

JOURNAL OF THE (1402<sup>nd</sup>) MEETING OF THE  
BOARD OF TRUSTEES  
THE METROPOLITAN ST. LOUIS SEWER DISTRICT  
MARCH 11, 2004 - 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

R. J. Baer, Chair  
H. Crumpton, Vice Chair  
B. J. Margiotta  
M. A. Rhodes  
D. J. Hayes  
J. M. Swartz

Staff Members

J. L. Theerman, Acting Executive Director  
R. E. Hayman, General Counsel  
K. J. Tyminski, Secretary-Treasurer  
G. Rhodes, Interim Internal Auditor  
J. M. Zimmerman, Director of Finance  
B. Hoelscher, Director of Engineering  
D. St. Pierre, Asst. Director of Operations

Also present were Tom Sullivan, 35 N. Central; Bob Januska, RJN; Eric Cowan, Banc of America; David Eike, Farnsworth Group; Jim Coll, Jacobs Civil; Jim Hagerty, CDM; J. Vanda, PFM; Curtis Robinson, TKG & Assoc.; R. Bella, HDR; Jim Touslee, B & V; B. Reynolds, Laclede Gas; Dan Ryan, Laclede Gas; Mark Grosseneacher, HNTB Corp.; Jim McHoney, David Mason & Assoc.; Ron Krusie, O'Brien & Gere; Pete Greuelding, O'Brien & Gere; Lawrence Nwachukwu, Basilico Engineering; John Schilling, B & V; Jon Keeling, FMSM Engineers; John Basilico, Howard Bend Levee District; Debbie Schnedler, Lamont Financial; Jean Metzder, Hardwick Law Firm; W. Adoul, Cochren; Debbie Rush, Thompson Coburn; Rick Clovtire, CDM; Dan Currence, ADS; Marc Eshelman, HDR; Mike Reid, Senator John Loudon's Office; Phil Sutin, St. Louis Post-Dispatch; Cliff Brunt, Call Newspapers; Vicki Taylor Edwards, Director of Human Resources; Worris Levine, Director of Information Systems; Steve Brown, Assistant Director of Human Resources; Theresa Bellville, Assistant Director of Finance; Pete Sanocki, Assistant Director of Engineering; Dan DeWilde, Assistant Director of Information Systems; Bob Breig, Assistant Secretary-Treasurer; John Lodderhose, Assistant Director of Environmental Compliance; Lance LeComb, Public Affairs Specialist; Bruce Kozozenski, Manager of Risk Management; Carole Willis, Accountant III; Bob Zinkl, Project Manager, Information Systems; Jeanne Tinsley, Senior Financial Analyst; Chris May, Treasury Associate; and Sheri Nackley, Secretary to Board of Trustees.

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Mr. Baer opened the meeting pursuant to notice and call.

(Ms. Joyce-Hayes had not yet arrived.)

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Motion made by Mr. Crumpton, seconded by Ms. Rhodes, that the Board go into closed session to discuss legal, confidential or privileged matters under §610.021(1), RSMO 1988 Supp., leasing, purchase or sale of real estate under §610.021(2), and personnel actions under §610.021(3).

Motion passed – 5 ayes, no nays

Poll taken:	M. A. Rhodes	aye	H. Crumpton	aye
	R. J. Baer	aye	B. J. Margiotta	aye
	J. M. Swartz	aye		

No formal action was taken during closed session regarding legal, confidential or privileged matters under §610.021(1), RSMO 1988 Supp., leasing, purchase or sale of real estate under §610.021(2), and personnel actions under §610.021(3).

(Ms. Joyce-Hayes arrived during Closed Session.)

Motion made by Ms. Rhodes, seconded by Ms. Swartz, to reconvene into open session.

Motion passed – 6 ayes, no nays

Poll taken:	M. A. Rhodes	aye	H. Crumpton	aye
	R. J. Baer	aye	B. J. Margiotta	aye
	J. M. Swartz	aye	D. J. Hayes	aye

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Motion made by Mr. Baer, seconded by Ms. Swartz, to open nominations for the office of Vice Chair.

Motion made by Ms. Swartz, seconded by Mr. Margiotta, to nominate Mr. Harold Crumpton for the office of Vice Chair.

Mr. Baer asked if there were any other nominations.

Being none, the Secretary-Treasurer called for a voice vote.

Motion passed – all ayes

Motion made by Ms. Rhodes, seconded by Ms. Swartz, to close nominations for the office of Vice Chair.

Motion passed – voice vote; all ayes

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Upon motion made by Ms. Swartz, seconded by Ms. Rhodes, the Journal of the February 12, 2004 (1401<sup>st</sup>) meeting was unanimously approved.

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Mr. Baer read a resolution thanking Mr. Claude Brown for his service on the MSD Board of Trustees.

Mr. Brown gave a short speech.

Mr. Baer announced that Mr. Crumpton will serve on the Board's Finance Committee and Chair the Intergovernmental Relations Committee.

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Mr. Baer called for reports of Board Committees.

Mr. Margiotta, Chair of the Program Management Committee, reported that the Committee met on March 8 and discussed the items on tonight's agenda. The staff updated the Board on the four groups that had presented problems at the last Board meeting. The status of the Lower Meramec Program was given. Staff also reviewed the status of all outstanding audit comments. Finally, a presentation was given on the Application Portfolio Assessment agenda item being introduced this evening.

