

JOURNAL OF THE (1404th) MEETING OF THE
BOARD OF TRUSTEES
THE METROPOLITAN ST. LOUIS SEWER DISTRICT
APRIL 22, 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 Hagerty, CDM; J. Vanda, PFM; Jim Touslee, B & V; Ben McReynolds, Laclede Gas; Dan Ryan, Laclede Gas; Mark Grosseneacher, HNTB Corp.; Jim McHoney, David Mason & Assoc.; Debbie Rush, Thompson Coburn; Mike Reid, Senator John Loudon's Office; Bob Cicerone, ETC Institute; Rich Ryffel, Bank of America; Ed Sweet, Parsons; Tom Ratzki, Black & Veatch; Wayne, Burns & Mac; Robert Neath, CH2M Hill; Alan Wright, Edward Jones; Marty Gilmore, Ernst & Young; Mark Waltermire, Laclede Gas; Bob Ballsrud, Gilmore & Bell; Ried Lowrie, AFSCME-AIO; Dennis Boehle, AFSCME-AIO; Tom Curran, St. Louis County; Mercia Moore, Banc of America; Elston McCowan, AFSCME; Dr. John Hamilton; Phil Sutin, St. Louis Post-Dispatch; 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; Dan DeWilde, Assistant Director of Information Systems; Todd Heller, Operations Division Manager; Lance LeComb, Public Affairs Specialist; Bruce Kozozenski, Manager of Risk Management; Joe Ernst, Collection Systems Operator II-Maint.; Dean Vollmer, Collection Systems Operator II-Maint.; and Sheri Nackley; Secretary to Board of Trustees.

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

(Ms. Swartz had not yet arrived.)

Motion made by Ms. Joyce-Hayes, seconded by Mr. Crumpton, 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
	D. J. Hayes	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. Swartz arrived during Closed Session.)

Motion made by Mr. Crumpton, seconded by Ms. Rhodes, 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
	D. J. Hayes	aye	J. M. Swartz	aye

Upon motion made by Mr. Crumpton, seconded by Mr. Margiotta, the Journals of the March 11, 2004 (1402nd) meeting and the April 1, 2004 (1403rd Spec.) meeting were unanimously approved.

Mr. Baer reported that some months ago the Board had approached Civic Progress to fund consultants for a study in the information technology area and the financial area of the District. These projects were funded totally by Civil Progress and the objective was to get an independent third party review of what was happening in both areas. Dr. John Hamilton and Mr. Don Ellington were engaged to work with the District.

Dr. Hamilton gave his report on the information technology area, (copies available upon request.)

Mr. Ellington will give his report at the May 13, 2004 Board meeting.

Mr. Baer called for reports of Board Committees.

Mr. Crumpton reported that the Intergovernmental Relations Committee met on April 15. The Committee discussed the issue of getting data from Missouri American Water and St. Louis City Water to calculate the wastewater usage for our bills. Also discussed, was the water shut-off issue to be used as a tool for collection on delinquent bills.

He noted that the District is working closely with the state and federal lobbyists to get additional funding for the Missouri River Treatment Plant.

He indicated that the District is analyzing a joint venture with the City of St. Louis to sell the Hampton and Sulphur properties with the adjacent city property in an open bid. This will proceed if it is in the District's best interest.

Mr. Margiotta reported that the Program Management Committee met on April 15. The Committee discussed the items on the April 22 agenda. There was a lengthy discussion on the scope of flow metering and monitoring and the closed circuit TV contracts being introduced tonight.

The staff updated the Committee on their talks with Goodwin Construction about the cost of steel. The staff also indicated that some construction projects were ready for 2005 but advertising for these projects will be delayed until the Board adopts the Capital Improvement & Replacement Program in May.

Ms. Rhodes indicated that the Audit Committee met on April 15. Mr. Martin Gilmore, of Ernst & Young, gave the latest report on the Meramec project, (copies available upon request.)

The Committee was presented information on the internal audit of the building facilities manager, Greystone Partners, and several recommendations were made. Information was also given on an internal audit of storage space. Also, the result of the internal audit of payroll was given.

The Committee received updates on the following audits in progress: procurement, manual invoice review, computer operations for payroll, petty cash review, vehicle equipment maintenance program and water back-up insurance.

Ms. Swartz reported that the Customer Relations Committee met on March 12 and received a report from Mr. David St. Pierre, the District's Assistant Director of Operations, who gave a complete briefing on the department's activities. A particularly noteworthy point from this briefing was that the Operations Department is adequately fulfilling their duties with considerably less staff. There are 147 fewer employees in that department than there were in Fiscal Year 2000.

Also noteworthy, is that there are approximately 30 percent less service calls being placed with that department as compared to the calls received eight years ago.

Ms. Swartz called upon Mr. Cicerone, of ETC Institute, to provide an overview of the District's customer satisfaction survey.

Mr. Cicerone reviewed the District's 2003 customer satisfaction survey, (copies available upon request.) Generally, this survey indicated that the District's overall quality level, measured on a ten point scale, was approximately 8.27 and showed that 79 percent of the customers felt the District's service was the same or better than it had been in prior years. Eighteen percent had no opinion and the remaining three percent felt that the District's performance was worse.

Mr. Baer asked how the District rated as compared with the other utilities.

Mr. Cicerone indicated that the District trailed the water company, the electric company, and the gas company but was ahead of the telephone company and Bi-State.

Mr. Baer noted that 21 percent of the community is still a fair number of people that did not express positive feedback about the District. He also felt there was room for the District to do better in relation to the other utilities. He challenged the District and its staff to improve these statistics in the future.

Messrs. Baer and Crumpton noted that the District should take advantage of other means of feedback to judge its customer service efforts rather than waiting on an annual survey. Such a feedback mechanism could be follow-up phone calls.

Mr. Cicerone concurred and encouraged the District to use other means.

