of Employers Liability, subject to policy limits. This ordinance will authorize the District to enter into a contract with Midwest Employers Casualty Company from July 1, 2007 to June 30, 2008.

Motion by Ms. Joyce-Hayes, seconded by Mr. Rosenberg that proposed Ord. No. 196-07 be introduced.

Motion passed – 4 ayes, no nays

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| Poll taken: | J. Goffstein | aye | E. Harshman | aye |
| | D. Rosenberg | aye | D. Joyce-Hayes | aye |

INTRODUCTION OF PROPOSED ORD. NO. 197-07 AWARDING A CONTRACT TO ST. PAUL/TRAVELERS INSURANCE COMPANIES (MCGRUFF, SEIBELS & WILLIAMS, OF MISSOURI INC., AGENT) FOR COVERING THE BOND FOR THE SECRETARY-TREASURER FOR THE PERIOD JULY 1, 2007 TO JUNE 30, 2008.

Proposed Ord. No. 197-07 was presented and read. This insurance coverage indemnifies MSD against all sums in excess of the deductible, that the District becomes legally obligated to pay as a result of Breach of Fiduciary Duty, subject to policy limits. This ordinance will authorize the District to enter into a contract with St Paul/Travelers Insurance Company from July 1, 2007 to June 30, 2008. This policy is required under Section 7.110 of the District's Plan. The amount of this bond is \$5,000,000.

Motion by Ms. Joyce-Hayes, seconded by Mr. Rosenberg that proposed Ord. No. 197-07 be introduced.

Motion passed – 4 ayes, no nays

Poll taken: J. Goffstein aye E. Harshman aye
D. Rosenberg aye D. Joyce-Hayes aye

INTRODUCTION OF PROPOSED ORD. NO. 198-07 AWARDED A CONTRACT TO FEDERAL (CHUBB) INSURANCE COMPANY (MCGRUFF, SEIBELS & WILLIAMS, OF MISSOURI INC., AGENT) FOR THE DISTRICT'S FIDUCIARY LIABILITY INSURANCE FROM JULY 1, 2007 TO JUNE 30, 2008.

Proposed Ord. No. 198-07 was presented and read. This insurance coverage pays, on behalf of MSD, all sums in excess of the deductible, that the District becomes legally obligated to pay as a result of Breach of Fiduciary Duty, subject to policy limits. This ordinance will authorize the District to enter into a contract with Federal (Chubb) Insurance Company from July 1, 2007 to June 30, 2008.

Motion by Ms. Joyce-Hayes, seconded by Mr. Rosenberg that proposed Ord. No. 198-07 be introduced.

Motion passed – 4 ayes, no nays

Poll taken: J. Goffstein aye E. Harshman aye
D. Rosenberg aye D. Joyce-Hayes aye

INTRODUCTION OF PROPOSED ORD. NO. 199-07 AWARDED A CONTRACT TO FEDERAL (CHUBB) INSURANCE COMPANY (MCGRUFF, SEIBELS & WILLIAMS, OF MISSOURI INC., AGENT) FOR THE DISTRICT'S COMMERCIAL CRIME INSURANCE COVERAGE FROM JULY 1, 2007 TO JUNE 30, 2008

Proposed Ord. No. 199-07 was presented and read. This insurance coverage indemnifies MSD against loss and claim expense in excess of the deductible level as a result of a Commercial Crime event, subject to policy limits. This ordinance will authorize the District to enter into a contract with Federal Insurance Company from July 1, 2007 to June 30, 2008.

Motion by Ms. Joyce-Hayes, seconded by Mr. Rosenberg that proposed Ord. No. 199-07 be introduced.

Motion passed – 4 ayes, no nays

Poll taken: J. Goffstein aye E. Harshman aye
D. Rosenberg aye D. Joyce-Hayes aye

INTRODUCTION OF PROPOSED ORD. NO. 200-07 AWARDED A CONTRACT TO MISSOURI UNDERGROUND STORAGE TANK INSURANCE FUND FOR THE DISTRICT'S UNDERGROUND STORAGE TANK POLLUTION LIABILITY COVERAGE FROM JULY 1, 2007 TO JUNE 30, 2008.

Proposed Ord. No. 200-07 was presented and read. This ordinance will authorize the District to enter into a contract with Missouri Underground Storage Tank Fund from July 1, 2007 to June 30, 2008.