Mr. Baer indicated that the Finance Committee met on March 4. The Committee listened to presentations given by organizations interested in serving on the MSD Rate Commission. The Board held discussions on the selections for the five Rate Commission openings. The issue was tabled until the next meeting. It was agreed a decision needs to be made at the next Board meeting.

Mr. Baer called upon Mr. Tyminski to speak on the bond issue and the State Revolving Fund.

Mr. Tyminski introduced Ms. Vanda from the Finance Team to give an update on the status of the bond issue.

Ms. Vanda indicated that everything is on schedule for the bonds to be issued the week of April 19. The bonds will be called "The Wastewater System Revenue Bonds."

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Mr. Theerman announced that the District's 2003 Annual Report is available on the District's website. This report provides information on the District's operations and initiatives for the year. Also included, are the audit and financial statements for fiscal year ending June 30, 2003. The annual report was produced for \$30,000.00 less than last year's report. The District has a limited amount of hard copies for those who do not have excess to the Internet.

He also noted that the preliminary budget for fiscal year 2004-2005 is available. There are a limited number of copies available of the Capital Improvement and Replacement Program budget.

He indicated that the Board has scheduled three Finance Committee meetings in April for in depth budget and strategic plan review. The meetings consist of the operating budget and linkage to the strategic business plan, CIRP and then an all consolidated look at how the budget plays against the revenue. The preliminary budget is available on the District's website. The final budget should be complete by June 30, 2004.

He concluded by noting that the District has received, for the 17<sup>th</sup> consecutive year, the Government Finance Officers Association award for distinguished budget presentation and that there will be two Board meetings in April; a special Board meeting on April 1, 2004 and the regular monthly Board meeting on April 22, 2004.

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Mr. Baer called for public comments.

Mr. Sullivan commented on a letter that former police officers had written on a rebuttal of a letter that appeared earlier in the Suburban Journal.

Mr. Baer acknowledged knowing the officers but had no knowledge of them writing the letter to the Journal.

Mr. Sullivan questioned the following agenda items:

Item #15, proposed Ord. No. 144-04; Item #27, proposed Ord. No. 154-04; Item #28, proposed Ord. No. 155-04; and Item #34, proposed Ord. No. 161-04.

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## CONSENT AGENDA

ADOPTION OF PROPOSED ORD. NO. 140-04 (ORDINANCE NO. 11686) APPROPRIATING \$540,000.00 FROM THE IMPROVEMENT FUND TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF SANITARY SEWERS IN DC-09 DEER CREEK SANITARY RELIEF PHASE II (90019B), IN THE CITY OF LADUE, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH BI-STATE UTILITIES COMPANY FOR THE CONSTRUCTION OF THE AFORESAID SANITARY SEWERS.

ADOPTION OF PROPOSED ORD. NO. 141-04 (ORDINANCE NO. 11687) APPROPRIATING \$125,000.00 FROM THE IMPROVEMENT FUND TO BE USED FOR A PORTION OF THE PROJECT COSTS FOR THE CONSTRUCTION OF COMBINED SEWERS IN ST. ANGE SEWER REHABILITATION (90200), 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 INSITUFORM TECHNOLOGIES, USA, INC., FOR THE CONSTRUCTION OF THE AFORESAID COMBINED SEWERS.

ADOPTION OF PROPOSED ORD. NO. 143-04 (ORDINANCE NO. 11688) MAKING A SUPPLEMENTAL APPROPRIATION OF \$20,000.00 FROM THE REAL PROPERTY PURCHASE IMPROVEMENT AND ALTERATION FUND FOR ADDITIONAL ARCHITECTURAL SERVICES TO PROVIDE A MASTER PLAN FOR SPACE UTILIZATION AT MARKET #2350 (2002058); 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-1019 WITH CHRISTNER, INC., FOR THE AFORESAID ADDITIONAL ARCHITECTURAL SERVICES.

ADOPTION OF PROPOSED ORD. NO. 144-04 (ORDINANCE NO. 11689) APPROPRIATING \$250,000.00 FROM THE GENERAL FUND OF THE DISTRICT TO BE USED FOR ENGINEERING SERVICES FOR THE COMBINED SEWER OVERFLOW LONG TERM CONTROL PLAN UPDATE (95040); AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO AMENDMENT NO. 8 TO CONTRACT E-736 WITH JACOBS CIVIL, INC. FOR THE AFORESAID ENGINEERING SERVICES.

ADOPTION OF PROPOSED ORD. NO. 145-04 (ORDINANCE NO. 11690) AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH CHARTER ADVERTISING WHEREBY CHARTER ADVERTISING WILL PRODUCE AND AIR STORM WATER EDUCATIONAL INFOMERCIALS AS REQUIRED BY THE ST. LOUIS COUNTY PHASE II STORM WATER MANAGEMENT PLAN AND ASSOCIATED NPDES PERMIT. – FUNDED FROM THE ENGINEERING DEPARTMENT’S OPERATING BUDGET - \$80,000.00.

ADOPTION OF PROPOSED ORD. NO. 146-04 (ORDINANCE NO. 11691) REPEALING ORDINANCE NO. 10082, AS ADOPTED MAY 8, 1997, AND ADOPTING A NEW ORDINANCE IN LIEU THEREOF REGULATING THE DISCHARGE TO THE FACILITIES OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT OF WATER OR LIQUID WASTE WHICH HAS BEEN REMOVED AND TRANSPORTED FROM ANY PIT, SUMP, HOLDING TANK, SEPTIC TANK, WASTEWATER TREATMENT FACILITY OF INDUSTRIAL FACILITY.