Mr. Margiotta commented that the District's longer term trend has been substantially positive in improving its customer relations.

Mr. Alan Wright, of Edward D. Jones, addressed the Board and thanked the Board on behalf of Edward D. Jones, A.G. Edwards, and Stifel Nicholas for giving them the opportunity to work on this transaction. He indicated that approximately \$82 million of the \$175 million of bonds were sold to retail investors which resulted in about a \$3 million cost savings on this transaction.

Mr. Sullivan addressed the Board and questioned the following agenda items:

Item #30, proposed Ord. No. 171-04; Item #39, proposed Ord. No. 180-04; Item #40, proposed Ord. No. 181-04; Item #41, proposed Ord. No. 182-04; and Item #42, proposed Ord. No. 183-04.

CONSENT AGENDA

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.

Mr. Baer asked why Item 10 was being held.

Mr. Theerman indicated that the District wanted to study this issue in greater detail before it would be brought back to the Board at the May 13 meeting.

ADOPTION OF PROPOSED ORD. NO. 150-04 (ORDINANCE NO. 11705) 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.

ADOPTION OF PROPOSED ORD. NO. 151-04 (ORDINANCE NO. 11706) 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.

ADOPTION OF PROPOSED ORD. NO. 152-04 (ORDINANCE NO. 11707) 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.

ADOPTION OF PROPOSED ORD. NO. 153-04 (ORDINANCE NO. 11708) 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.

ADOPTION OF PROPOSED ORD. NO. 154-04 (ORDINANCE NO. 11709) 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.

ADOPTION OF PROPOSED ORD. NO. 155-04 (ORDINANCE NO. 11710) 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.

ADOPTION OF PROPOSED ORD. NO. 156-04 (ORDINANCE NO. 11711) 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.

ADOPTION OF PROPOSED ORD. NO. 157-04 (ORDINANCE NO. 11712) 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

Eldorado Court – Honeycut Lane Storm Sewer (2002083)

This project, located in Rock Hill, consists of 578 lineal feet of storm water sewers and appurtenances and will alleviate significant storm water erosion and flooding on 3 residences. This project is in the Fiscal Year 2004 budget and the estimated construction cost is \$139,748.00.

Canary Estates (P-461) Pump Station Elimination (2003127)

This project, located in Manchester, Missouri, is to install 298 lineal feet of sanitary sewers and appurtenances that will allow for the elimination of pump station #461 (PS-461). Twenty-seven (27) residences are serviced by the pump station. This project is in the Fiscal Year 2004 budget and the estimated construction cost is \$92,252.00.

Crescent & Hanna Sanitary Sewers (95065)

This sanitary subdistrict project, located in unincorporated St. Louis West County, Missouri, is to provide sanitary sewer service to homes not currently served by MSD sewers. This project is funded by the homeowners and St. Louis County through the Community Development Block Grant Program. The estimated construction cost is \$173,252.00.

Grand and Bates Relief Phase II (Pump Station) (99145A)

This project, located in the City of St. Louis, is to alleviate frequent street and building flooding due to insufficient capacity of the Glaise Creek sewer system. This project is in the Fiscal Year 2005 Budget and the estimated construction cost is \$520,000.00.

Jaguar Trail #7920 (Infrastructure Repair) (2003073)

This project, located in Maplewood, Missouri, is to replace existing collapsed and deteriorated sanitary sewers. This project is in the Fiscal Year 2004 Operation budget and the estimated construction cost is \$210,000.00.

Meramec and Forest Park Parkway (East Clayton Central Phase X) (2001070)

This project, located in Clayton, Missouri, is to replace existing inadequate and substandard sanitary sewers. This project is in the Fiscal Year 2004 budget and the estimated construction cost is \$180,158.00.

Prentice-Granger Storm Channel (MCBJ-110) Phase I (2000110)

This project, located in unincorporated St. Louis County, is to alleviate channel erosion. This project is in the Fiscal Year 2005 Budget and the estimated construction cost is \$568,000.00.

Rhythm and Lullaby Storm Sewer (2003069)

This project, located in Overland, Missouri, is to alleviate yard erosion and yard flooding. This project is in the Fiscal Year 2004 budget and the estimated construction cost is \$43,332.00.

St. Charles Street (No.) Storm Sewers (2001117)

This project, located in Florissant, Missouri, is to alleviate yard and street flooding in the rear of #105 North St. Charles Street. This project is in the Fiscal Year 2004 budget and the estimated construction cost is \$99,376.00.

Suburban #422 - #428 (MCMB-220) (2002096)

This project, located in the City of Ferguson, Missouri, is to eliminate significant channel bank erosion on three (3) residential properties whose backyards adjoin Maline Creek. This project is in the Fiscal Year 2004 budget and the estimated construction cost is \$29,720.00.

Motion made by Ms. Hayes, seconded by Ms. Swartz, 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
	D. J. Hayes	aye	J. M. Swartz	aye

The Chair declared the Consent Agenda adopted and proposed Ord. Nos. 150-04, 151-04, 152-04, 153-04, 154-04, 155-04, 156-04, and 157-04 were assigned ordinance numbers 11705, 11706, 11707, 11708, 11709, 11710, 11711, and 11712.

UNFINISHED BUSINESS

Ordinances

AMENDMENT AND ADOPTION OF PROPOSED ORD. NO. 170-04 (ORDINANCE NO. 11713) AUTHORIZING A MASTER BOND ORDINANCE RELATING TO THE ISSUANCE OF WASTEWATER SYSTEM REVENUE BONDS OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT; IN THE PRINCIPAL AMOUNT OF \$175,000,000.00, PRESCRIBING THE TERMS, PROVISIONS AND CONDITIONS FOR THE ISSUANCE OF ADDITIONAL BONDS AND OBLIGATIONS OF THE DISTRICT; AND AUTHORIZING CERTAIN ACTIONS AND DOCUMENTS AND APPROPRIATING \$1,011,100.00 FROM THE BOND PROCEEDS TO COVER THE COST OF ISSUANCE.

