

JOURNAL OF THE (1454th) MEETING OF THE
BOARD OF TRUSTEES
THE METROPOLITAN ST. LOUIS SEWER DISTRICT
January 10, 2007 – 4:00 P.M.

The Trustees of the District met in Room 109 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 (excused)

Staff Members

J. L. Theerman, Executive Director
R. E. Hayman, General Counsel
K. J. Tyminski, Secretary-Treasurer
J. M. Zimmerman, Director of Finance
B. L. Hoelscher, Director of Engineering
J. C. Sprague, Director of Operations

Also present were Mr. Tom Sullivan, 35 N. Central; Shameka Watts, KPMG; Jim Mark, Armstrong Teasdale; Jovita Foster, Armstrong Teasdale; Bill Clarke, Horner & Shifrin; Robert Bella, HDR; John Schilling, Black & Veatch; Tom Ratzki, Black & Veatch; Bob Welsch, Stantec; Nicole Tompkins, CDM; Taliz Abins, CDM; Tim Embree, St. Louis City; Jeff Coleman, Robbins Grove; Lori Jones, Thompson Coburn; Ed Sweet, Parsons; Bently Green, CH2M Hill; Jon Berganthol, Jacobs; Vicki LaRuse, CDI; Jim Coll, Jacobs; Mike Borgard, Woolpert; Mark Kollitz, Woolpert; Burke Wasson, Call Newspapers; Tom Curran, Piper Jaffram; Vicki Taylor-Edwards, Director of Human Resources; Lance LeComb, Public Affairs Specialist; Barbara Mohn, Director of Information Systems; Mike Grace, Manager of Risk Management; Gene Rhodes, Audit Administrator; Debbie Johnson, Public Affairs; Marie Collins, Asst. Director of Engineering, 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 Ms. Harshman, seconded by Mr. Goffstein, 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).

Motion passed – 4 ayes, no nays

Poll taken:	D. Rosenberg	aye	J. Goffstein	aye
	E. Harshman	aye	C. Karam	aye

During closed session the Board had discussion regarding confidential, legal, or privileged matters under § 610.021 (1) RSMO 1988 SUPP.; leasing, purchase or sale of real estate under §610.021(2). Mr. Hayman updated the Board on certain legal issues including pending litigation and he discussed the sale of the 2000 Hampton facility indicating that it would be closed by the end of the month. No votes were taken.

Motion made by Mr. Goffstein, seconded by Mr. Rosenberg, to reconvene into open session.

Motion passed – 5 ayes, no nays

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

Ms. Joyce-Hayes arrived during closed session.

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Upon motion made by Ms. Harshman, seconded by Ms. Joyce-Hayes, the Journal of the December 13, 2007 meeting was approved by unanimous voice vote.

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The Chair had no comments.

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Mr. Karam reported that the Program Management Committee met on December 28, 2007 at 11:30 a.m. The meeting was attended by Trustees Karam, Rosenberg, and Joyce-Hayes.

The minutes of the December 5, 2007 meeting were approved.

Staff discussed the results of the voting in the Kehrs Mill Trails Subdivision. Of 97 total residences, 51 opposed, 38 approved, and 8 residences did not respond. With the failed vote, the project will be shelved and available for use in the future. A report on the December 5, 2007 Public Hearing and the resulting vote will be put into the record later this meeting. The Committee requested that the District send a letter to the residences included in the subdistrict to let them know that the District will shelve the project, but seek recovery of all costs if the project is resurrected in the future. The Committee discussed changes that should be considered in the Charter to make sure the District is reimbursed for any expenses incurred in developing a failed subdistrict project.

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

Item 28 – Missouri River Bonfils Phase VI – Staff reviewed the general and specific language in the District’s Charter and the Missouri River Bonfils OMCI Ordinance that allows these OMCI funds to be used to repair private lateral sewers. The Committee and the staff discussed the benefits to the OMCI subdistrict as well as to the District as a whole in increasing the effectiveness of the proposed improvements in eliminating infiltration to the separate sanitary sewer system. There was a discussion regarding the cost per lateral, the method that was used to identify the benefiting area, other sanitary issues that are to be addressed in this subdistrict, the use of the County’s lateral replacement program, and whether an ordinance change would allow these funds to be spent on stormwater projects. Trustees Hayes and Rosenberg were in favor of sending this project to the whole Board for consideration. Trustee Karam was not in favor and would like to amend the Missouri River Bonfils’ OMCI ordinance to fund stormwater projects. He would also like the District to further study the impact of working on private laterals.

Item 29 – Black Creek Phase I – Staff is requesting amendment and adoption of this ordinance. During construction, the contractor has encountered unforeseen rock, contaminated soils, and buried trolley tracks. Staff has requested that the ordinance be amended from \$270,000 to \$520,000. The project’s construction schedule is being coordinated with the shutdown of Highway 40 and remodeling at the Galleria.

Items 31 & 32 – Flow Metering – These appropriations will allow for the purchase of the remaining needed flow meters and for one final year of vendor assistance to transfer all flow metering activities in-house to the Operations Department.

