

JOURNAL OF THE (1434<sup>th</sup>) MEETING OF THE  
BOARD OF TRUSTEES  
THE METROPOLITAN ST. LOUIS SEWER DISTRICT  
August 10, 2006 - 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

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

Staff Members

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

Also present were Tom Sullivan, 35 N. Central; Linda Roe, TSI Engineering; Eric Banks, Thompson Coburn LLP; Jon Bergenthal, Jacobs Civil; Derrick Harden, KPMG; Ed Sweet, Parsons; Wayne, Burns & Mac; Lawrence Nwachukwu, Bascilico Engineering; Doug Lambert, Geotechnology; Tom Ratzki, Black & Veatch; Cary Duchene, Black & Veatch; Mark Kollitz, Woolpert; Jim Coll, Jacobs; Donald Moore, David Mason & Associates; Denise Zerillo, Jacobs; Bob Janosha, RJN; Ken Letsor, Post-Dispatch; M. Owens, Gannett, Inc.; A. Sidwell, Gannett, Inc.; Bently Green CH2M Hill; Bob Welsch, HNTB; Doris Ewing NEPC; Tammy Alsop, HBC; Robert Bella, HDR; Matt Kiestne, AHH; Kathy Hale, Mayor's Office; Burke Wasson, Call Newspapers; Rick Olson, Woolpert; David Eiks, CDM; Ron Kruike, Fur-Con; Vicki Taylor Edwards, Director of Human Resources; Steve Brown, Assistant Director of Human Resources; Theresa Bellville, Assistant Director of Finance; Marie Collins, Assistant Director of Engineering; Bruce Kozozenski, Manager of Risk Management; Lance LeComb, Public Affairs Specialist; and Sheri Nackley, Secretary to the Board of Trustees.

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

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Trustee James H. Buford took the oath of office that was supplied by the Secretary-Treasurer.

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Motion made by Mr. Rosenberg, seconded by Ms. Joyce-Hayes, that the Board go into closed session to discuss leasing, purchase or sale of real estate under §610.021(2).

Motion passed – 5 ayes, no nays

Poll taken:	D. J. Hayes	aye	C. Karam	aye
	J. H. Buford	aye	D. Rosenberg	aye

No formal action was taken during closed session.

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

Motion passed – 5 ayes, no nays

Poll taken:	D. J. Hayes	aye	C. Karam	aye
	J. H. Buford	aye	J. Goffstein	aye
	D. Rosenberg	aye		

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Upon motion made by Ms. Joyce-Hayes, seconded by Mr. Rosenberg, the Journal of the July 6, 2006 (1433<sup>rd</sup>) Meeting was unanimously approved.

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Ms. Ewing indicated that the second quarter of 2006 was a weak quarter for the markets in general. Value of both stocks and bonds declined in the quarter. The District did well on a comparative basis with its peer group. For the second quarter, the District's return was a minus .4 percent which put it in the top 16% of all public funds. Both the stock and sector selection helped the District's performance during this quarter. She indicated that the District has \$163,000,000 in the pension fund. The loss for the quarter was \$620,000, and for the first time in quite a while the District was fully invested in all target allocations. The only manager that she expressed any concern with was Ark, who under performed their peer group. She concluded by emphasizing that the District did comparatively well against the peer group for the quarter and the District should give the portfolio some time now that it has achieved its target asset allocation.

Mr. Karam questioned if the \$620,000 loss was attributable to the performance of Ark? Ms. Ewing responded that the loss was due to a general decline in both the equity and the bond markets. She further noted that her firm monitors over 181 public pension plans and the District did better than 150 of those plans.

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Mr. Karam welcomed Mr. Buford to the Board and noted that on July 19 and 22, 2006, the St. Louis metropolitan area experienced severe weather problems which resulted in a massive loss of electrical power. MSD is a heavy user of electrical power and sixty-six pump stations and six plants lost power. MSD's team lead by the Operations group worked very hard

to minimize the impact of this loss of power. He recognized the efforts of one worker who had to use a chain saw to remove a tree from his driveway in order to get to work. He concluded the report by thanking the MSD employees for their efforts and dedication and noted that there would be a resolution of appreciation on tonight's agenda.

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Ms. Joyce-Hayes reported that the Program Management Committee met on August 1, 2006 at 7:00 a.m. The meeting was attended by trustees Charles Karam and David Rosenberg. The minutes of the July 5, 2006 meeting were approved.