Proposed Ord. No. 170-04 was again presented and read. The District has been debt free for a few years. As such, the District does not have a Master Trust Ordinance in place that would preserve the rights of the bondholders. This ordinance establishes this Master Trust Ordinance for the current and future debt authorizations, authorizes the issuance of \$175,000,000 of series 2004a bonds, and appropriates \$1,011,100.00 for the cost of issuance.

Motion made by Mr. Crumpton, seconded by Ms. Swartz, that proposed Ord. No. 170-04 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
	D. J. Hayes	aye	J. M. Swartz	aye

Motion made by Mr. Crumpton, seconded by Ms. Swartz, that proposed Ord. No. 170-04 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
	D. J. Hayes	aye	J. M. Swartz	aye

The Chair declared proposed Ord. No. 170-04 adopted and it was assigned ordinance number 11713.

Resolutions

None.

The Board then moved to new business agenda items that were to be introduced and adopted due to losing a quorum.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 188-04 (ORDINANCE NO. 11714) VACATING ANY RIGHT, TITLE OR INTEREST OF THE DISTRICT IN A PORTION OF A TEN-FOOT (10') WIDE EASEMENT RECORDED IN DEED BOOK 5051, PAGE 590 AND IN DEED BOOK 5051, PAGE 593 AND VACATING A PORTION OF A TEN-FOOT (10') WIDE EASEMENT RECORDED IN DEED BOOK 6275, PAGE 1169 OF THE ST. LOUIS COUNTY RECORDS, SAID EASEMENTS BEING IN "PELICAN COVE", A SUBDIVISION ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 258, PAGES 81 THROUGH 83 OF THE ST. LOUIS COUNTY RECORDS, IN THE CITY OF FLORISSANT, ST. LOUIS COUNTY, MISSOURI.

Proposed Ord. No. 188-04 was presented and read. The property was developed into an apartment complex. New easements have been granted. The easements to be vacated are not being used. The District has no future use for the easements to be vacated.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 189-04 (ORDINANCE NO. 11715) VACATING A PORTION OF A TEN-FOOT (10') WIDE EASEMENT LOCATED IN LOT 3 OF "BARRETT WOODS CORPORATE CENTER", A SUBDIVISION ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 210 PAGES 94 AND 95 OF THE ST. LOUIS COUNTY RECORDS, IN ST. LOUIS COUNTY, MISSOURI.

Proposed Ord. No. 189-04 was presented and read. Barrett Parkway Drive was extended to Centeroyal Drive. The property owner wishes to clear the property of unused easements. 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. 190-04 (ORDINANCE NO. 11716) VACATING TWO (2) PORTIONS OF A TEN-FOOT (10') WIDE EASEMENT RECORDED IN DEED BOOK 6440, PAGE 34; A PORTION OF A TEN-FOOT (10') WIDE EASEMENT RECORDED IN PLAT BOOK 210, PAGE 94; AND A PORTION OF A TWENTY-FOUR FOOT (24') WIDE EASEMENT RECORDED IN PLAT BOOK 210, PAGE 94; ALL PORTIONS OF THE EASEMENTS ARE LOCATED WITHIN THE BARRETT PARKWAY DRIVE, FIFTY-FEET (50') WIDE, RECORDED IN DEED BOOK 15296, PAGE 2665, SAID BARRETT PARKWAY DRIVE BEING IN LOT 3 OF "BARRETT WOODS CORPORATE CENTER", A SUBDIVISION ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 210, PAGES 94 AND 95 OF THE ST. LOUIS COUNTY RECORDS, IN ST. LOUIS COUNTY, MISSOURI.

Proposed Ord. No. 190-04 was presented and read. Barrett Parkway Drive was extended to Centeroyal Drive. New right-of-way was granted to St. Louis County for public use. St. Louis County requests that existing easements be vacated in the new right-of-way.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 191-04 (ORDINANCE NO. 11717) VACATING ANY RIGHT, TITLE OR INTEREST OF THE DISTRICT IN A PORTION OF THE STREET RIGHT-OF-WAY FIFTY FEET (50') WIDE KNOWN AS BARRETT PARKWAY DRIVE IN "BARRETT WOODS CORPORATE CENTER", A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 210, PAGES 94 AND 95 OF THE ST. LOUIS COUNTY RECORDS, IN ST. LOUIS COUNTY, MISSOURI.

Proposed Ord. No. 191-04 was presented and read. Barrett Parkway Drive was extended to Centeroyal Drive. The property owner wishes the District to vacate right, title, or interest in the abandoned cul-de-sac. The District has easements for the sewers that traverse the portion of right-of-way to be abandoned.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 192-04 (ORDINANCE NO. 11718) VACATING ANY RIGHT, TITLE OR INTEREST OF THE DISTRICT IN A PORTION OF A SIX-FOOT (6') WIDE ROADWAY MAINTENANCE, AND IMPROVEMENT AND UTILITY AND SEWER EASEMENT LOCATED IN LOT 3, OF "BARRETT WOODS CORPORATE CENTER", A SUBDIVISION ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 210, PAGES 94 AND 95 OF THE ST. LOUIS COUNTY RECORDS, IN ST. LOUIS COUNTY, MISSOURI.

Proposed Ord. No. 192-04 was presented and read. In conjunction with the vacation of unused portion of street right-of-way, the property owner requests that paralleling easement be vacated. The District has no sewers in the paralleling easement to be vacated. The District has no future use for the easement to be vacated.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 193-04 (ORDINANCE NO. 11719) VACATING PORTIONS OF A TEN-FOOT (10') WIDE EASEMENT AND A TWENTY-FOOT (20') WIDE EASEMENT LOCATED IN LOT 2 OF WALGREENS – DES PERES PLAT ONE ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 348, PAGE 643 OF THE ST. LOUIS COUNTY RECORDS, IN ST. LOUIS COUNTY, MISSOURI.