Items 34 through 36 – UR-06, Black Creek, and Lemay Treatment Plant – Staff is seeking introduction and adoption of these items this evening in order to coordinate with the Highway 40 closure, coordinate with remodeling activities at the Galleria, and to provide cooling at the Lemay Treatment Plant before spring, respectively.

Staff then briefly reviewed the status of the collapsed storm sewer repair in Ferguson.

Finally, the Committee reviewed its mission statement and found that no changes were needed. The mission statement reads, “The role of the Program Management Committee is to provide governance oversight related to plans and programs associated with the planning, design, construction, and management of the District’s infrastructure improvements, and to review the expenditures from the District’s Capital Budget.”

The meeting was adjourned at 1:00 p.m.

Mr. Rosenberg reported that the Finance Committee met Tuesday January 8th at 7:30 a.m. In attendance were Trustees Buford and Rosenberg.

Mrs. Zimmerman reviewed the Districts ARC (Adjustment Review Committee) for November 2007 with a reduction in outstanding receivables of (\$51,260) and a total reduction of (\$379,880) YTD due from customers. This report was reviewed and accepted into the record by the Committee. Mrs. Zimmerman then reviewed the Districts Financial Position as of November 2007 with total Assets of \$2.58 billion and forecast of expenses of \$121.8 million for FY08 in line with projections. Mrs. Zimmerman recommended a transferring of unencumbered appropriated

balance of \$200,000 in the General Fund for the upcoming Rate Commission activities. This item for Board consideration is #44 on tonight's agenda.

Mr. Tyminski briefly discussed the performance of the Employees' Pension Plan investments through December 31, 2007, indicating that the total un-audited assets were at \$191.2 million with an estimated return for the year of 10.5% which exceeds the benchmark return of 7.5%. He also indicated that the District had liquidated its position with Ark Management in order to fund the new Smidcap manager Kennedy the first of this New Year.

Mr. Hayman reviewed the Legal Services contract RFP process and indicated that 12 law firms were sent RFP's. Mr. Hayman indicated that 10 law firms responded to the RFP. All 10 firms were interviewed by staff. After review, staff recommended services of Armstrong Teasdale LLP and Thompson Coburn LLP be retained for legal consulting services, each with a 1 year contract with 2 additional option years of renewal. The Finance Committee asks your consideration of agenda item numbers 41 & 42 for these services.

Mr. Tyminski indicated that the firm of Piper Jaffray & Co. is being added to the list of approved security dealers to reflect their separation from US Bank so that the District may execute investment transactions on the District's behalf. This is item #43 on tonight's agenda.

The meeting adjourned at 7:53 am.

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Mr. Theerman reported that on January 22, the District held its annual meeting with consultants on the coming years' anticipated capital improvement program. This event was held at the Engineers Club allowed our staff to present information about how consultants can become pre-qualified and participate in our program. The event started at 3pm and lasted approximately 2 hours with a networking event immediately following.

On Wednesday, January 9, the District's Rate Commission met to hear the present status of wastewater and stormwater rate changes and the events that have led us to return to the Commission with an alternative rate change proposal later in the month. David Rosenberg and myself as well as Jan Zimmerman, Karl Tyminski and Randy Hayman provided information on the wide variety of public input that led to the implementation of only the first increases for wastewater and stormwater. There was a general discussion about what form the alternative rate change proposal might take however no specific proposal was provided at that time.

The Commission also considered potential changes to their procedural rules and voted to maintain the same officers as have been in place over the past two years.

There was another Rate Commission meeting scheduled for January 18th where the staff anticipated delivering a rate change proposal for Commission consideration. This proposal provides for voter determination in the use of debt financing to help reduce the increase in wastewater rates over the period between fiscal 2008 and 2012. It also proposes a more gradual escalation of stormwater rates in the next few years. The proposal will not affect the rates put in place by the Board this past December. Both pertain to rate changes that would be required in later years.

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Mr. Sullivan addressed the Board and expressed his concern about the “flip-flopping” of the Rate Commission process and indicated that the change of direction on the bonding issue makes the process look like a sham. He also questioned the amount of money the District is spending on studies. He again, reiterated his position about the quality of service that Parson’s Water & Infrastructure provided the federal government in Iraq. He concluded by noting that the introduction & adoption of legal firms at the same meeting barred adequate public input.

Mr. Jeff Coleman addressed the Board and requested help in settling a billing dispute with the District of approximately \$77.00. He indicated that he is a resident of the Robins-Mill Estate subdivision. The Board asked that he meet with the Director of Finance after the meeting to resolve this issue.

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Mr. Tyminski noted that a report for the Kehrs Mill Trails Sanitary subdistrict had been filed and the voters in that subdistrict rejected the financing of sewer construction. Ms. Joyce-Hayes noted that the District Charter requires the District to pay for any exploratory costs associated with subdistricts projects even if they fail.

Mr. Theerman indicated that this is an item that will need to be addressed in the Charter change initiative.

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CONSENT AGENDA

ADOPTION OF PROPOSED ORD. NO. 84-08 (ORDINANCE NO. 12567) APPROPRIATING \$3,500,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF MARBENDALE – LEMP SANITARY FACILITIES CONSOLIDATION (2001139), IN THE CITY OF KIRKWOOD, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN KIRKWOOD SEWER DISTRICT TO ENTER INTO A CONTRACT WITH UNNERSTALL CONTRACTING CO., LTD. FOR THE AFORESAID CONSTRUCTION.