Staff presented and discussed the agenda items to be introduced tonight. There was a detailed discussion regarding the following items: Item No. 24 – North Bemiston #325 Storm sewer; Item No. 28 – Williams Creek Sanitary Interceptor; Item No. 29 – UR-03 Upper River Des Peres Sanitary Relief; Item No. 34 – UR-10 Mendell and Wolter; Item No. 36 – Missouri River Wastewater Treatment plant; and Item No. 40 – Watershed Facility Planning.

The Bissell natural gas options, as posted on the agenda, were not discussed. Staff is scheduling additional meetings with Laclede Gas to consider additional ways by which this issue may be resolved.

As part of other business, staff reviewed the consultant selection schedule that occurs during this part of the fiscal year. The selection process begins in January to allow the industry to form project teams. The selection process proceeds through the first half of the calendar year with a large portion of the contracts being introduced to the Board in the first quarter of the fiscal year (July through September) immediately after budget approval. This year approximately \$22 million or almost half of the engineering contracts were scheduled to be introduced in the first two months. At the same time, the staff will request introduction of over \$37 million in construction contracts. This \$37 million represents only 13% of the proposed construction program resulting in a significant number of construction projects being introduced through the rest of the fiscal year. As an example, during the last half of fiscal 2006 (January through June) the Board adopted \$89 million in construction work compared to \$7 million in engineering contracts being introduced to the Board in July, August and September, but it results in construction projects starting as soon as possible to serve the needs of our ratepayers. The meeting adjourned at 8:40 a.m. The next meeting is tentatively scheduled for September 5, 2006 at 7:00 a.m.

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Mr. John Goffstein indicated that the Finance Committee met on August 10, 2006. Present were Trustees Rosenberg, Karam and Goffstein. At that meeting the Committee received a recommendation by staff that Black & Veatch be selected to conduct a feasibility study to support the October 2006 bond issue, also the timetable for that bond issue was reviewed. Ms. Zimmerman reported to the Committee the findings of the Adjustment Review Committee, and Mr. Tyminski updated the Committee on the recommendation to replace the Vanguard Asset Allocation fund with the GMO Asset Allocation Fund. The Committee concluded its meeting by going into closed session to discuss the leasing of certain real property.

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Mr. Theerman reported that the District experienced a \$6.8 million budget surplus for the fiscal year ending June 30, 2006. This was achieved despite having to deal with significantly higher natural gas and fuel costs.

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Mr. Sullivan addressed the Board and raised questions about the notification process the District uses to inform individuals about their Board meetings. He also questioned a number of items on this agenda and asked that additional information be provided on various consulting studies.

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Mr. Karam asked Mr. Theerman to inform the Board about the correspondence received from the Corp of Engineers. Mr. Theerman indicated that the Corp of Engineer will be sponsoring their annual barge trip on the Mississippi River on August 18, 2006. This trip is sponsored to review the infrastructure along the river.

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## CONSENT AGENDA

ADOPTION OF PROPOSED ORD. NO. 1-07 (ORDINANCE NO. 12262) APPROPRIATING \$154,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF CSO-CLAYTON RD. AND HADDINGTON CT. CSO INTERCEPTOR (I-94)/OUTFALL (2005103), IN THE CITY OF RICHMOND HEIGHTS, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH BATES UTILITY COMPANY, INC. FOR THE CONSTRUCTION OF THE AFORESAID CONSTRUCTION.

ADOPTION OF PROPOSED ORD. NO. 2-07 (ORDINANCE NO. 12263) APPROPRIATING \$503,000.00 FROM THE IMPROVEMENT FUND TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF STORM SEWERS IN SEWER IMPROVEMENTS IN ST. LOUIS CITY PARKS PHASE III (2005091), IN THE CITY OF ST. LOUIS, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH XL CONTRACTING, INC. FOR THE AFORESAID CONSTRUCTION.

ADOPTION OF PROPOSED ORD. NO. 3-07 (ORDINANCE NO. 12264) APPROPRIATING \$135,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR PROJECT COSTS FOR BISSELL POINT WWTP CHIMNEY REPAIRS (2005097), 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 GERARD CHIMNEY COMPANY FOR THE CONSTRUCTION OF THE AFORESAID CHIMNEY REPAIRS.

ADOPTION OF PROPOSED ORD. NO. 4-07 (ORDINANCE NO. 12265) APPROPRIATING \$104,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF SANITARY SEWERS IN RHODES AVENUE RELIEF SEWER PHASE II (2001148A), IN THE CITY OF ST. LOUIS, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH XL CONTRACTING, INC. FOR THE CONSTRUCTION OF THE AFORESAID SANITARY SEWERS.