Proposed Ord. No. 193-04 was presented and read. The property was developed from a commercial site into a residential subdivision. The easements to be vacated are in the buildable portion of some lots. The existing sewers were relocated, removed, and or abandoned. The District has no further use for the easements to be vacated.

Motion made by Mr. Crumpton, seconded by Ms. Swartz, that proposed Ord. Nos. 188-04, 189-04, 190-04, 191-04, 192-04, and 193-04 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
	D. J. Hayes	aye	J. M. Swartz	aye

Motion made, seconded and unanimously adopted to suspend the rules to allow for adoption of proposed Ord. Nos. 188-04, 189-04, 190-04, 191-04, 192-04, and 193-04.

Motion made by Mr. Crumpton, seconded by Ms. Rhodes, that proposed Ord. Nos. 188-04, 189-04, 190-04, 191-04, 192-04, and 193-04 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
	D. J. Hayes	aye	J. M. Swartz	aye

The Chair declared proposed Ord. Nos. 188-04, 189-04, 190-04, 191-04, 192-04, and 193-04 adopted and they were assigned Ordinance Nos. 11714, 11715, 11716, 11717, 11718, and 11719.

Resolutions

ADOPTION OF RESOLUTION NO. 2547 EXPRESSING THE BOARD OF TRUSTEES' APPRECIATION TO DOUGLAS L. FULLER FOR HIS 36 YEARS OF EXEMPLARY SERVICE TO THE METROPOLITAN ST. LOUIS SEWER DISTRICT FROM AUGUST 28, 1967, TO HIS RETIREMENT EFFECTIVE APRIL 1, 2004.

Resolution No. 2547 was presented and read.

ADOPTION OF RESOLUTION NO. 2548 EXPRESSING THE BOARD OF TRUSTEES' APPRECIATION TO CRAIG S. SCHOTT FOR HIS 27 YEARS OF EXEMPLARY SERVICE TO THE METROPOLITAN ST. LOUIS SEWER DISTRICT FROM JULY 19, 1976, TO HIS RETIREMENT EFFECTIVE APRIL 1, 2004.

Resolution No. 2548 was presented and read.

ADOPTION OF RESOLUTION NO. 2549 EXPRESSING THE BOARD OF TRUSTEES' APPRECIATION TO SANDRA L. THOMPSON FOR HER 18 YEARS OF EXEMPLARY SERVICE TO THE METROPOLITAN ST. LOUIS SEWER DISTRICT FROM JUNE 18, 1990, TO HER RETIREMENT EFFECTIVE APRIL 1, 2004.

Resolution No. 2549 was presented and read.

ADOPTION OF RESOLUTION NO. 2550 EXPRESSING THE BOARD OF TRUSTEES' APPRECIATION TO ARTHUR J. WERNLE FOR HIS 11 YEARS OF EXEMPLARY SERVICE TO THE METROPOLITAN ST. LOUIS SEWER DISTRICT FROM JULY 20, 1992, TO HIS RETIREMENT EFFECTIVE APRIL 1, 2004.

Resolution No. 2550 was presented and read.

ADOPTION OF RESOLUTION NO. 2555, WHEREAS THE METROPOLITAN ST. LOUIS SEWER DISTRICT HAS BEEN AND WILL BE FILING PERIODICALLY WITH THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY AND THE MISSOURI DEPARTMENT OF NATURAL RESOURCES APPLICATIONS FOR GRANTS AND LOANS TO AID IN THE CONSTRUCTION OF PROJECTS TO ABATE WATER POLLUTION WITHIN THE DISTRICT'S AREA OF JURISDICTION AND RESPONSIBILITY.

Resolution No. 2555 was presented and read. This resolution designates Jeffrey Theerman as Acting Executive Director, or in his absence, Randy E. Hayman as General Counsel, to be the District's representative for EPA and MDNR grant and loan projects, pursuant to EPA and MDNR requirements.

ADOPTION OF RESOLUTION NO. 2556 TRANSFERRING UNENCUMBERED APPROPRIATED BALANCES TOTALING \$787,000.00 FROM CERTAIN CLASSIFICATIONS OF EXPENDITURES WITHIN THE GENERAL FUND TO OTHERS WITHIN THE GENERAL FUND AND THE REAL PROPERTY IMPROVEMENT AND ALTERATIONS FUND TO MEET THE OPERATING NEEDS OF THE DISTRICT FOR THE REMAINDER OF THE FISCAL YEAR 2003-2004.

Resolution No. 2556 was presented and read. This resolution transfers unencumbered appropriated balances from certain allowable expenditure classifications to another within the General Fund and the Real Property Improvement and Alterations Fund to meet the operating needs of the District for the remainder of the Fiscal Year 2002-2003, said transfer to be made between accounts and in the amounts as indicated.

Motion passed for the adoption of Resolution Nos. 2547, 2548, 2549, 2550, 2555, and 2556.

6 ayes, no nays – voice vote

(Ms. Joyce-Hayes left the meeting.)

Mr. Baer reported that the Finance Committee met three times during the month of April to review the District's budget for Fiscal Year 04-05.

The Committee reviewed the proposed 04-05 operating budget on April 7, which consists of the cost of general operations and funding for the Water Backup Insurance Program. During this review, Ms. Zimmerman provided a detailed comparison and explanation of all significant changes from this year's current budget.

Mr. Theerman presented the District's proposed 5-year Strategic Operating Plan, which serves as the foundation for the budget. Each District Director then fielded questions from Committee members specific to their areas of operation.

Since the original release of the budget on March 11, \$2.2 million in additional operating savings have been identified. As a result, the District's 04-05 operating costs are now anticipated to total \$114.5 million or \$200,000 less than the current year's budget. The 04-05 proposed budget represents the third straight year of annual cost reductions for total savings to District ratepayers of \$1.5 million.