ADOPTION OF PROPOSED ORD. NO. 85-08 (ORDINANCE NO. 12568) APPROPRIATING \$19,000,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF CREVE COEUR CREEK (L-52) PUMP STATION IMPROVEMENTS (2003062A) IN THE CITY OF MARYLAND HEIGHTS, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH KCI CONSTRUCTION COMPANY FOR THE CONSTRUCTION OF THE AFORESAID PUMP STATION IMPROVEMENTS.

ADOPTION OF PROPOSED ORD. 86-08 (ORDINANCE NO. 12569) APPROPRIATING \$66,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR THE PROCUREMENT OF PUMP STATION EQUIPMENT AS PART OF THE LEMAY PUMP STATION NO. 3 (DRIVE PROCUREMENT) (2003078A) AND AUTHORIZING THE

EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH GRAYBAR ELECTRIC CO., INC. FOR THE FURNISHING OF THE AFORESAID PUMP STATION EQUIPMENT.

ADOPTION OF PROPOSED ORD. NO. 87-08 (ORDINANCE NO. 12570) APPROPRIATING \$100,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR THE PROCUREMENT OF PUMP STATION EQUIPMENT AS PART OF THE LEMAY PUMP STATION NO. 3 (PUMP PROCUREMENT) (2003078B) AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH VANDEVANter ENGINEERING A DIVISION OF LEE MATTHEWS EQUIPMENT, INC. FOR THE FURNISHING OF THE AFORESAID PUMP STATION EQUIPMENT.

ADOPTION OF PROPOSED ORD. NO. 88-08 (ORDINANCE NO. 12571) APPROPRIATING \$385,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR PROJECT COSTS FOR THE REHABILITATION AND EXPANSION OF THE EXISTING FACILITY IN BISSELL POINT - SEWER SOLID WASTE TRANSFER STATION (2006165) 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 REHABILITATION OF THE AFORESAID SANITARY SEWERS.

ADOPTION OF PROPOSED ORD. NO. 89-08 (ORDINANCE NO. 12572) APPROPRIATING \$3,300,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR PROJECT COSTS ASSOCIATED WITH THE LOWER MERAMEC RIVER SYSTEM IMPROVEMENTS – FINE ROAD LAGOON CLOSURE (95066N1) IN UNINCORPORATED 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 SYNAGRO CENTRAL, LLC FOR THE CLOSURE OF THE FINE ROAD LAGOON.

ADOPTION OF PROPOSED ORD. NO. 90-08 (ORDINANCE NO. 12573) MAKING A SUPPLEMENTAL APPROPRIATION OF \$1,125,000.00 FROM THE SANITARY REPLACEMENT FUND FOR CCTV INSPECTION AND PHYSICAL INSPECTION OF SEWERS – NORTH (2007236A) AND CCTV INSPECTION AND PHYSICAL INSPECTION OF SEWERS – SUPPORT SERVICES (2006166A) AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO AMENDMENT NO. 1 OF THE CONTRACT WITH ADS ENVIRONMENTAL SERVICES, LLC FOR THE AFORESAID CCTV AND PHYSICAL INSPECTION AND SUPPORT SERVICES.

ADOPTION OF PROPOSED ORD. NO. 91-08 (ORDINANCE NO. 12574) MAKING A SUPPLEMENTAL APPROPRIATION OF \$1,125,000.00 FROM THE SANITARY REPLACEMENT FUND FOR CCTV INSPECTION AND PHYSICAL INSPECTION OF SEWERS – SOUTH (2007236B) AND CCTV INSPECTION AND PHYSICAL INSPECTION OF SEWERS – SUPPORT SERVICES (2006166B) AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO AMENDMENT NO. 1 OF THE CONTRACT WITH ACE PIPE CLEANING, INC. FOR THE AFORESAID CCTV AND PHYSICAL INSPECTION AND SUPPORT SERVICES.

ADOPTION OF PROPOSED ORD. NO. 93-08 (ORDINANCE NO. 12575) APPROPRIATING \$430,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF SANITARY SEWERS IN CSO - INTERCEPTOR & OUTFALL MODIFICATIONS PHASE II (BP-012, BP-038) (2003053B6) 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 KARSTEN EQUIPMENT CO. FOR THE CONSTRUCTION OF THE AFORESAID SANITARY SEWERS.

ADOPTION OF PROPOSED ORD. NO. 94-08 (ORDINANCE NO. 12576) APPROPRIATING \$7,000,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR PROJECT COSTS FOR THE REHABILITATION OF SANITARY SEWERS IN INFRASTRUCTURE REPAIRS (REHABILITATION) (FY2008) (2007172) 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 INSITUFORM TECHNOLOGIES USA, INC. FOR THE REHABILITATION OF THE AFORESAID SANITARY SEWERS.