Plan Approval

FF-02 Fee Fee-Alan Shepard I-270 Sanitary Relief Phase II and Phase III (88088)

This project, located in the City of Maryland Heights, is to eliminate basement backups and overloaded sanitary sewers. This project is in the Fiscal Year 1997 Budget and the estimated construction cost is \$3,856,000.

Harlem-Baden Relief Phase II (North Pointe) – Oriole Storm Sewers/Detention Basin (2001146)

This project, located in the City of St. Louis, is to alleviate frequent street and property flooding due to insufficient capacity of the Baden sewer system. This project is in the Fiscal Year 2004 Budget and the estimated construction cost is \$1,320,000.

Lemay Service Area – ORS Middle River Des Peres (L-05B) Foulwater Interceptor Section B (94063B)

This project, located in the City of St. Louis, is to alleviate sanitary sewage bypasses to the River Des Peres during dry weather and high river stages. This project is in the Fiscal Year 2004 Budget and the estimated construction cost is \$6,922,000.

Lower Meramec River System Improvements – Lift Station (95066L)

This project, located in St. Louis County, is to construct a master lift station for conveyance of all sewage to the regional Lower Meramec River Wastewater Treatment Plant that will allow elimination of the Meramec Lagoons and Baumgartner Lagoons per the Compliance Agreement with the State Attorney General and the Department of Natural Resources. This project is in the Fiscal Year 2004 Budget and the estimated final construction cost is \$30,789,790.

Motion made by Ms. Hayes, seconded by Mr. Crumpton, that the Consent Agenda be adopted.

Motion passed – 6 ayes, no nays

Poll taken:	M. A. Rhodes	aye	H. Crumpton	aye
	R. J. Baer	aye	B. J. Margiotta	aye
	J. M. Swartz	aye	D. J. Hayes	aye

The Chair declared the Consent Agenda adopted and proposed Ord. Nos. 140-04, 141-04, 143-04, 144-04, 145-05, and 146-04 were assigned ordinance numbers 11686, 11687, 11688, 11689, 11690, and 11691.

ADOPTION OF PROPOSED ORD. NO. 142-04 APPROPRIATING \$350,000.00 FROM THE CLEAN WATER CAPITAL IMPROVEMENT TRUST FUND FOR THE RELOCATION OF NATURAL GAS SERVICE FOR THE DISTRICT'S BISSELL POINT WASTEWATER TREATMENT PLANT IN BISSELL POINT NATURAL GAS SERVICE REVISIONS PHASE I (2002066), AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A FACILITIES AGREEMENT WITH MISSISSIPPI RIVER TRANSMISSION CORPORATION FOR THE AFORESAID GAS SERVICE RELOCATION.

This item was held.

UNFINISHED BUSINESS

Ordinances

AMENDMENT AND ADOPTION OF PROPOSED ORD. NO. 147-04 (ORDINANCE NO. 11692) SUPERSEDING ORDINANCE NO. 11553, ADOPTED JULY 23, 2003, AND AMENDED BY ORDINANCE NO. 11668, ADOPTED JANUARY 8, 2004, AND ENACTING IN LIEU THEREOF AN ORDINANCE ESTABLISHING A SCHEDULE OF WASTEWATER USER CHARGES, AND ESTABLISHING THE ADJUSTMENT REVIEW COMMITTEE.

Proposed Ord. No. 147-04 was again presented and read. Makes revisions to update certain sections of the User Charge Ordinance based on current best business practices and implementation of the new Alliance (previously ORCOM) Billing and Collection System and changes to the wastewater user rate charges.

Motion made by Ms. Rhodes, seconded by Ms. Swartz, that proposed Ord. No. 147-04 be amended.

Motion passed – 6 ayes, no nays

Poll taken:	M. A. Rhodes	aye	H.. Crumpton	aye
	R. J. Baer	aye	B. J. Margiotta	aye
	J. M. Swartz	aye	D. J. Hayes	aye

Motion made by Ms. Rhodes, seconded by Mr. Crumpton, that proposed Ord. No. 147-04 be adopted.

Motion passed – 6 ayes, no nays

Poll taken:	M. A. Rhodes	aye	H. Crumpton	aye
	R. J. Baer	aye	B. J. Margiotta	aye
	J. M. Swartz	aye	D. J. Hayes	aye

The Chair declared proposed Ord. No. 147-04 adopted and it was assigned ordinance number 11692.

Resolutions

None.

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NEW BUSINESS

INTRODUCTION OF PROPOSED ORD. NO. 150-04 APPROPRIATING \$463,000.00 FROM THE OPERATION, MAINTENANCE AND CONSTRUCTION IMPROVEMENT FUND OF DEER CREEK TO BE USED FOR PROJECT COSTS FOR CHANNEL BIOSTABILIZATION IN DES PERES – TWINBROOK STORM CHANNEL (DCSD-190) 2000076, 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 GERSHENSON CONSTRUCTION COMPANY, INC., FOR THE AFORESAID CHANNEL BIOSTABILIZATION.