The Committee also reviewed the District's financial statements for January and February and the newly developed monthly Internal Financial Report. All reports were accepted into the record. Included in the Internal Financial Report, were analyses of the District's year-to-date balance sheets, income statements, projected cash flows and budget variances.

Ms. Zimmerman also provided an update on the Billing & Collection Redesign project and District collection efforts. The Adjustment Review Committee's Monthly Summary of Adjustments was also accepted into the record as required by ordinance.

On April 13, 2004, the Finance Committee reviewed the Capital Improvement and Replacement Program (CIRP) component of the proposed 04-05 budget.

Mr. Brian Hoelscher, Director of Engineering, provided a detailed presentation of the program's funding levels and projects and addressed questions from Committee members.

Mr. Tyminski, the District's Secretary-Treasurer, updated the Committee on the upcoming sale of the District's 2004a Bonds. A discussion of how to best invest these proceeds took place. The Committee considered this a matter best decided by the full Board and agreed to defer action until a later date.

The Committee met again on April 20, 2004, to review the proposed 04-05 budget on a consolidated basis.

Ms. Zimmerman presented a projection of all District revenues and funding uses for operations, debt service and the CIRP program. Ms. Zimmerman then consolidated all components into a projected cash flow and sources and uses statement presenting a balanced 04-05 budget as required by District Charter.

A public hearing on the 04-05 budget is scheduled for 7:00 p.m. on Thursday, May 6, 2004 at 2350 Market Street. A presentation of the budget and strategic operating plan will be made to the full Board at its May 13, 2004 meeting prior to consideration for introduction. Adoption is targeted for the June 10, 2004 Board meeting.

Mr. Baer called upon Mr. Tyminski and the finance team to update the Board on the recent bond sale.

Ms. Jeanne Vanda, of Public Financial Management, and Mr. Eric Cowan, of Bank of America, addressed the Board and provided an overview of the District's financing efforts. They noted that despite adverse conditions in the market, the District's sale went well. The District's bonds were priced below two competing obligations and had an effective interest rate of 4.9 percent. Approximately 96 percent of the bonds were sold and there are only a few remaining series that were underwritten by the syndicate.

Mr. Theerman reported that MSD and Gross Mechanical have received the Outstanding Mechanical Installation Award for 2003. MSD contracted with Gross Mechanical for the installation of a replacement process water line at the Lemay Treatment Plant. This extensive piping system was replaced while plant operations were maintained. This was made possible by outstanding coordination between the contractor, plant staff and our engineering department.

NEW BUSINESS

INTRODUCTION OF PROPOSED ORD. NO. 171-04 APPROPRIATING \$600,000.00 FROM THE SANITARY REPLACEMENT FUND FOR ENGINEERING SERVICES FOR THE FINAL DESIGN OF LOWER MERAMEC RIVER WASTEWATER SYSTEM IMPROVEMENTS BAUMGARTNER INTERCEPTOR TUNNEL AND LIFT STATION (95066B); AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO AMENDMENT NO. 8 OF CONTRACT E-898 WITH HORNER & SHIFRIN, INC., FOR THE AFORESAID ENGINEERING SERVICES.

Proposed Ord. No. 171-04 was presented and read. This ordinance appropriates supplemental funds and authorizes the District to enter into Amendment No. 8 with Horner and Shifrin, Inc. The original project consists of the final design and preparation of construction documents for improvements to the Lower Meramec River Baumgartner Tunnel and Lift Station and involves multiple construction contracts including Baumgartner Tunnel, Lift Station, Baumgartner Lagoon Closure and Mattese Creek Trunk Sewer. This amendment is for services during construction (SDC) including providing contract documents, assistance at the pre-bid meetings, responding to questions during bidding, prepare addenda, attend meetings, coordinate geotechnical data, review shop drawings, respond to contractors' questions, prepare O & M Manuals, prepare record drawings, and provide startup and training. These services will be provided for each of the four separate construction contracts. This additional \$600,000 is being appropriated for Amendment No. 8 to Contract E-898 with Horner & Shifrin, Inc. and will increase the total contract value to \$4,680,800.

Motion made by Mr. Margiotta, seconded by Mr. Crumpton, that proposed Ord. No. 171-04 be introduced.

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		

INTRODUCTION OF PROPOSED ORD. NO. 172-04 MAKING A SUPPLEMENTAL APPROPRIATION OF \$13,700,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR ADDITIONAL PROJECT COSTS FOR THE CONSTRUCTION OF LOWER MERAMEC RIVER SYSTEM IMPROVEMENT – BAUMGARTNER TUNNEL (95066B); IN ST. LOUIS COUNTY, MISSOURI.

Proposed Ord. No. 172-04 was presented and read. This project consists of the construction of the Baumgartner Tunnel including 20,275 lineal feet of 96-inch pipe in a deep rock tunnel, a lift station shaft, a screen structure shaft, five drop shafts, three access shafts and appurtenances.

A value engineering review of the project resulted in a realignment of the tunnel, elimination of screening facilities at each drop structure and modifications to the lift station. The realignment of the tunnel was made possible due to negotiations with the Corps of Engineers to allow the tunnel to be located under a conservation area and will result in a construction savings of \$500,000. The elimination of the screening facility at each drop structure and modifications of the lift station will provide more operational reliability and needed flexibility during construction at no additional construction costs. This project is scheduled to be completed in 700 calendar days.

Motion made by Mr. Margiotta, seconded by Ms. Rhodes, that proposed Ord. No. 172-04 be introduced.

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		

INTRODUCTION OF PROPOSED ORD. NO. 173-04 APPROPRIATING \$157,000.00 FROM THE OPERATIONS, MAINTENANCE AND CONSTRUCTION IMPROVEMENT FUND OF WATKINS CREEK TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF SHEET PILE, ROCK BLANKET AND HEAVY STONE REVETMENT AND APPURTENANCES IN FOX HALL – REDMAN STORM CHANNEL (WCMB-110) (2001074), 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. FOR THE CONSTRUCTION OF THE AFORESAID PROJECT.