ADOPTION OF PROPOSED ORD. NO. 95-08 (ORDINANCE NO. 12577) APPROPRIATING \$53,000.00 FROM THE OPERATION, MAINTENANCE AND CONSTRUCTION IMPROVEMENT FUND OF DEER CREEK TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF STORM SEWERS IN AVIGNON CT. #1685 STORM SEWER (2006130), IN THE CITY OF WARSON WOODS, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH DIRTBUSTERS, INC. FOR THE CONSTRUCTION OF THE AFORESAID STORM SEWERS.

ADOPTION OF PROPOSED ORD. NO. 96-08 (ORDINANCE NO. 12578) APPROPRIATING \$82,000.00 FROM THE OPERATION, MAINTENANCE AND CONSTRUCTION IMPROVEMENT FUND OF FOUNTAIN CREEK TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF STORM SEWERS IN HARRISON AVE. #1375 STORM SEWER CONSOLIDATION AND OUTFALL (2006142), IN THE CITY OF FLORISSANT, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH HEARTLAND CONSTRUCTION & EXCAVATING FOR THE CONSTRUCTION OF THE AFORESAID STORM SEWERS.

ADOPTION OF PROPOSED ORD. NO. 97-08 (ORDINANCE NO. 12579) APPROPRIATING \$760,000.00 FROM THE OPERATION, MAINTENANCE AND CONSTRUCTION IMPROVEMENT FUND OF DEER CREEK TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF STORM SEWERS IN KORTWRIGHT - NORTH OF SHERRELL AND O'DAY STORM IMPROVEMENT (2005050), IN THE CITY OF ROCK HILL, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH SOUTHERN DITCHING & EXCAVATING COMPANY FOR THE CONSTRUCTION OF THE AFORESAID STORM SEWERS.

ADOPTION OF PROPOSED ORD. NO. 98-08 (ORDINANCE NO. 12580) APPROPRIATING \$60,000.00 FROM THE OPERATION, MAINTENANCE AND DESIGN IMPROVEMENT FUND OF MALINE CREEK TO REIMBURSE THE CITY OF COOL VALLEY, MISSOURI FOR THE COSTS OF DESIGN OF STORMWATER IMPROVEMENTS AS UNDERTAKEN BY SAID CITY IN EMERLING - EVANS DRAINAGE IMPROVEMENTS (2007166); AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE

METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH THE CITY OF COOL VALLEY, MISSOURI WHEREBY THE DISTRICT WILL REIMBURSE SAID CITY FOR THE DESIGN OF SAID STORMWATER IMPROVEMENTS.

ADOPTION OF PROPOSED ORD. NO. 99-08 (ORDINANCE NO. 12581) TRANSFERRING FUNDS BY RETURNING \$634,000.00 AS APPROPRIATED BY ORDINANCE NO. 12151, ADOPTED JANUARY 12, 2006, FOR THE COLDWATER TREATMENT PLANT IMPROVEMENTS (99077) TO THE SANITARY REPLACEMENT FUND BALANCE, AND APPROPRIATING \$634,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF COLDWATER TREATMENT PLANT IMPROVEMENTS (99077); IN ST. LOUIS COUNTY, MISSOURI.

ADOPTION OF PROPOSED ORD. NO. 100-08 (ORDINANCE NO. 12582) MAKING A SUPPLEMENTAL APPROPRIATION OF \$575,000.00 FROM THE SANITARY REPLACEMENT FUND FOR ENGINEERING SERVICES FOR THE FINAL DESIGN OF CREVE COEUR CREEK (L-52) PUMP STATION IMPROVEMENTS (2003062); 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-1101 WITH CAMP DRESSER & MCKEE, INC., FOR THE AFORESAID ENGINEERING SERVICES.

Plan Approval

Edwin Ave #767 Storm Sewer Improvements (2006137)

This project, located in south of Manchester and east of Sappington Rd in Glendale, MO, is to alleviate rear yard flooding at 767 Edwin Ave. This project is in the Fiscal Year 2007 Budget and the estimated construction cost is \$187,000.

Lower Meramec River WWTP Site Restoration/Landscaping Improvements (95066H)

This project, located in the unincorporated St. Louis County, is to restore and landscape part of the completed Lower Meramec River treatment plant site. This project is in the Fiscal Year 2008 Budget and the estimated construction cost is \$175,000.

Motion made by Ms. Harshman, seconded by Ms. Joyce-Hayes, that the Consent Agenda be adopted.

Motion passed – 5 ayes, no nays

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

The Chair declared the Consent Agenda adopted and proposed Ord. Nos. 84-08, 85-08, 86-08, 87-08, 88-08, 89-08, 90-08, 91-08, 93-08, 94-08, 95-08, 96-08, 97-08, 98-08, 99-08, and 100-08, and were assigned Ordinance Nos. 12567, 12568, 12569, 12570, 12571, 12572, 12573, 12574, 12575, 12576, 12577, 12578, 12579, 12580, 12581, and 12582.

UNFINISHED BUSINESS

Ordinances

AMENDMENT AND ADOPTION OF PROPOSED ORD. NO. 68-08 (ORDINANCE NO. 12583) APPROPRIATING \$1,600,000.00 FROM THE OPERATION, MAINTENANCE AND CONSTRUCTION IMPROVEMENT FUND OF MISSOURI RIVER BONFILS FOR A SANITARY SEWER PILOT PROGRAM TO MEASURE AND REDUCE INFLOW THROUGH MISSOURI RIVER BONFILS INFILTRATION AND INFLOW CORRECTION PHASE VI (LATERAL SEWER REHABILITATION) (97040D) IN THE CITIES OF BRIDGETON AND HAZELWOOD, MISSOURI.