ADOPTION OF PROPOSED ORD. NO. 5-07 (ORDINANCE NO. 12266) APPROPRIATING \$445,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF SANITARY SEWERS IN ARBAN SANITARY RELIEF (SKME-509) (2003059), IN THE CITY OF CRESTWOOD, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH BOMMARITO UTILITIES, LLC FOR THE CONSTRUCTION OF THE AFORESAID SANITARY SEWERS.

ADOPTION OF PROPOSED ORD. NO. 6-07 (ORDINANCE NO. 12267) APPROPRIATING \$146,000.00 FROM THE OPERATION, MAINTENANCE AND CONSTRUCTION IMPROVEMENT FUND OF DEER CREEK TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF STORM SEWERS IN DUNLEITH STORM SEWER (2004075), 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 XL CONTRACTING, INC. FOR THE CONSTRUCTION OF THE AFORESAID STORM SEWERS.

ADOPTION OF PROPOSED ORD. NO. 7-07 (ORDINANCE NO. 12268) APPROPRIATING \$29,450,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF THE GRAND GLAIZE WWTP IMPROVEMENTS (2003061), IN THE CITY OF VALLEY PARK AND ST. LOUIS COUNTY, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH KCI CONSTRUCTION COMPANY FOR THE CONSTRUCTION OF THE AFORESAID TREATMENT PLANT IMPROVEMENTS.

ADOPTION OF PROPOSED ORD. NO. 9-07 (ORDINANCE NO. 12269) APPROPRIATING \$250,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR THE PURCHASE OF LOWER MERAMEC RIVER WWTP START-UP EQUIPMENT (95066T), IN ST. LOUIS COUNTY, MISSOURI.

ADOPTION OF PROPOSED ORD. NO. 10-07 (ORDINANCE NO. 12270) MAKING A SUPPLEMENTAL APPROPRIATION OF \$4,500,000.00 FROM THE SANITARY REPLACEMENT FUND FOR ADDITIONAL ENGINEERING SERVICES FOR INFLOW/INFILTRATION INVESTIGATIONS IN COMBINED SEWER AREA-INFLOW/INFILTRATION ASSESSMENT (2003080); AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO AMENDMENT NO. 4 TO CONTRACT E-1041 WITH RJN GROUP, INC. FOR THE AFORESAID ADDITIONAL ENGINEERING SERVICES.

ADOPTION OF PROPOSED ORD. NO. 11-07 (ORDINANCE NO. 12271) MAKING A SUPPLEMENTAL APPROPRIATION OF \$3,500,000.00 FROM THE SANITARY REPLACEMENT FUND

FOR ADDITIONAL ENGINEERING SERVICES FOR INFLOW/INFILTRATION INVESTIGATIONS FOR SEPARATE SEWER AREA-INFLOW/INFILTRATION ASSESSMENT (2003081); AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO AMENDMENT NO. 7 TO CONTRACT E-1042 WITH WOOLPERT CONSULTANTS, INC. FOR THE AFORESAID ADDITIONAL ENGINEERING SERVICES.

ADOPTION OF PROPOSED ORD. NO. 12-07 (ORDINANCE NO. 12272) MAKING A SUPPLEMENTAL APPROPRIATION OF \$500,000.00 FROM THE SANITARY REPLACEMENT FUND FOR ADDITIONAL ENGINEERING SERVICES FOR THE PRELIMINARY DESIGN OF BLACKSTONE – CLARENDON COMBINED SEWER SYSTEM (2003087); AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO AMENDMENT NO. 5 TO CONTRACT E-1081 WITH PARSONS WATER & INFRASTRUCTURE, INC., FOR THE AFORESAID ADDITIONAL ENGINEERING SERVICES.

Plan Approval

Fishpot West Sanitary Relief (90023)

This project, located in unincorporated St. Louis County, is to alleviate basement backups and overloaded sanitary sewers. This project is in the Fiscal Year 2007 Budget and the estimated construction cost is \$438,000.00.

Summerdale Lane #340 Storm Sewer (2006108)

This project, located in an area located north of Ladue Road, south of Olive Blvd. and east of Dielman Rd. in Olivette, Missouri, is to address street flooding, yard ponding and erosion on two properties. This project is in the Fiscal Year 2007 Budget and the estimated construction cost is \$48,100.00.

W. Adams Storm Sewer (IR) (2005145)

This project, located in an area south of Manchester Road and west of S. Kirkwood (Lindbergh) in Kirkwood, Missouri, is to address street flooding and resultant yard flooding of three properties. This project is in the Fiscal Year 2007 CIRP Budget and the estimated construction cost is \$212,300.00.