Motion by Ms. Joyce-Hayes, seconded by Mr. Rosenberg that proposed Ord. No. 200-07 be introduced.

Motion passed – 4 ayes, no nays

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| Poll taken: | J. Goffstein | aye | E. Harshman | aye |
| | D. Rosenberg | aye | D. Joyce-Hayes | aye |

INTRODUCTION OF PROPOSED ORD. NO. 201-07 AWARDDING A CONTRACT TO AMERICAN INTERNATIONAL GROUP INSURANCE COMPANY (MCGRUFF, SEIBELS & WILLIAMS, OF MISSOURI INC., AGENT) FOR THE DISTRICT’S MAJOR FACILITY POLLUTION LIABILITY INSURANCE FROM JULY 1, 2007 TO JUNE 30, 2008.

Proposed Ord. No. 201-07 was presented and read. This ordinance will authorize the District to enter into a contract with American International Group Insurance Company from July 1, 2007 to June 30, 2008 for the District’s Facility Pollution Liability coverage. This policy provides \$10 million of coverage above a \$500,000 self-insured retention for pollution environmental claims.

Motion by Ms. Joyce-Hayes, seconded by Mr. Rosenberg that proposed Ord. No. 201-07 be introduced.

Motion passed – 4 ayes, no nays

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| Poll taken: | J. Goffstein | aye | E. Harshman | aye |
| | D. Rosenberg | aye | D. Joyce-Hayes | aye |

INTRODUCTION OF PROPOSED ORD. NO. 202-07 AWARDDING A CONTRACT TO ST. PAUL/TRAVELERS INSURANCE COMPANIES (MCGRUFF, SEIBELS & WILLIAMS OF MISSOURI, INC., AGENT) FOR THE DISTRICT’S COMBINED LIABILITY PROGRAM INSURANCE COVERAGE FROM JULY 1, 2007 TO JUNE 30, 2008.

Proposed Ord. No. 202-07 was presented and read. This insurance provides coverage for liability claims and defense costs. This ordinance will authorize the District to enter into a contract with St Paul Travelers Insurance Companies from July 1, 2007 to June 30, 2008. The policy provides \$2,000,000 of coverage above a \$100,000 deductible.

Motion by Ms. Joyce-Hayes, seconded by Mr. Rosenberg that proposed Ord. No. 202-07 be introduced.

Motion passed – 4 ayes, no nays

Poll taken: J. Goffstein aye E. Harshman aye
D. Rosenberg aye D. Joyce-Hayes aye

INTRODUCTION OF PROPOSED ORD. NO. 203-07 AWARDING A CONTRACT TO AMERICAN INTERNATIONAL GROUP (AIG) INSURANCE COMPANY FOR THE DISTRICT'S BLOCKED MAIN SEWER LINE BACKUP INSURANCE AND OVERCHARGED SEWER LINE BACKUP INSURANCE COVERAGE FROM JULY 1, 2007 TO JUNE 30, 2008.

Proposed Ord. No. 203-07 was presented and read. Since 1995 MSD has sponsored an insurance program that compensates customers for damage arising from sewer backups that were caused by blocked sewer mains. This ordinance will authorize the District to enter into a contract with American International Group Insurance from July 1, 2007 to June 30, 2008.

Motion by Ms. Joyce-Hayes, seconded by Mr. Rosenberg that proposed Ord. No. 203-07 be introduced.

Motion passed – 4 ayes, no nays

Poll taken: J. Goffstein aye E. Harshman aye
D. Rosenberg aye D. Joyce-Hayes aye

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 205-07 VACATING A VARIABLE WIDTH EASEMENT LOCATED IN PARTS OF LOTS 4A AND 4B OF THE VILLAS OF GRANTWOOD CONDOMINIUMS ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 353, PAGE 967 OF THE ST. LOUIS COUNTY RECORDS, ST. LOUIS COUNTY, MISSOURI.

Proposed Ord. No. 205-07 was presented and read. The District has been requested to vacate its rights to a portion of a variable width easement being encroached on by building 4A and B. The District did not pay for the easement and has no future use for the portion in this residential development.

Motion by Ms. Harshman, seconded by Mr. Rosenberg that proposed Ord. No. 205-07 be introduced.