Proposed Ord. No. 68-08 was presented and read. This project is the sixth and final phase of a multi-phased project to clean, televise and monitor existing sanitary sewers in order to reduce inflow by rehabilitating problematic reaches. Phase VI is a pilot program to determine the effectiveness of rehabilitating service laterals and connections in order to eliminate infiltration. Phase VI consists of the rehabilitation of service laterals and post construction flow monitoring and analysis. 166 individual locations have been identified. 25 or more could be added as additional agreements are signed. This project is scheduled to be completed in 90 days.

Motion by Mr. Rosenberg, seconded by Mr. Goffstein that proposed Ord. No. 68-08 be amended.

Motion passed – 4 ayes, 1 nay

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

Motion made, seconded and unanimously adopted to suspend the rules to allow for adoption of proposed Ord. No. 68-08.

Motion made by Mr. Rosenberg, seconded by Mr. Goffstein that proposed Ord. No. 68-08 be adopted.

Motion passed – 4 ayes, 1 nay

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

AMENDMENT AND ADOPTION OF PROPOSED ORD. NO. 92-08 (ORDINANCE NO. 12584) APPROPRIATING \$520,000.00 FROM THE SANITARY REPLACEMENT FUND TO REIMBURSE CITADEL CONSTRUCTION MANAGEMENT, LLC FOR THE COSTS OF CONSTRUCTION OF SANITARY SEWERS AS UNDERTAKEN BY CITADEL CONSTRUCTION MANAGEMENT, LLC IN BLACK CREEK SANITARY RELIEF (HIGHWAY 40 TO WENLOU DRIVE) PHASE I (2002103A) IN THE CITY OF CLAYTON, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF

OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH CITADEL CONSTRUCTION MANAGEMENT, LLC WHEREBY THE DISTRICT WILL REIMBURSE CITADEL CONSTRUCTION MANAGEMENT, LLC FOR THE CONSTRUCTION OF SAID SANITARY SEWERS.

Proposed Ord. No. 92-08 was presented and read. The work to be done under this contract consists of the construction of approximately 504 lineal feet of pipe sewers 8-inches in diameter and appurtenances. The purpose of this project is to alleviate property damage due to basement backups and overcharged sanitary sewers. This project will also provide for separation of a combined sewer and for future elimination of a combined sewer overflow. This project is scheduled to be completed in 120 days.

Motion by Ms. Harshman, seconded by Ms. Joyce-Hayes that proposed Ord. No. 92-08 be amended.

Motion passed – 5 ayes, no nays

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

Motion made, seconded and unanimously adopted to suspend the rules to allow for adoption of proposed Ord. No. 92-08.

Motion made by Mr. Rosenberg, seconded by Ms. Joyce-Hayes that proposed Ord. No. 92-08 be adopted.

Motion passed – 5 ayes, no nays

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

Resolutions

None

NEW BUSINESS

Ordinances

INTRODUCTION OF PROPOSED ORD. NO. 104-08 APPROPRIATING \$290,000.00 FROM THE WELLSTON OPERATION, MAINTENANCE AND CONSTRUCTION IMPROVEMENT FUND TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF STORM SEWERS IN THE FERGUSON AVENUE AND SALERNO COURT STORM IMPROVEMENT (2003139), IN THE CITY OF PAGEDALE, 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 AFORESAID CONSTRUCTION.

Proposed Ord. No. 104-08 was presented and read. The work to be done under this contract consists of the construction of approximately 1,100 lineal feet of pipe sewers varying in size from 12-inches to 18-inches in diameter and appurtenances. The purpose of this project is to alleviate property loss and damage due to stormwater flooding. This project is scheduled to be completed in 225 days.

Motion made by Ms. Joyce-Hayes, seconded by Mr. Rosenberg that proposed Ord. No.104-08 be introduced.

Motion passed – 5 ayes, no nays

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

INTRODUCTION OF PROPOSED ORD. NO. 105-08 APPROPRIATING \$1,600,000.00 FROM THE SANITARY REPLACEMENT FUND FOR THE PROCUREMENT OF FLOW METERING AND MONITORING EQUIPMENT ACQUISITION (2007235A), TO BE USED DISTRICT-WIDE.

Proposed Ord. No. 105-08 was presented and read. This ordinance appropriates funds and to allow the District to purchase flow meters, rain gages, and other necessary equipment to establish a data collection program managed by District staff. This data was previously provided to the District by an outside vender and is transitioning to being completed by District personnel. Funds were previously allocated to purchase a portion of the needed equipment, including 150 meters and communication devices, in the appropriation for last years flow-monitoring program provided by ADS Environmental Services, LLC. The acquisition under this appropriation of 175 small diameter flow meters, 25 large diameter flow meters, and appurtenances will bring the total number of meters owned by the District to 350. The collection of this data will allow the District to comply with regulatory requirements associated with the SSO and CSO control plan development.