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

Motion passed – 5 ayes, no nays

Poll taken:	D. J. Hayes	aye	J. H. Buford	aye
	D. B. Rosenberg	aye	J. H. Goffstein	aye
	C. Karam	aye		

The Chair declared the Consent Agenda adopted and proposed Ord. Nos. 1-07, 2-07, 3-07, 4-

07, 5-07, 6-07, 7-07, 9-07, 10-07, 11-07 and 12-07 and were assigned Ord. Nos. 12262, 12263, 12264, 12265, 12266, 12267, 12268, 12269, 12270, 12271 and 12272.

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UNFINISHED BUSINESS

Ordinances

None.

Resolutions

None.

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NEW BUSINESS

Ordinances

INTRODUCTION OF PROPOSED ORD. NO. 16-07 AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH XL CONTRACTING, INC. FOR THE CONSTRUCTION OF STORM SEWERS IN NORTH BEMISTON #325 STORM SEWER IMPROVEMENTS (INFRASTRUCTURE REPAIR) (2005098), IN THE CITY OF CLAYTON, MISSOURI.

Proposed Ord. No. 16-07 was presented and read. The work to be done under this contract consists of the removal of an inadequate existing stormwater system and the construction of approximately 655 lineal feet of sewer pipe varying in size from 8-inches to 24-inches and appurtenances. The purpose of this project is to address basement flooding of one property at 325 N. Bemiston and street flooding in the vicinity. This project is scheduled to be completed in 45 days.

Motion made by Ms. Harshman, seconded by Mr. Rosenberg that proposed Ord. No. 16-07 be introduced.

Motion passed – 5 ayes, no nays

Poll taken:	D. J. Hayes	aye	J. H. Buford	aye
	D. B. Rosenberg	aye	J. H. Goffstein	aye
	C. Karam	aye		

INTRODUCTION OF PROPOSED ORD. NO. 17-07 APPROPRIATING \$1,160,000.00 FROM

THE SANITARY REPLACEMENT FUND TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF SANITARY SEWERS IN OAK DRIVE TO BOPP LANE SANITARY RELIEF PHASE II (99104B), IN THE CITIES OF TOWN AND COUNTRY, AND FRONTENAC, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH KARSTEN EQUIPMENT COMPANY FOR THE CONSTRUCTION OF THE AFORESAID SANITARY SEWERS.

Proposed Ord. No. 17-07 was presented and read. The work to be done under this contract consists of the construction of approximately 4,266 lineal feet of sanitary sewer pipe varying in size from 8-inches to 18-inches and appurtenances. The purpose of this project is to alleviate basement backups from an overcharged and deteriorated sanitary sewer main. A total of five sanitary sewer bypasses will be removed on this project. This project is scheduled to be completed in 270 days.

Motion made by Mr. Rosenberg, seconded by Ms. Harshman that proposed Ord. No. 17-07 be introduced.

Motion passed – 4 ayes, 1 nay

Poll taken:	D. J. Hayes	aye	J. H. Buford	aye
	D. B. Rosenberg	aye	J. H. Goffstein	nay
	C. Karam	aye		

INTRODUCTION OF PROPOSED ORD. NO. 18-07 APPROPRIATING \$43,000.00 FROM THE OPERATION, MAINTENANCE AND CONSTRUCTION IMPROVEMENT FUND OF THE UNIVERSITY CITY BRANCH OF RIVER DES PERES TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF STORM SEWERS IN FAIRHAM #7619 STORM SEWER (2005140), IN THE CITY OF SHREWSBURY, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH EDWARD'S CONSTRUCTION CO. FOR THE CONSTRUCTION OF THE AFORESAID STORM SEWERS.

Proposed Ord. No. 18-07 was presented and read. The work to be done under this contract consists of the construction of approximately 200 lineal feet of 21-inch storm sewer pipe. The purpose of this project is to alleviate yard and basement flooding. This project is scheduled to be completed in 30 days.

Motion made by Mr. Rosenberg, seconded by Ms. Harshman that proposed Ord. No. 18-07 be introduced.

Motion passed – 5 ayes, no nays

Poll taken:	D. J. Hayes	aye	J. H. Buford	aye
	D. B. Rosenberg	aye	J. H. Goffstein	aye

C. Karam                      aye

INTRODUCTION OF PROPOSED ORD. NO. 19-07 APPROPRIATING \$2,600,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF HARLEM-BADEN RELIEF PHASE III (HIGHLAND) (2001138), 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 CONST. CO., INC. FOR THE AFORESAID CONSTRUCTION.

Proposed Ord. No. 19-07 was presented and read. The work to be done under this contract consists of the construction of approximately 1,719 lineal feet of combined sewers varying in size from 12-inches to 24-inches in diameter, 297 lineal feet of 24-inch force main, a triplex wet weather pump station, and appurtenances. The purpose of this project is to alleviate frequent street and yard flooding due to surcharging combined sewers. This project is scheduled to be completed in 550 days.