Motion made, seconded and unanimously adopted to suspend the rules to allow for adoption of proposed Ord. No. 205-07.

Motion made by Ms. Joyce-Hayes, seconded by Mr. Rosenberg that proposed Ord. No. 205-07 be adopted.

Motion passed – 4 ayes, no nays

Poll taken: J. Goffstein aye E. Harshman aye
D. Rosenberg aye D. Joyce-Hayes aye

The Chair declared proposed Ord. No. 205-07 adopted and it was assigned Ordinance No. 12433.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 206-07 VACATING A PORTION OF A VARIABLE WIDTH ROADWAY MAINTENANCE AND UTILITY EASEMENT LOCATED IN THE EMERALD GLEN SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 169, PAGE 46 AND IN LOTS 3, 4 AND 5 OF WYNSTON TRACE ESTATES SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 354, PAGE 648 OF THE ST. LOUIS COUNTY RECORDS, IN ST. LOUIS COUNTY, MISSOURI.

Proposed Ord. No. 206-07 was presented and read. The District has been requested to vacate its rights to portions of easements after street widening. The residential properties have no sewers in the easement, the District has no future use for the existing easements, and they were not paid for by the District.

Motion by Ms. Harshman, seconded by Mr. Rosenberg that proposed Ord. No. 206-07 be introduced.

Motion made, seconded and unanimously adopted to suspend the rules to allow for adoption of proposed Ord. No. 206-07.

Motion made by Ms. Joyce-Hayes, seconded by Mr. Rosenberg that proposed Ord. No. 206-07 be adopted.

Motion passed – 4 ayes, no nays

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| Poll taken: | J. Goffstein | aye | E. Harshman | aye |
| | D. Rosenberg | aye | D. Joyce-Hayes | aye |

The Chair declared proposed Ord. No. 206-07 adopted and it was assigned Ordinance No. 12434.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 207-07 VACATING A PORTION OF A VARIABLE WIDTH RIGHT-OF-WAY IN A TRACT OF LAND BEING PART OF MAGOFFIN AVENUE AND IN PART OF LOTS 1A AND 1B OF HIP SUBDIVISION AS RECORDED IN PLAT BOOK 168, PAGE 83 OF THE ST. LOUIS COUNTY RECORDS, IN ST. LOUIS COUNTY, MISSOURI.

Proposed Ord. No. 207-07 was presented and read. The District has been requested to vacate its rights to a variable width street right-of-way easement after the relocation of the road. The District has no future use for the easement in this residential subdivision and did not pay for the easement.

Motion by Ms. Harshman, seconded by Mr. Rosenberg that proposed Ord. No. 207-07 be introduced.

Motion made, seconded and unanimously adopted to suspend the rules to allow for adoption of proposed Ord. No. 207-07.

Motion made by Ms. Joyce-Hayes, seconded by Mr. Rosenberg that proposed Ord. No. 207-07 be adopted.

Motion passed – 4 ayes, no nays

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| Poll taken: | J. Goffstein | aye | E. Harshman | aye |
| | D. Rosenberg | aye | D. Joyce-Hayes | aye |

The Chair declared proposed Ord. No. 207-07 adopted and it was assigned Ordinance No. 12435.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 208-07 VACATING A PORTION OF A TEN-FOOT (10') WIDE EASEMENT IN ADJUSTED LOT 8 OF KOST ACRES SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 74, PAGE 2 OF THE ST. LOUIS COUNTY RECORDS, IN ST. LOUIS COUNTY, MISSOURI.

Proposed Ord. No. 208-07 was presented and read. The District has been requested to vacate its rights to an existing easement after the property was subdivided for a new residential subdivision. The District did not pay for the easements, and has no future use for the existing easements.

Motion by Ms. Harshman, seconded by Mr. Rosenberg that proposed Ord. No. 208-07 be introduced.

Motion made, seconded and unanimously adopted to suspend the rules to allow for adoption of proposed Ord. No. 208-07.

Motion made by Ms. Joyce-Hayes, seconded by Mr. Rosenberg that proposed Ord. No. 208-07 be adopted.