Motion by Mr. Rosenberg, seconded by Ms. Joyce-Hayes that proposed Ord. No. 105-08 be introduced.

Motion passed – 5 ayes, no nays

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

INTRODUCTION OF PROPOSED ORD. NO. 106-08 APPROPRIATING \$2,250,000 FROM THE SANITARY REPLACEMENT FUND FOR FLOW METERING AND MONITORING SERVICES FOR FLOW METERING AND MONITORING EQUIPMENT ACQUISITION (2007235B) AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO AMENDMENT NO. 1 OF THE CONTRACT WITH ADS ENVIRONMENTAL SERVICES FOR THE AFORESAID FLOW METERING AND MONITORING SERVICES.

Proposed Ord. No. 106-08 was presented and read. This ordinance appropriates supplemental funds and authorizes the District to exercise the first option year and execute Amendment No. 1 to the current contract with ADS Environmental Services, LLC to provide flow monitoring and rain gage services. This data will provide data to District staff, planning consultants, and design consultants with information regarding flow, level, and velocity to characterize the sewer system response to dry and wet weather events. The data is used in refining and calibrating hydraulic models for use in the CSO and SSO programs as well as the future Capital Improvement and Replacement Program. ADS will provide flow monitoring and rain gage data collection for the combined sewer area while data for the separate sewer area will be collected by in-hose District staff. Appropriation of these funds will allow ADS Environmental Services, LLC to assist the District as the program transitions to be provided completely by District personnel.

Motion by Mr. Rosenberg, seconded by Ms. Joyce-Hayes that proposed Ord. No. 106-08 be introduced.

Motion passed – 5 ayes, no nays

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

INTRODUCTION OF PROPOSED ORD. NO. 107-08 MAKING A SUPPLEMENTAL APPROPRIATION OF \$2,000,000.00 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. 3 OF CONTRACT E-1173 WITH PARSONS WATER & INFRASTRUCTURE, INC. FOR THE AFORESAID ENGINEERING SERVICES.

Proposed Ord. No. 107-08 was presented and read. This ordinance appropriates supplemental funds and authorizes the District to enter into Amendment No. 3 with Parsons Water & Infrastructure Inc. The primary services to be provided by the Stormwater Planning Consultant for this amendment are:

- Perform approximately 800 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.
- Approximately 400 of the 2,500 existing identified projects will be conceptually reviewed and analyzed. All projects will be evaluated and ranked by the new priority system.
- Approximately 20 – 30 preliminary studies/project definitions within existing OMCI areas will be completed 6 to 8 months prior to budget preparation.

Upon execution of Amendment No. 3, this contract will have one option year remaining. The work of the Stormwater Planning Consultant will be related to identifying maintenance issues and verifying capital needs. A majority of the work will be performed by mid to entry-level engineers and field technicians. In addition, it is anticipated that District personnel will assist in the detention basin inventory efforts this year.

Motion by Mr. Karam, seconded by Ms. Joyce-Hayes that proposed Ord. No. 107-08 be introduced.

Motion passed – 4 ayes, no nays, 1 abstain

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

INTRODUCTION OF PROPOSED ORD. NO. 115-08 AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH THE LAW FIRM OF ARMSTRONG TEASDALE, LLP WHEREBY ARMSTRONG TEASDALE, LLP, WILL PROVIDE GENERAL LEGAL SERVICES, INCLUDING BUT NOT LIMITED TO THE AREAS OF CIVIL LITIGATION AND RESEARCH, HUMAN RESOURCES LAW, REAL PROPERTY LAW AND ADMINISTRATIVE MATTERS, FOR THE DISTRICT, WITH AN EMERGENCY CLAUSE.

Proposed Ord. No. 115-08 was presented and read. This ordinance will provide the District with general legal services, including, but not limited to, matters in the areas of general civil litigation and research, human resources (such as pension, employee benefits and labor issues) and real estate matters. In addition, the law firm may be called upon to assist the District with administrative hearings associated with legal interactions with such administrative bodies as the Rate Commission and Civil Service Commission.

Motion by Mr. Rosenberg, seconded by Ms. Harshman that proposed Ord. No. 115-08 be introduced.

Motion passed – 4 ayes, no nays, 1 abstain

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

INTRODUCTION OF PROPOSED ORD. NO. 116-08 AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH THE LAW FIRM OF THOMPSON COBURN, LLP WHEREBY THOMPSON COBURN, LLP, WILL PROVIDE GENERAL LEGAL SERVICES, INCLUDING BUT NOT LIMITED TO THE AREAS OF CIVIL LITIGATION AND RESEARCH, HUMAN RESOURCES LAW, REAL PROPERTY LAW AND ADMINISTRATIVE MATTERS, FOR THE DISTRICT, WITH AN EMERGENCY CLAUSE.

Proposed Ord. No. 116-08 was presented and read. This ordinance will provide the District with general legal services, including, but not limited to, matters in the areas of general civil litigation and research, human resources (such as pension, employee benefits and labor issues) and real estate matters. In addition, the law firm may be called upon to assist the District with administrative hearings associated with legal interactions with such administrative bodies as the Rate Commission and Civil Service Commission.