Proposed Ord. No. 150-04 was presented and read. The work to be done under this contract consists of the construction of approximately 135 lineal feet of log crib wall, 488 lineal feet of vegetated gabions, 421 lineal feet of rock toe protection, 187 lineal feet of concrete retaining wall and repairing 304 lineal feet of undermining of existing retaining wall foundations. The purpose of this project is to eliminate erosion of the creek banks. This project is scheduled to be completed in 240 days.

Motion made by Mr. Margiotta, seconded by Ms. Joyce-Hayes, that proposed Ord. No. 150-04 be introduced.

Motion passed – 6 ayes, no nays

Poll taken:	M. A. Rhodes	aye	H. Crumpton	aye
	R. J. Baer	aye	B. J. Margiotta	aye
	J. M. Swartz	aye	D. J. Hayes	aye

INTRODUCTION OF PROPOSED ORD. NO. 151-04 APPROPRIATING \$49,000.00 FROM THE OPERATION, MAINTENANCE AND CONSTRUCTION IMPROVEMENT FUND OF COLDWATER CREEK TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF STORM SEWERS IN RANDELL COURT AND TEAKWOOD DRIVE STORM SEWER (2003047), 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 XL CONTRACTING, INC., FOR THE CONSTRUCTION OF THE AFORESAID STORM SEWERS.

Proposed Ord. No. 151-04 was presented and read. The work to be done under this contract consists of the construction of approximately 348 lineal feet of 12-inch diameter storm sewers and appurtenances to alleviate yard and structure flooding on Randell Court and Teakwood Drive in the City of Florissant, Missouri. This project is scheduled to be completed in 60 days.

Motion made by Mr. Margiotta, seconded by Ms. Rhodes, that proposed Ord. No. 151-04 be introduced.

Motion passed – 6 ayes, no nays

Poll taken:	M. A. Rhodes	aye	H. Crumpton	aye
	R. J. Baer	aye	B. J. Margiotta	aye
	J. M. Swartz	aye	D. J. Hayes	aye

INTRODUCTION OF PROPOSED ORD. NO. 152-04 AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH J. W. BOMMARITO CONSTRUCTION COMPANY, INC., FOR THE CONSTRUCTION OF STORM SEWERS IN HARDITH HILL CT. #15 STORM SEWER (2004049), IN THE CITY OF ROCK HILL, MISSOURI. – FUNDED FROM THE OPERATIONS DEPARTMENT’S OPERATING BUDGET - \$29,000.00.

Proposed Ord. No. 152-04 was presented and read. The work to be done under this contract consists of the construction of approximately 173 lineal feet of 12-inch diameter storm sewers and appurtenances to remove stormwater from existing sinkhole and sanitary sewers near Hardith Hill Court in the City of Rock Hill, Missouri. This project is scheduled to be completed in 60 days.

Motion made by Ms. Rhodes, seconded by Mr. Margiotta, that proposed Ord. No. 152-04 be introduced.

Motion passed – 6 ayes, no nays

Poll taken:	M. A. Rhodes	aye	H. Crumpton	aye
	R. J. Baer	aye	B. J. Margiotta	aye
	J. M. Swartz	aye	D. J. Hayes	aye

INTRODUCTION OF PROPOSED ORD. NO. 153-04 AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO MODIFICATION NO. 1 OF THE CONTRACT WITH THE UNITED STATES ARMY CORPS OF ENGINEERS WHEREBY THE UNITED STATES ARMY CORPS OF ENGINEERS WILL PROVIDE THE DISTRICT WITH PHOTOGRAMMETRIC MAPPING DATA OF IMPERVIOUS AREAS IN THE CITY OF ST. LOUIS AND ST. LOUIS COUNTY, MISSOURI. – FUNDED FROM THE ENGINEERING DEPARTMENT’S OPERATING BUDGET - \$60,000.00.

Proposed Ord. No. 153-04 was presented and read. The District regularly partners on a cost-sharing basis with other entities for the acquisition of Aerial Photography and the creation of digital ortho photos. This year, the project participants and associated share of the costs will be: The Metropolitan St. Louis Sewer District for \$60,000, The U.S. Geological Survey for \$48,788, St. Louis County for \$30,000. The District, as well as the other participating entities, will realize a reduced cost for the acquisition of this data. The total cost of this project is \$138,788.00, and \$60,000 is funded from the FY2004 Engineering Department's budget.

Motion made by Mr. Margiotta, seconded by Ms. Swartz, that proposed Ord. No. 153-04 be introduced.

Motion passed – 6 ayes, no nays

Poll taken:	M. A. Rhodes	aye	H. Crumpton	aye
	R. J. Baer	aye	B. J. Margiotta	aye
	J. M. Swartz	aye	D. J. Hayes	aye

INTRODUCTION OF PROPOSED ORD. NO. 154-04 MAKING A SUPPLEMENTAL APPROPRIATION OF \$2,400,000.00 FROM THE SANITARY REPLACEMENT FUND FOR ADDITIONAL ENGINEERING SERVICES FOR THE FINAL DESIGN OF GRAND GLAIZE WWTP IMPROVEMENTS (2003061); 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-1047 WITH HDR ENGINEERING, INC., FOR THE AFORESAID ENGINEERING SERVICES.