Motion passed – 4 ayes, no nays

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| Poll taken: | J. Goffstein | aye | E. Harshman | aye |
| | D. Rosenberg | aye | D. Joyce-Hayes | aye |

The Chair declared proposed Ord. No. 208-07 adopted and it was assigned Ordinance No. 12436.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 209-07 VACATING A PORTION OF A TEN-FOOT (10') WIDE EASEMENT LOCATED IN PART OF LOTS 3, 4, AND 29 OF ELEANOR PARK NO. 2 AS RECORDED IN DEED BOOK 6327, PAGE 2534 OF THE ST. LOUIS COUNTY RECORDS, IN THE CITY OF BERKELEY, ST. LOUIS COUNTY, MISSOURI.

Proposed Ord. No. 209-07 was presented and read. The District has been requested to vacate its rights to a storm drainage easement after the storm sewer was relocated at no cost to the District. The District has no future use for the existing easement.

Motion by Ms. Harshman, seconded by Mr. Rosenberg that proposed Ord. No. 209-07 be introduced.

Motion made, seconded and unanimously adopted to suspend the rules to allow for adoption of proposed Ord. No. 209-07.

Motion made by Ms. Joyce-Hayes, seconded by Mr. Rosenberg that proposed Ord. No. 209-07 be adopted.

Motion passed – 4 ayes, no nays

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| Poll taken: | J. Goffstein | aye | E. Harshman | aye |
| | D. Rosenberg | aye | D. Joyce-Hayes | aye |

The Chair declared proposed Ord. No. 209-07 adopted and it was assigned Ordinance No. 12437.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 210-07 VACATING PORTIONS OF TWO TEN-FOOT (10') WIDE EASEMENTS AND A FIFTEEN-FOOT (15') WIDE EASEMENT IN LOT 2 OF HOME DEPOT OF BRIDGETON SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 346, PAGES 571-572 OF THE ST. LOUIS COUNTY RECORDS, IN THE CITY OF BRIDGETON, ST. LOUIS COUNTY, MISSOURI.

Proposed Ord. No. 210-07 was presented and read. The District has been requested to vacate its rights to easements on a commercial lot not occupied by sewers. The District did not pay for these easements and has no future use for the easements to be vacated.

Motion by Ms. Harshman, seconded by Mr. Rosenberg that proposed Ord. No. 210-07 be introduced.

Motion made, seconded and unanimously adopted to suspend the rules to allow for adoption of proposed Ord. No. 210-07.

Motion made by Ms. Joyce-Hayes, seconded by Mr. Rosenberg that proposed Ord. No. 210-07 be adopted.

Motion passed – 4 ayes, no nays

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| Poll taken: | J. Goffstein | aye | E. Harshman | aye |
| | D. Rosenberg | aye | D. Joyce-Hayes | aye |

The Chair declared proposed Ord. No. 210-07 adopted and it was assigned Ordinance No. 12438.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 211-07 REPEALING ORDINANCE NO. 12281, AS ADOPTED AUGUST 31, 2006, AND ENACTING A NEW ORDINANCE IN LIEU THEREOF APPROPRIATING \$1,500,000.00 FROM THE SANITARY REPLACEMENT FUND FOR THE REPAIR, REMOVAL, REHABILITATION AND MODIFICATION OF EXISTING SEPARATE

SEWER SYSTEM OVERFLOWS IN SEPARATE SEWER OVERFLOW MODIFICATION AND MONITORING PROGRAM (2006174).

Proposed Ord. No. 211-07 was presented and read. This project consists of the removal, rehabilitation, and modification of existing SSOs to eliminate excessive inflow and infiltration and equipping with electric monitoring devices for future reporting purposes in coordination with on-going inspection program.

Motion by Ms. Harshman, seconded by Mr. Rosenberg that proposed Ord. No. 211-07 be introduced.

Motion made, seconded and unanimously adopted to suspend the rules to allow for adoption of proposed Ord. No. 211-07.

Motion made by Ms. Joyce-Hayes, seconded by Mr. Rosenberg that proposed Ord. No. 211-07 be adopted.

Motion passed – 4 ayes, no nays

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| Poll taken: | J. Goffstein | aye | E. Harshman | aye |
| | D. Rosenberg | aye | D. Joyce-Hayes | aye |

The Chair declared proposed Ord. No. 211-07 adopted and it was assigned Ordinance No. 12439.