Proposed Ord. No. 173-04 was presented and read. The work to be done under this contract consists of the construction of approximately 158 lineal feet of sheet pile wall, 484 square yards of rock blanket, 45 square yards of heavy stone revetment, and appurtenances to alleviate creek erosion on Fox Hall Drive in unincorporated north St. Louis County, Missouri. This project is scheduled to be completed in 90 days.

Motion made by Mr. Margiotta, seconded by Ms. Rhodes, that proposed Ord. No. 173-04 be introduced.

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		

INTRODUCTION OF PROPOSED ORD. NO. 174-04 APPROPRIATING \$700,000.00 FROM THE OPERATION, MAINTENANCE AND CONSTRUCTION IMPROVEMENT FUND OF MISSOURI RIVER BONFILS TO BE USED FOR PROJECT COSTS FOR THE REHABILITATION OF MAIN SEWER LINES IN MISSOURI RIVER BONFILS INFLOW & INFILTRATION CORRECTION PHASE V (97040C), IN THE CITY OF BRIDGETON, 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 MAIN SEWER LINES.

Proposed Ord. No. 174-04 was presented and read. The work to be done under this contract consists of the repair of 172 main sewer service connections by open cut point repairs or alternate methods to reduce inflow and infiltration to overloaded sanitary sewers in the Missouri River Bonfils watershed in the City of Bridgeton, Missouri. This project is scheduled to be completed in 180 days.

Motion made by Ms. Rhodes, seconded by Mr. Margiotta, that proposed Ord. No. 174-04 be introduced.

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		

INTRODUCTION OF PROPOSED ORD. NO. 175-04 APPROPRIATING \$83,000.00 FROM THE OPERATION, MAINTENANCE AND CONSTRUCTION IMPROVEMENT FUND OF DEER CREEK TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF STORM SEWERS IN QUAN #324 STORM IMPROVEMENT (2003041), IN THE CITY OF KIRKWOOD, 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 CONSTRUCTION OF THE AFORESAID STORM SEWERS.

Proposed Ord. No. 175-04 was presented and read. The work to be done under this contract consists of the construction of approximately 360 lineal feet of pipe sewers 30-inches in diameter and appurtenances to alleviate ditch erosion endangering yards and structures at 324 Quan in the City of Kirkwood, Missouri. This project is scheduled to be completed in 90 days.

Motion made by Mr. Margiotta, seconded by Ms. Rhodes, that proposed Ord. No. 175-04 be introduced.

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		

INTRODUCTION OF PROPOSED ORD. NO. 176-04 APPROPRIATING \$100,000.00 FROM THE OPERATION, MAINTENANCE AND CONSTRUCTION IMPROVEMENT FUND OF FOUNTAIN CREEK TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF STORM SEWERS IN ST. CHARLES STREET (NO.) STORM SEWERS (2001117); 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 BENZ-PARKS, INC. FOR THE CONSTRUCTION OF THE AFORESAID STORM SEWERS.

Proposed Ord. No. 176-04 was presented and read. The work to be done under this contract consists of the construction of approximately 730 lineal feet of storm sewers 12-inches to 24-inches in diameter and appurtenances to alleviate yard and street flooding near #105 North St. Charles Street in the City of Florissant, Missouri. This project is scheduled to be completed in 30 days.

Motion made by Ms. Rhodes, seconded by Mr. Crumpton, that proposed Ord. No. 176-04 be introduced.

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		

INTRODUCTION OF PROPOSED ORD. NO. 177-04 APPROPRIATING \$1,255,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF HARLEM-BADEN RELIEF PHASE II (NORTH POINTE) – ORIOLE STORM SEWERS/DETENTION BASIN (2001146), 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 GERSHENSON CONSTRUCTION COMPANY, INC., FOR THE AFORESAID CONSTRUCTION.

Proposed Ord. No. 177-04 was presented and read. The work to be done under this contract consists of the construction of approximately 1,496 lineal feet of pipe sewers varying in size from 12-inches to 30-inches in diameter, detention basin, 150 lineal feet of cured-in-place pipe liner (CIPP), 60-inches in diameter, and appurtenances.

This construction is the third phase of a three-phase improvement program. The purpose of this project is to alleviate property loss and damage due to prevent basement backups and frequent street flooding due to insufficient capacity of the Baden sewer system. This project is scheduled to be completed in 330 days.

Motion made by Ms. Rhodes, seconded by Mr. Crumpton, that proposed Ord. No. 177-04 be introduced.

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		

INTRODUCTION OF PROPOSED ORD. NO. 178-04 APPROPRIATING \$5,250,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF THE LEMAY SERVICE AREA – ORS MIDDLE RIVER DES PERES (L-05B) FOULWATER INTERCEPTOR SECTION B (94063B), 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 J. H. BERRA CONSTRUCTION COMPANY, INC., FOR THE AFORESAID CONSTRUCTION.

Proposed Ord. No. 178-04 was presented and read. The work to be done under this contract consists of the replacement of approximately 12,108 lineal feet of the foulwater interceptor sewer along the River Des Peres with 54-inch diameter pipe. The purpose of the project is to alleviate sanitary sewage bypasses to the River Des Peres during dry weather and high river stages. This project is scheduled to be completed in 540 days.

Mr. Crumpton questioned what the five percent contingency was for this project.

Mr. Hoelscher indicated that this is a unit price contract and that the five percent is a contingency for unforeseen conditions. He further noted that 95 percent of the District’s jobs come in under budget.

Motion made by Mr. Crumpton, seconded by Mr. Margiotta, that proposed Ord. No. 178-04 be introduced.