Proposed Ord. No. 154-04 was presented and read. This ordinance appropriates supplemental funds and authorizes the District to enter into Amendment No. 3 with HDR Engineering, Inc. This project consists of the final design and preparation of construction documents for improvements to the Interim Grand Glaize Wastewater Treatment Plant. This project involves modifications to the existing facilities including replacement of course and fine screens, construction of four primary clarifiers, two final clarifiers, pumps, piping, blowers, fine bubble aeration, electrical equipment, instrumentation, demolition and miscellaneous site improvements. These improvements will increase the plant capacity from 15 to 21 million gallons per day.

Motion made by Ms. Joyce-Hayes, seconded by Ms. Rhodes, that proposed Ord. No. 154-04 be introduced.

Motion passed – 6 ayes, no nays

Poll taken:	M. A. Rhodes	aye	H. Crumpton	aye
	R. J. Baer	aye	B. J. Margiotta	aye
	J. M. Swartz	aye	D. J. Hayes	aye

INTRODUCTION OF PROPOSED ORD. NO. 155-04 AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH INTERNATIONAL BUSINESS MACHINES (IBM) WHEREBY INTERNATIONAL BUSINESS MACHINES (IBM) WILL CONDUCT AN APPLICATION PORTFOLIO ASSESSMENT FOR THE DISTRICT'S INFORMATION SYSTEMS DEPARTMENT. – FUNDED FROM THE INFORMATION SYSTEMS DEPARTMENT'S OPERATING BUDGET - \$209,200.00.

Proposed Ord. No. 155-04 was presented and read. RFP 04-025 was issued in December 2003. A pre-bid conference was held, at which 28 organizations attended. Of the 28 organizations represented, 8 responses were received. A review committee was formed which was comprised of representatives from Engineering, Finance, Operations, Internal Audit, Human Resources, and Information Systems. Dr. John Hamilton served the committee in an advisory capacity. The group requested 4 of the original 8 vendors responding, to make oral presentations at the District's headquarters. After the oral presentations, additional information was requested by the committee to assist in completing their recommendation. After receipt of the additional information, the committee met and the recommendation of the Application Portfolio Assessment committee was to award the professional services contract to International Business Machines (IBM). Two M?WBE vendors, BLL & Associates and Hawk Solutions Group, Inc. will be assisting IBM with this assessment.

Motion made by Mr. Margiotta, seconded by Mr. Crumpton, that proposed Ord. No. 155-04 be introduced.

Motion passed – 6 ayes, no nays

Poll taken:	M. A. Rhodes	aye	H. Crumpton	aye
	R. J. Baer	aye	B. J. Margiotta	aye
	J. M. Swartz	aye	D. J. Hayes	aye

INTRODUCTION OF PROPOSED ORD. NO. 156-04 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 RUBIN, BROWN, GORNSTEIN & COMPANY FOR AN INDEPENDENT AUDIT OF THE ACCOUNTING RECORDS OF THE DISTRICT. – FUNDED FROM THE SECRETARY-TREASURER DEPARTMENT'S BUDGET - \$102,900.00.

Proposed Ord. No. 156-04 was presented and read. This is the fourth year of a five-year engagement. The term of the external auditor is renewed annually and the fee is set through a multi-year proposal process. This year's fee will be \$102,900. The Audit Committee recommended, at their February 12, 2004 meeting, that the Board renew this contract for the current fiscal year.

Motion made by Ms. Swartz, seconded by Ms. Joyce-Hayes, that proposed Ord. No. 156-04 be introduced.

Motion passed – 6 ayes, no nays

Poll taken:	M. A. Rhodes	aye	H. Crumpton	aye
	R. J. Baer	aye	B. J. Margiotta	aye
	J. M. Swartz	aye	D. J. Hayes	aye

INTRODUCTION OF PROPOSED ORD. NO. 157-04 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.

Proposed Ord. No. 157-04 was presented and read. This ordinance authorizes the District to enter into a 1-year contract with 2 optional years with Firstech Payment Processing Solutions (low bidder) for outsourced remittance processing services associated with the collection and processing payments for billed services. These outsourced services are a component of a comprehensive redesign of the District's billing and collection operations and will work in coordination with the implementation of the new Alliance Billing & Collection system.

Motion made by Ms. Joyce-Hayes, seconded by Ms. Rhodes, that proposed Ord. No. 157-04 be introduced.

Motion passed – 6 ayes, no nays

Poll taken:	M. A. Rhodes	aye	H. Crumpton	aye
	R. J. Baer	aye	B. J. Margiotta	aye
	J. M. Swartz	aye	D. J. Hayes	aye

INTRODUCTION OF PROPOSED ORD. NO. 158-04 RELATING TO THE MARKETING AND SALE OF WASTEWATER SYSTEM REVENUE BONDS, SERIES 2004A, OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT AND AUTHORIZING CERTAIN ACTIONS AND DOCUMENTS RELATING THERETO.

Proposed Ord. No. 158-04 was presented and read. This ordinance approves the form of the preliminary official statement to be used by the underwriters in the marketing of the Series 2004a Bonds.

Motion made by Ms. Swartz, seconded by Mr. Crumpton, that proposed Ord. No. 158-04 be introduced.

Motion passed – 6 ayes, no nays

Poll taken:	M. A. Rhodes	aye	H. Crumpton	aye
	R. J. Baer	aye	B. J. Margiotta	aye
	J. M. Swartz	aye	D. J. Hayes	aye

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 159-04 (ORDINANCE NO. 11693) ACCEPTING THE CERTIFIED RESULTS OF THE GENERAL ELECTION OF FEBRUARY 3, 2004, AT WHICH THE METROPOLITAN ST. LOUIS SEWER DISTRICT SPONSORED ONE PROPOSITION.