Resolutions

ADOPTION OF RESOLUTION NO. 2706 SECTION 610.023.1, R.S. MO., PROVIDES THAT A PUBLIC GOVERNMENTAL BODY IS TO APPOINT A CUSTODIAN TO MAINTAIN THAT BODY'S RECORDS AND THE IDENTITY AND LOCATION OF THE CUSTODIAN IS TO BE MADE AVAILABLE UPON REQUEST.

Resolution No. 2706 was presented and read. This resolution provides notice to District employees and to the public of the District's compliance with the Sunshine Law.

Motion made by Ms. Joyce-Hayes, seconded by Mr. Rosenberg that Resolution No. 2706 be adopted.

Motion passed – voice vote; 4 ayes, no nays

ADOPTION OF RESOLUTION NO. 2707 ORDINANCE NO. 12008, ADOPTED JUNE 9, 2005, AUTHORIZED THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH CORPORATE CLAIMS MANAGEMENT, INC. (CCMI) WHEREBY CORPORATE CLAIMS MANAGEMENT, INC. (CCMI) WILL PROVIDE THIRD PARTY ADMINISTRATIVE SERVICES FOR THE DISTRICT'S WATER BACK-UP, WORKERS COMPENSATION, GENERAL LIABILITY, AUTO,

ERRORS AND OMISSIONS CLAIMS AND ANY OTHER CLAIM AGAINST THE DISTRICT, BOARD OF TRUSTEES, CIVIL SERVICE COMMISSION, RATE COMMISSION OR DISTRICT STAFF AS MAY BE ASSIGNED BY THE OFFICE OF RISK MANAGEMENT.

Resolution No. 2707 was presented and read. This contract provides claims administration for claims and adjustment costs. This resolution will authorize the District to exercise the second one year option and enter into a contract with Corporate Claims Management Inc from July 1, 2007 to June 30, 2008.

Motion made by Ms. Joyce-Hayes, seconded by Mr. Rosenberg that Resolution No. 2707 be adopted.

Motion passed – voice vote; 4 ayes, no nays

ADOPTION OF RESOLUTION NO. 2708 THE EXECUTIVE DIRECTOR HAS PREPARED A LIST OF PROPOSED EXPENDITURES FOR THE DISTRICT IN THE FORM OF A CAPITAL IMPROVEMENT & REPLACEMENT PROGRAM FOR FISCAL YEAR 2007-2008 IN COMPLIANCE WITH SECTION 7.130 OF THE DISTRICT'S PLAN.

Resolution No. 2708 was presented and read. This resolution will adopt the District's Capital Improvement & Replacement Program for fiscal year 2007-2008. This planning document is included in the District's 2007-2008 budget. This authorizes staff to begin implementation of the plan and to request adoption of contract authorizations and appropriations after July 1, 2007.

Motion made by Ms. Joyce-Hayes, seconded by Mr. Rosenberg that Resolution No. 2707 be adopted.

Motion passed – voice vote; 4 ayes, no nays

ADOPTION OF RESOLUTION NO. 2709 EXPRESSING THE BOARD OF TRUSTEES' APPRECIATION TO KENNETH M. BIGGERS FOR HIS 22 YEARS OF EXEMPLARY SERVICE TO THE METROPOLITAN ST. LOUIS SEWER DISTRICT FROM OCTOBER 29, 1984, TO HIS RETIREMENT EFFECTIVE JUNE 1, 2007.

Resolution No. 2709 was presented and read.

ADOPTION OF RESOLUTION NO. 2710 EXPRESSING THE BOARD OF TRUSTEES' APPRECIATION TO ROBERT E. DUNCAN FOR HIS 41 YEARS OF EXEMPLARY SERVICE TO THE METROPOLITAN ST. LOUIS SEWER DISTRICT FROM APRIL 11, 1966, TO HIS RETIREMENT EFFECTIVE JUNE 1, 2007.

Resolution No. 2710 was presented and read.

Motion made by Ms. Joyce-Hayes, seconded by Mr. Rosenberg that Resolution Nos. 2709 and 2710 be adopted.

Motion passed – voice vote; 4 ayes, no nays

Upon motion made Ms. Harshman, seconded by Mr. Goffstein, and unanimously passed, the meeting adjourned at 7:05 p.m.

Secretary-Treasurer