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		

INTRODUCTION OF PROPOSED ORD. NO. 179-04 APPROPRIATING \$180,000.00 FROM THE OPERATION, MAINTENANCE AND CONSTRUCTION IMPROVEMENT FUND OF CLAYTON CENTRAL TO BE USED TO REIMBURSE THE BI-STATE DEVELOPMENT AGENCY FOR PROJECT COSTS FOR THE CONSTRUCTION OF SANITARY SEWERS IN MERAMEC AND FOREST PARK PARKWAY (EAST CLAYTON CENTRAL SEWER PHASE X) 2001070, IN THE CITY OF CLAYTON, MISSOURI.

Proposed Ord. No. 179-04 was presented and read. The work to be done under this contract consists of the replacement of approximately 510 lineal feet of 12-inch diameter sanitary sewers and appurtenances in Forest Park Parkway to replace inadequate and substandard sewers. Bi-State Development Agency is currently constructing new Metro-Link facilities in this area and has agreed to construct this project as part of their work. MSD will reimburse Bi-State upon completion of the construction. By this process, MSD saves on construction administration and delay on this project by 6-12 months, and restoration of new construction by this Metro-Link project. This project is scheduled to be completed in 180 days.

Mr. Crumpton asked why there were not bids on this project.

Mr. Hoelscher responded that this was a reimbursement to the Bi-State Development Agency as the work is completed.

Motion made by Mr. Crumpton, seconded by Ms. Rhodes, that proposed Ord. No. 179-04 be introduced.

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		

INTRODUCTION OF PROPOSED ORD. NO. 180-04 APPROPRIATING \$1,000,000.00 FROM THE SANITARY REPLACEMENT FUND FOR FLOW METERING AND MONITORING SERVICES FOR THE COMBINED SEWER AREA – FLOW METERING AND MONITORING (2003055); AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH SEVERN TRENT ENVIRONMENTAL SERVICES FOR THE AFORESAID SERVICES.

Proposed Ord. No. 180-04 was presented and read. The purpose of this contract is to provide District staff, planning consultants, and design consultants with information regarding flow, level, and velocity of combined sewers during all phases of responses to dry and wet weather events. The data is used in refining and calibrating combined sewer system models for use in the CSO program as well as the \$647 million and future Capital Improvement and Replacement Program for developing project scopes for relief or replacement of combined sewers.

Flow metering and monitoring are diagnostic tools that enable District staff to understand combined sewer system responses and behavior of hydraulic phenomenon of various inputs from sanitary and stormwater flows. This information can reveal if the system operates under open channel, pressure, or surcharged conditions which allow the engineer to develop an approach to deal with those conditions.

INTRODUCTION OF PROPOSED ORD. NO. 181-04 APPROPRIATING \$1,000,000.00 FROM THE SANITARY REPLACEMENT FUND FOR FLOW METERING AND MONITORING SERVICES FOR SEPARATE SERVICE AREA – FLOW METERING AND MONITORING (2003084); AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH SEVERN TRENT ENVIRONMENTAL SERVICES FOR THE AFORESAID SERVICES.

Proposed Ord. No. 181-04 was presented and read. The purpose of this contract is to provide District staff and other planning consultants with information regarding flow, level, and velocity data of sewers during all phases of responses to dry and wet weather events. The data is used in refining and calibrating sewer system hydraulic models used in evaluating system performance and determining project scopes of the \$647 million Capital Improvement and Replacement Program for relief and replacement projects as well as future projects and preparation for the pending SSO rule by the EPA. Flow metering and monitoring are diagnostic tools that enable District staff and planning consultants in understanding sewer system responses to various flow conditions and hydraulic phenomenon from system defects and sanitary flows.

INTRODUCTION OF PROPOSED ORD. NO. 182-04 APPROPRIATING \$1,027,000.00 FROM THE SANITARY REPLACEMENT FUND FOR SEWER INSPECTION SERVICES FOR CCTV INSPECTION AND PHYSICAL INSPECTION OF SEWERS (2003086A); AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH SEVERN TRENT ENVIRONMENTAL SERVICES FOR THE AFORESAID INSPECTION SERVICES.

Proposed Ord. No. 182-04 was presented and read. The purpose of this contract is to provide District staff, planning consultants, and design consultants with information regarding sewer condition assessments. Condition assessments provide accurate documentation of sewer conditions and system defects and will form the basis for preventive maintenance activities, inflow/infiltration investigations, structural assessments, sewer system models, and other pipe information. This project includes the development and implementation of a standard sewer pipeline evaluation manual to ensure consistent inspection and classification of sewer defects. Sewer investigations will range from 8-inch diameter to 32-foot horse shape in sanitary, storm, and combine sewer systems.

INTRODUCTION OF PROPOSED ORD. NO. 183-04 APPROPRIATING \$973,000.00 FROM THE SANITARY REPLACEMENT FUND FOR SEWER INSPECTION SERVICES FOR CCTV INSPECTION AND PHYSICAL INSPECTION OF SEWERS (2003086B); AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER TO ENTER INTO A CONTRACT WITH ACE PIPE CLEANING, INC., FOR THE AFORESAID INSPECTION SERVICES.

Proposed Ord. No. 183-04 was presented and read. The purpose of this contract is to provide District staff, planning consultants, and design consultants with information regarding sewer condition assessments. Condition assessments provide accurate documentation of sewer conditions and system defects and will form the basis for preventive maintenance activities, inflow/infiltration investigations, structural assessments, sewer system models, and other pipe information. Sewer investigations will range from 8-inch diameter to 32-foot horse shape in sanitary, storm, and combine sewer systems.

Mr. Margiotta called upon Mr. Hoelscher to provide the following report.

Mr. Hoelscher indicated that flow metering and monitoring is used to help develop and justify the District's efforts to develop a model of the collection system. This model is used to identify the most cost-effective, system-wide project solutions and the effect of those solutions on the collection system as a whole. The metering and monitoring may also identify areas for immediate investigation.