Proposed Ord. No. 159-04 was presented and read. This ordinance formally accepts the results of the special election held February 3, 2004 authorizing the issuance of \$500 million of Wastewater Revenue Bonds.

Motion made by Mr. Crumpton, seconded by Ms. Swartz, that proposed Ord. No. 159-04 be introduced.

Motion passed – 6 ayes, no nays

Poll taken:	M. A. Rhodes	aye	H. Crumpton	aye
	R. J. Baer	aye	B. J. Margiotta	aye
	J. M. Swartz	aye	D. J. Hayes	aye

Motion made, seconded and unanimously adopted to suspend the rules to allow for adoption of proposed Ord. No. 159-04.

Motion made by Ms. Rhodes, seconded by Ms. Joyce-Hayes, that proposed Ord. No. 159-04 be adopted.

Motion passed – 6 ayes, no nays

Poll taken:	M. A. Rhodes	aye	H. Crumpton	aye
	R. J. Baer	aye	B. J. Margiotta	aye
	J. M. Swartz	aye	D. J. Hayes	aye

The Chair declared proposed Ord. No. 159-04 adopted and it was assigned Ordinance No. 11693.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 160-04 (ORDINANCE NO. 11694) AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO AN AGREEMENT WITH BNY TRUST COMPANY OF MISSOURI WHEREBY BNY TRUST COMPANY OF MISSOURI WILL SERVE AS BOND PAYING AGENT/REGISTRAR FOR THE DISTRICT.

Proposed Ord. No. 160-04 was presented and read. This ordinance will authorize the District to retain, based on a competitive selection process, a Bond Paying Agent/Registrar for the series 2004A issue.

Motion made by Ms. Swartz, seconded by Ms. Rhodes, that proposed Ord. No. 160-04 be introduced.

Motion passed – 6 ayes, no nays

Poll taken:	M. A. Rhodes	aye	H. Crumpton	aye
	R. J. Baer	aye	B. J. Margiotta	aye
	J. M. Swartz	aye	D. J. Hayes	aye

Motion made, seconded and unanimously adopted to suspend the rules to allow for adoption of proposed Ord. No. 160-04.

Motion made by Ms. Rhodes, seconded by Ms. Swartz, that proposed Ord. No. 160-04 be adopted.

Motion passed – 6 ayes, no nays

Poll taken:	M. A. Rhodes	aye	H. Crumpton	aye
	R. J. Baer	aye	B. J. Margiotta	aye
	J. M. Swartz	aye	D. J. Hayes	aye

The Chair declared proposed Ord. No. 160-04 adopted and it was assigned Ordinance No. 11694.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 161-04 (ORDINANCE NO. 11695) AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH SAM J. EDWARDS CONSULTING WHEREBY SAM J. EDWARDS CONSULTING WILL PROVIDE SYSTEMS SUPPORT FOR THE DISTRICT'S CUSTOMER SERVICE, BILLING AND COLLECTION DIVISIONS THROUGH THE CONVERSION TO THE ORCOM E-CIS SYSTEM IN 2004. – FUNDED FROM THE INFORMATION SYSTEMS DEPARTMENT'S OPERATING BUDGET - \$60,000.00.

Proposed Ord. No. 161-04 was presented and read. Staff is requesting introduction and adoption of this ordinance because Sam Edwards' employer, William Thomas, passed away on February 22, 2004. This action is to establish a contract between the District and Sam Edwards for consulting services through June 30, 2004, originally set forth in Ordinance No. 11650, which was approved in December 2003.

Motion made by Ms. Joyce-Hayes, seconded by Ms. Swartz, that proposed Ord. No. 161-04 be introduced.

Motion passed – 6 ayes, no nays

Poll taken:	M. A. Rhodes	aye	H. Crumpton	aye
	R. J. Baer	aye	B. J. Margiotta	aye
	J. M. Swartz	aye	D. J. Hayes	aye

Motion made, seconded and unanimously adopted to suspend the rules to allow for adoption of proposed Ord. No. 161-04.

Motion made by Mr. Crumpton, seconded by Ms. Joyce-Hayes, that proposed Ord. No. 161-04 be adopted.

Motion passed – 6 ayes, no nays

Poll taken:	M. A. Rhodes	aye	H. Crumpton	aye
	R. J. Baer	aye	B. J. Margiotta	aye
	J. M. Swartz	aye	D. J. Hayes	aye

The Chair declared proposed Ord. No. 161-04 adopted and it was assigned Ordinance No. 11695.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 162-04 (ORDINANCE NO. 11696) 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 ST. LOUIS, MISSOURI WHEREBY THE CITY OF ST. LOUIS WATER DIVISION WILL FURNISH CUSTOMER INFORMATION AND WASTEWATER USAGE DATA NECESSARY TO GENERATE THE DISTRICT'S WASTEWATER USER BILLS WITHIN THE CITY OF ST. LOUIS, MISSOURI. – FUNDED FROM THE FINANCE DEPARTMENT'S BUDGET - \$106,400.00 (TOTAL 03-04 COST).