Motion by Mr. Rosenberg, seconded by Ms. Harshman that proposed Ord. No. 116-08 be introduced.

Motion passed – 4 ayes, no nays, 1 abstain

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

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 108-08 APPROPRIATING \$3,000,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF SANITARY SEWERS IN UR-06 UPPER RIVER DES PERES SANITARY RELIEF PHASE II (89170), IN THE CITIES OF UNIVERSITY CITY, OVERLAND 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 BATES UTILITY COMPANY, INC. FOR THE AFORESAID CONSTRUCTION.

Proposed Ord. No. 108-08 was presented and read. The work to be done under this contract consists of the construction of approximately 3,654 lineal feet of pipe sewers varying in size from 8-inches to 42-inches in diameter and appurtenances. This construction is the second phase of a two-phase capital improvement program. The purpose of this project is to alleviate basement backups and overcharged sanitary sewers. Three sanitary sewer bypasses will be eliminated with this project. This project is scheduled to be completed in 596 days.

Motion by Mr. Karam, seconded by Mr. Rosenberg that proposed Ord. No. 108-08 be introduced.

Motion made, seconded and unanimously adopted to suspend the rules to allow for adoption of proposed Ord. No. 108-08.

Motion made by Mr. Rosenberg, seconded by Ms. Harshman that proposed Ord. No. 108-08 be adopted.

Motion passed – 56 ayes, no nays

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

The Chair declared proposed Ord. No. 108-08 adopted and it was assigned Ordinance No. 12585.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 109-08 APPROPRIATING \$2,000,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF SANITARY AND STORM SEWERS IN BLACK CREEK SANITARY RELIEF (HIGHWAY 40 TO WENLOU DRIVE) (2002103), IN THE CITY OF RICHMOND HEIGHTS, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH FRED M. LUTH & SONS, INC. FOR THE AFORESAID CONSTRUCTION.

Proposed Ord. No. 109-08 was presented and read. The work to be done under this contract consists of the construction of approximately 386 lineal feet of storm sewers varying in size from 12-inches to 48-inches in diameter, 1,844 lineal feet of sanitary sewers varying in size from 8-inches to 18-inches in diameter, and appurtenances. The purpose of this project is to alleviate property damage due to basement backups and overcharged sanitary sewer and to separate a combined sewer and eliminate a combined sewer overflow. This project is scheduled to be completed in 270 days.

Motion by Mr. Karam, seconded by Mr. Rosenberg that proposed Ord. No. 109-08 be introduced.

Motion made, seconded and unanimously adopted to suspend the rules to allow for adoption of proposed Ord. No. 109-08.

Motion made by Mr. Karam, seconded by Mr. Rosenberg that proposed Ord. No. 109-08 be adopted.

Motion passed – 5 ayes, no nays

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

The Chair declared proposed Ord. No. 109-08 adopted and it was assigned Ordinance No. 12586.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 110-08 APPROPRIATING \$230,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF THE LEMAY WWTP SECONDARY CHILLER PIPING REPLACEMENT (2007154), IN UNINCORPORATED 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 GROSS MECHANICAL CONTRACTORS, INC. FOR THE CONSTRUCTION OF THE AFORESAID LEMAY WWTP SECONDARY CHILLER PIPING REPLACEMENT.

Proposed Ord. No. 110-08 was presented and read. The work to be done under this contract consists of pipe replacement limited to the condenser water system, including the replacement of all suction side and discharge side piping to the chillers. The purpose of this project is to replace corroded piping prior to failure. This project is scheduled to be completed in 90 days.

Motion by Mr. Rosenberg, seconded by Mr. Karam that proposed Ord. No. 110-08 be introduced.

Motion made, seconded and unanimously adopted to suspend the rules to allow for adoption of proposed Ord. No. 110-08.

Motion made by Mr. Rosenberg, seconded by Ms. Joyce-Hayes that proposed Ord. No. 110-08 be adopted.

Motion passed – 5 ayes, no nays

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

The Chair declared proposed Ord. No. 110-08 adopted and it was assigned Ordinance No. 12587.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 111-08 VACATING A PORTION OF A TEN-FOOT (10') WIDE EASEMENT LOCATED IN LOT 2 OF WALTER MIDWAY ESTATES SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 118, PAGE 21 OF THE ST. LOUIS COUNTY RECORDS, IN ST. LOUIS COUNTY, MISSOURI.

Proposed Ord. No. 111-08 was presented and read. The District has been requested to vacate its rights to a ten-foot (10') wide easement in Lot 2 of Walter Midway Estates after the sewer was relocated. A new easement has been obtained at no cost to the District and the District has no future use for the easement being vacated.

Motion by Mr. Rosenberg, seconded by Ms. Joyce-Hayes that proposed Ord. No. 111-08 be introduced.

Motion made, seconded and unanimously adopted to suspend the rules to allow for adoption of proposed Ord. No. 111-08.

Motion made by Ms. Joyce-Hayes, seconded by Mr. Rosenberg that proposed Ord. No. 111-08 be adopted.