The CCTV contracts are used to televise and inspect the inside of our collection system to support all project identification efforts. These efforts are industry standard to address the issues being faced by the District. In fact, in our continuing discussions with the EPA on SSOs, they have expressed the opinion that we should complete this effort before expending significant design and construction dollars. The District believes it is much better to start actual design and construction as portions of the planning effort are completed.

Additional monies are being requested in the FY2005 CIRP to continue this effort. By the end of the calendar year, the District will have sufficient information to predict the long-term requirements for these and all other extended planning efforts.

He concluded by noting that the District will present this long-term plan to the Board in November or December 2004.

After Mr. Hoelscher's report, there was a brief discussion about how these types of services are procured.

Mr. Hoelscher responded that the District uses a combined quality and cost approach to select these services.

Motion made by Mr. Crumpton, seconded by Ms. Swartz, that proposed Ord. Nos. 180-04, 181-04, 182-04, and 183-04 be introduced.

Motion passed – 4 ayes, no nays

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

INTRODUCTION OF PROPOSED ORD. NO. 184-04 APPROPRIATING \$373,000.00 FROM THE SANITARY REPLACEMENT FUND FOR ENGINEERING SERVICES FOR THE FINAL DESIGN OF FROST-MIDWOOD SANITARY RELIEF (2003056), AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO CONTRACT E-1087 WITH TECH SERVICES, INC. (TSI), FOR THE AFORESAID ENGINEERING SERVICES.

Proposed Ord. No. 184-04 was presented and read. This project consists of the design and preparation of construction documents for approximately 5,280 lineal feet of 8-inch to 24-inch diameter sanitary sewers and appurtenances. The preliminary construction cost estimate is \$1,930,000.00.

Motion made by Mr. Crumpton, seconded by Mr. Margiotta, that proposed Ord. No. 184-04 be introduced.

Motion passed – 4 ayes, no nays

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

INTRODUCTION OF PROPOSED ORD. NO. 185-04 REPEALING ORDINANCE NO. 10901, AS ADOPTED JANUARY 18, 2001, AND ENACTING A NEW ORDINANCE IN LIEU THEREOF, IDENTIFYING AND DESIGNATING THE RATE COMMISSION REPRESENTATIVE ORGANIZATIONS TO SERVE ON THE RATE COMMISSION OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT.

Proposed Ord. No. 185-04 was presented and read. The Plan of the District requires the Board of Trustees to designate Rate Commission Representative Organizations prior to the expiration of current Rate Commission Representative Organization terms.

Mr. Baer indicated that the District will have to make a decision to fill five expired terms from seven organizations who applied.

Mr. Margiotta indicated that would be abstaining on this vote because he is a member of one of the organizations.

Mr. Baer indicated that the recommended organizations to fill the expired terms on the Rate Commission were Association General Contractors of St. Louis, Regional Commerce & Growth Association, Sierra Club, The Engineers' Club of St. Louis, and the St. Louis Association of Realtors.

Mr. Baer indicated that the District, when the next set of vacancies occur, should make every effort to fill these vacancies with consumer groups and consumer advocates.

Motion made by Mr. Crumpton, seconded by Ms. Swartz, that proposed Ord. No. 185-04 be introduced.

Motion passed – 3 ayes, no nays, 1 abstention

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

INTRODUCTION OF PROPOSED ORD. NO. 186-04 AUTHORIZING THE ISSUANCE OF SUBORDINATE WASTEWATER SYSTEM REVENUE BONDS (STATE REVOLVING FUND PROGRAM) SERIES 2004B OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT, FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, EXTENDING AND IMPROVING THE DISTRICT'S WASTEWATER SYSTEM; PRESCRIBING THE FORM AND DETAILS OF THE BONDS AND THE AGREEMENTS MADE BY THE DISTRICT TO FACILITATE AND PROTECT THEIR PAYMENT; AND AUTHORIZING A NO-INTEREST LOAN FROM THE WATER AND WASTEWATER LOAN FUND OF THE STATE OF MISSOURI AND PRESCRIBING OTHER RELATED MATTERS.

Proposed Ord. No. 186-04 was presented and read. This ordinance authorizes a financing agreement with MOEIERA for a serial loan of \$166,000,000.00 at approximately a 60 percent interest subsidy for the construction of specific projects at the Lower Meramec Treatment Plant, Baumgartner Tunnel and Lagoon. This loan will be financed by the sale of a series of bonds that will mature in equal annual increments starting in 2004 with final maturing in 2026. Proceeds will be used to repay a \$69,506,836.00 short-term loan.

Motion made by Mr. Crumpton, seconded by Ms. Swartz, that proposed Ord. No. 186-04 be introduced.

Motion passed – 4 ayes, no nays

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

INTRODUCTION OF PROPOSED ORD. NO. 187-04 AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO AN AGREEMENT WITH THE ROCK ALVA ROAD IMPROVEMENT ASSOCIATION WHEREBY THE DISTRICT WILL RESURFACE AND MAINTAIN A ROAD FOR ACCESS TO THE DISTRICT'S TAPPAWINGO PUMP STATION.

Proposed Ord. No. 187-04 was presented and read. The agreement, as authorized by this ordinance, is made pursuant to a litigation settlement whereby the District sued to establish its rights on the road in question. The funds to be used for the resurfacing and maintenance of said road have been placed in escrow with the District by the adjacent developer. The total costs of resurfacing said road are not expected to exceed \$40,000.00.

Mr. Hoelscher indicated that the cost for the Tappawingo project is being recovered via forfeiting escrow.

Motion made by Mr. Crumpton, seconded by Ms. Swartz, that proposed Ord. No. 187-04 be introduced.

Motion passed – 4 ayes, no nays

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

Upon motion made by Ms. Swartz, seconded by Mr. Crumpton, and unanimously passed, the meeting adjourned at 6:50 P.M.

Secretary-Treasurer