Proposed Ord. No. 162-04 was presented and read. The St. Louis City Water Division terminated the District's previous water usage data contract as of September 31, 2003 in order to propose a renegotiation of price and terms. The District has been receiving water data since September 31, 2003 per an extension of the prior contract granted by St. Louis City Water Division until renegotiations were completed with the understanding that the terms of a new contract will be applied retroactively to October 1, 2003. The resulting renegotiations have resulted in an increase in the cost for water data and associated services for the current fiscal year requiring the need for additional funds in the Finance Department's Budget. These additional funds will be provided by a \$82,400.00 transfer from the 2003-04 Operations Department's Budget.

Motion made by Mr. Crumpton, seconded by Ms. Rhodes, that proposed Ord. No. 162-04 be introduced.

Motion passed – 6 ayes, no nays

Poll taken:	M. A. Rhodes	aye	H. Crumpton	aye
	R. J. Baer	aye	B. J. Margiotta	aye
	J. M. Swartz	aye	D. J. Hayes	aye

Motion made, seconded and unanimously adopted to suspend the rules to allow for adoption of proposed Ord. No. 162-04.

Motion made by Mr. Crumpton, seconded by Mr. Margiotta, that proposed Ord. No. 162-04 be adopted.

Motion passed – 6 ayes, no nays

Poll taken:	M. A. Rhodes	aye	H. Crumpton	aye
	R. J. Baer	aye	B. J. Margiotta	aye
	J. M. Swartz	aye	D. J. Hayes	aye

The Chair declared proposed Ord. No. 162-04 adopted and it was assigned Ordinance No. 11696.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 163-04 (ORDINANCE NO. 11697) VACATING ANY RIGHT, TITLE OR INTEREST OF THE DISTRICT IN A PORTION OF A THREE-FOOT (3') WIDE SEWER EASEMENT RECORDED IN PLAT BOOK 14, PAGE 34, A PORTION OF A SIX-FOOT (6') WIDE SEWER EASEMENT RECORDED IN PLAT BOOK 14, PAGE 34, A PORTION OF AN EIGHT-FOOT (8') WIDE SEWER EASEMENT RECORDED IN DEED BOOK 3171, PAGE 56, A PORTION OF A FIVE-FOOT (5') WIDE SEWER EASEMENT RECORDED IN DEED BOOK 3171, PAGE 56, THE TEN-FOOT (10') WIDE STORM SEWER EASEMENT RECORDED IN PLAT BOOK 348, PAGE 159, AND THE VARIABLE WIDTH STORM SEWER EASEMENT RECORDED IN PLAT BOOK 348, PAGE 159 OF THE ST. LOUIS COUNTY RECORDS, SAID EASEMENTS BEING IN CONSOLIDATED LOT 1, CLAYMONT PLACE A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 348, PAGE 159 OF THE ST. LOUIS COUNTY RECORDS, IN THE CITY OF UNIVERSITY CITY, ST. LOUIS COUNTY, MISSOURI.

Proposed Ord. No. 163-04 was presented and read. This is a new condominium project. New sewers were built and new easements have been provided. There are no sewers in the easements to be vacated. The District has no future use for the easements to be vacated.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 164-04 (ORDINANCE NO. 11698) VACATING ANY RIGHT, TITLE, OR INTEREST OF THE DISTRICT IN A TEN-FOOT (10') WIDE EASEMENT GRANTED TO ST. LOUIS COUNTY, MISSOURI AS RECORDED IN DEED BOOK 7079, PAGE 969 (PAR. E.2.) OF THE ST. LOUIS COUNTY RECORDS, SAID EASEMENT BEING IN LOT 3 OF A SUBDIVISION OF MOSS HUNTON'S LAND IN U.S. SURVEY NO. 121, TOWNSHIP 45, NORTH, RANGE 4 EAST, RECORDED IN SURVEYORS RECORD BOOK 2, PAGE 21 OF THE ST. LOUIS COUNTY RECORDS, NOW KNOWN AS "VILLA AT LADUE BLUFFS, PLAT TWO" A SUBDIVISION AS RECORDED IN PLAT BOOK 350, PAGES 599 AND 600 OF THE ST. LOUIS COUNTY RECORDS, IN THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI.

Proposed Ord. No. 164-04 was presented and read. The property was developed into a residential subdivision. The easement to be vacated lies in the buildable portion of some of the lots. There are no sewers in the easement to be vacated. The District has no future use for the easement to be vacated.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 165-04 (ORDINANCE NO. 11699) VACATING ANY RIGHT, TITLE, OR INTEREST OF THE DISTRICT IN A PORTION OF A TEN-FOOT (10') WIDE EASEMENT, LOCATED IN LOTS 4, 5, 6, AND 7 OF "EAST PARKLANE", A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 55, PAGE 43 OF THE ST. LOUIS COUNTY RECORDS, IN THE CITY OF LADUE, ST. LOUIS COUNTY, MISSOURI.

Proposed Ord. No. 165-04 was presented and read. The church, which owns the adjacent property to these lots, wants to consolidate these lots with their adjacent property. There are no sewers in the easement to be vacated. The District has no future use for the easement to be vacated.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 166-04 (Ordinance No. 11700) VACATING ANY RIGHT, TITLE, OR INTEREST OF THE DISTRICT IN A PORTION OF A FIVE-FOOT (5') WIDE EASEMENT AND A PORTION OF A TEN-FOOT (10') WIDE EASEMENT IN LOTS 1 AND 3 OF "EAST PARKLANE" AS RECORDED IN PLAT BOOK 55, PAGE 43 OF THE ST. LOUIS COUNTY RECORDS, SAID EASEMENT BEING IN ADJUSTED TRACT MCKNIGHT ROAD CHURCH OF CHRIST, "EAST PARKLANE LOTS 1 AND 3 AND CHARLEVILLE TRACT LOT PART 9 AND SURVEY 1930, T45N, R5E BOUNDARY ADJUSTMENT", A BOUNDARY ADJUSTMENT ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 350, PAGE 574 OF THE ST. LOUIS COUNTY RECORDS, IN THE CITY OF LADUE, ST. LOUIS COUNTY, MISSOURI.