Motion passed – 5 ayes, no nays

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

The Chair declared proposed Ord. No. 111-08 adopted and it was assigned Ordinance No. 12588.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 112-08 VACATING A PORTION OF A VARIABLE WIDTH EASEMENT IN LOT 12 OF LAKE VIEW PARK SUBDIVISION, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 291, PAGE 19 OF THE ST. LOUIS COUNTY RECORDS, IN ST. LOUIS COUNTY, MISSOURI.

Proposed Ord. No. 112-08 was presented and read. The District has been requested to vacate its rights to easements on the south and west sides of Lot 12 of Lake View Park Subdivision. There are no sewers in the easements on this residential lot. The District did not pay for these easements and has no future use for the easements being vacated.

Mr. Hoelscher, Director of Engineering, indicated that this item is being held due to a settlement of an outstanding sewer bill.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 113-08 VACATING PORTIONS OF VARIOUS VARIABLE WIDTH EASEMENTS LOCATED IN LOTS 'H', 'J', 'K' AND OUTLOT 'A' IN CITY BLOCK 6493, BEING PART OF TRACT 3 OF BLUMEYER SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 37, PAGES 16 AND 17 OF THE CITY OF ST. LOUIS, MISSOURI.

Proposed Ord. No. 113-08 was presented and read. The District has been requested to vacate its rights to various alley and street rights-of-way of various widths in C.B. 6493 and 1987 after sewers were removed and or relocated in this residential/commercial area. The District did not pay for the easements to be vacated and the District has no future use for the easements.

Motion by Mr. Rosenberg, seconded by Ms. Joyce-Hayes that proposed Ord. No. 113-08 be introduced.

Motion made, seconded and unanimously adopted to suspend the rules to allow for adoption of proposed Ord. No. 113-08.

Motion made by Ms. Joyce-Hayes, seconded by Mr. Rosenberg that proposed Ord. No. 113-08 be adopted.

Motion passed – 5 ayes, no nays

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

The Chair declared proposed Ord. No. 113-08 adopted and it was assigned Ordinance No. 12589.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 114-08 VACATING A PORTION OF A TEN-FOOT (10') WIDE EASEMENT LOCATED IN LOT 33 OF CONNIE LEE ACRES SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 61, PAGE 49 OF THE ST. LOUIS COUNTY RECORDS, CITY OF BALLWIN, ST. LOUIS COUNTY, MISSOURI.

Proposed Ord. No. 114-08 was presented and read. The District has been requested to vacate its rights to a ten-foot (10') wide easement. The property owner has provided a new easement to cover an existing sewer built out of the easement to be vacated. The District did not pay for the easement on residential property and has no future use for the existing easement to be vacated.

Motion by Mr. Rosenberg, seconded by Ms. Joyce-Hayes that proposed Ord. No. 114-08 be introduced.

Motion made, seconded and unanimously adopted to suspend the rules to allow for adoption of proposed Ord. No. 114-08.

Motion made by Ms. Joyce-Hayes, seconded by Mr. Rosenberg that proposed Ord. No. 114-08 be adopted.

Motion passed – 5 ayes, no nays

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

The Chair declared proposed Ord. No. 114-08 adopted and it was assigned Ordinance No. 12590.

Resolutions

ADOPTION OF RESOLUTION NO. 2754 WHEREAS UNDER PROVISIONS OF ORDINANCE NO. 12010, SECTION TWO ADOPTED ON JUNE 9, 2005, THE LIST OF APPROVED DEPOSITARY BANKS MAY BE MODIFIED FROM TIME TO TIME BY RESOLUTION OF THE BOARD OF TRUSTEES OF THE DISTRICT.

Resolution No. 2754 was presented and read. At least annually, the District updates the list of approved banking institutions which it may deposit funds with. Typically, the District will invest in collateralized certificates of deposit, collateralized money market funds and collateralized time deposits with local banking institutions. This resolution authorizes a list of institutions that have been pre-qualified by the District. It also authorizes a list of security dealers that may execute investment transactions on the District's behalf. In this instance the firm of Piper Jaffray & Co is being added to the list of approved security dealers. This reflects their separation from U S Bank.

Motion made by Mr. Rosenberg, seconded by Ms. Joyce-Hayes that Resolution No. 2754 be adopted.

Motion passed – voice vote; 5 ayes, no nays

ADOPTION OF RESOLUTION NO. 2755 TRANSFERRING UNENCUMBERED APPROPRIATED BALANCES TOTALING \$200,000.00 FROM CERTAIN CLASSIFICATIONS OF EXPENDITURE WITHIN THE GENERAL FUND TO OTHERS WITHIN THE GENERAL FUND TO MEET THE OPERATING NEEDS OF THE DISTRICT FOR THE REMAINDER OF THE FISCAL YEAR 2007-2008.

Resolution No. 2755 was presented and read. This resolution transfers unencumbered appropriated balances from certain allowable expenditure classifications to another within the General Fund to meet the operating needs of the District for the remainder of the Fiscal Year 2007-2008.

Motion made by Mr. Rosenberg, seconded by Ms. Harshman that Resolution No. 2755 be adopted.

Motion passed – voice vote; 5 ayes, no nays

Upon motion made Ms. Harshman, seconded by Ms. Joyce-Hayes, and unanimously passed, the meeting adjourned at 5:35 p.m.

Secretary-Treasurer