Proposed Ord. No. 166-04 was presented and read. Existing properties were consolidated into one parcel. A new building was built over the existing easements. There are no sewers in the easements to be vacated. The District has no future use for the easements to be vacated.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 167-04 (ORDINANCE NO. 11701) VACATING ANY RIGHT, TITLE, OR INTEREST OF THE DISTRICT IN THREE (3) PORTIONS OF A TEN-FOOT (10') WIDE EASEMENT RECORDED IN PLAT BOOK 169, PAGES 8 AND 9 OF THE ST. LOUIS COUNTY RECORDS, SAID EASEMENT BEING IN TRACT A-4 OF "OAKVILLE SHOPPING CENTER AMENDED", A SUBDIVISION ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 172, PAGES 4 AND 5 OF THE ST. LOUIS COUNTY RECORDS, IN ST. LOUIS COUNTY, MISSOURI.

Proposed Ord. No. 167-04 was presented and read. The existing store building was expanded. The existing sewers were rerouted. The old sewers were removed or abandoned. New easements were granted to the District. The District has no future use for the portions of the easement to be vacated.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 168-04 (ORDINANCE NO. 11702) VACATING PORTIONS OF A TEN-FOOT (10') WIDE EASEMENT AND A TWENTY-FIVE FOOT (25') WIDE EASEMENT IN LOT 1 OF TELEGRAPH CENTRE, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 349, PAGE 204 OF THE ST. LOUIS COUNTY RECORDS, IN ST. LOUIS COUNTY, MISSOURI.

Proposed Ord. No. 168-04 was presented and read. Doering Engineering, Inc. has requested that the District vacate its rights to various portions of a ten-foot (10') wide and a twenty-five foot (25') wide easement in Lot 1 of Telegraph Centre as recorded in P.B. 349, Pg. 204 of St. Louis County, Missouri Records.

Motion made by Mr. Crumpton, seconded by Ms. Rhodes, that proposed Ord. Nos. 163-04, 164-04, 165-04, 166-04, 167-04, and 168-04 be introduced.

Motion passed – 6 ayes, no nays

Poll taken:	M. A. Rhodes	aye	H. Crumpton	aye
	R. J. Baer	aye	B. J. Margiotta	aye
	J. M. Swartz	aye	D. J. Hayes	aye

Motion made, seconded and unanimously adopted to suspend the rules to allow for adoption of proposed Ord. Nos. 163-04, 164-04, 165-04, 166-04, 167-04, and 168-04.

Motion made by Mr. Crumpton, seconded by Ms. Swartz, that proposed Ord. Nos. 163-04, 164-04, 165-04, 166-04, 167-04, and 168-04 be adopted.

Motion passed – 6 ayes, no nays

Poll taken:	M. A. Rhodes	aye	H. Crumpton	aye
	R. J. Baer	aye	B. J. Margiotta	aye
	J. M. Swartz	aye	D. J. Hayes	aye

The Chair declared proposed Ord. Nos. 163-04, 164-04, 165-04, 166-04, 167-04, and 168-04 adopted and they were assigned Ordinance Nos. 11697, 11698, 11699, 11700, 11701, and 11702.

Resolutions

ADOPTION OF RESOLUTION NO. 2544 EXPRESSING THE BOARD OF TRUSTEES' APPRECIATION TO JERRY E. FARRIS FOR HIS 28 YEARS OF EXEMPLARY SERVICE TO THE METROPOLITAN ST. LOUIS SEWER DISTRICT FROM FEBRUARY 12, 1976, TO HIS RETIREMENT EFFECTIVE MARCH 1, 2004.

Resolution No. 2544 was presented and read.

ADOPTION OF RESOLUTION NO. 2545 EXPRESSING THE BOARD OF TRUSTEES' APPRECIATION TO DENNIS M. AMELUNG FOR HIS 33 YEARS OF EXEMPLARY SERVICE TO THE METROPOLITAN ST. LOUIS SEWER DISTRICT FROM APRIL 27, 1970, TO HIS RETIREMENT EFFECTIVE MARCH 1, 2004.

Resolution No. 2545 was presented and read.

ADOPTION OF RESOLUTION NO. 2552 EXPRESSING THE BOARD OF TRUSTEES' APPRECIATION TO CLAUDE BROWN FOR HIS SERVICE ON THE MSD BOARD OF TRUSTEES FROM MARCH 2003 THROUGH FEBRUARY 2004 AND FOR SERVING AS VICE CHAIR DURING FISCAL YEAR 2004.

Resolution No. 2552 was presented and read.

Motion passed – 6 ayes, no nays – voice vote

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Upon motion made by Mr. Crumpton, seconded by Ms. Swartz, and unanimously passed, the meeting adjourned at 7:05 P.M.

Secretary-Treasurer