Motion made by Mr. Rosenberg, seconded by Ms. Harshman, that proposed Ord. No. 19-07 be introduced.

Motion passed – 5 ayes, no nays

Poll taken:	D. J. Hayes	aye	J. H. Buford	aye
	D. B. Rosenberg	aye	J. H. Goffstein	aye
	C. Karam	aye		

INTRODUCTION OF PROPOSED ORD. NO. 20-07 APPROPRIATING \$200,000.00 FROM THE OPERATION, MAINTENANCE AND CONSTRUCTION IMPROVEMENT FUND OF THE LOWER MERAMEC RIVER BASIN TO REIMBURSE AMERICAN HERITAGE HOMES, L.L.C. FOR THE COSTS OF CONSTRUCTION OF SANITARY SEWERS AS UNDERTAKEN BY AMERICAN HERITAGE HOMES, L.L.C. IN WILLIAMS CREEK SANITARY INTERCEPTOR PHASE IIB (2000046B) 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 AMERICAN HERITAGE HOMES, L.L.C. WHEREBY THE DISTRICT WILL REIMBURSE AMERICAN HERITAGE HOMES, L.L.C. FOR THE CONSTRUCTION OF SAID SANITARY SEWERS.

Proposed Ord. No. 20-07 was presented and read. The work to be done under this contract consists of the construction of approximately 2,922 lineal feet of 15-inch and 18-inch diameter gravity sanitary sewer main and appurtenances. This construction is the first phase of a three-phase improvement project. The purpose of this project is to provide a sanitary trunk sewer in the Williams Creek watershed. This project is scheduled to be completed in 120 days.

Motion made by Ms. Joyce-Hayes, seconded by Mr. Rosenberg, that proposed Ord. No. 20-07 be introduced.

Motion passed – 5 ayes, no nays

Poll taken:	D. J. Hayes	aye	J. H. Buford	aye
	D. B. Rosenberg	aye	J. H. Goffstein	aye
	C. Karam	aye		

INTRODUCTION OF PROPOSED ORD. NO. 21-07 APPROPRIATING \$400,000.00 FROM THE SANITARY REPLACEMENT FUND TO COMPENSATE INDIVIDUAL HOMEOWNERS FOR THE LOSS OF ATTACHED GARAGES AS PART OF AN OVERALL INFILTRATION/INFLOW REDUCTION PROGRAM IN UR-03 UPPER RIVER DES PERES SANITARY RELIEF PHASE II – INFLOW REDUCTION (90084D1), IN THE CITY OF UNIVERSITY CITY, MISSOURI.

Proposed Ord. No. 21-07 was presented and read. The Inflow Reduction project is being constructed to eliminate four combined sewer overflows as required by Section 3 of the District’s LTCP and to eliminate basement backups and consists of private disconnects, removal of basement garages subject to flooding, compensation for loss of basement garages, and sewer construction. This part of the project requires appropriation for compensation of up to five double car basement garages at \$15,800 each and up to 28 single car basement garages at \$11,000 each. The garage compensation is based on the cost estimate for a stand alone wood framed, siding and shingled, single or double car garage on a concrete slab without any other appurtenances such as water, sewer, electric door opener, driveway, permits, plans, etc. as prepared by Heideman & Associates. Property owners will only be compensated for the loss of their basement garage if they sign the binding agreement to unconditionally allow the District on future projects to disconnect private defects that allow stormwater inflow directly to the public sewer as per the Release Form and associated sketch. Property owners will receive full compensation within sixty days after all construction as defined in the Inflow Reduction Release Form has been completed and accepted by MSD. The compensation will allow the property owner to construct a replacement garage outside the flood plain, but they will be responsible for all costs, permits, approvals, applicable regulations, and appurtenances.

Motion made by Ms. Harshman, seconded by Mr. Rosenberg that, proposed Ord. No. 21-07 be introduced.

Motion passed – 5 ayes, no nays

Poll taken:	D. J. Hayes	aye	J. H. Buford	aye
	D. B. Rosenberg	aye	J. H. Goffstein	aye
	C. Karam	aye		

INTRODUCTION OF PROPOSED ORD. NO. 22-07 APPROPRIATING \$1,500,000.00 FROM THE IMPROVEMENT FUND FOR THE REPAIR, REMOVAL, REHABILITATION AND MODIFICATION OF EXISTING SEPARATE SEWER SYSTEM OVERFLOWS IN SEPARATE SEWER OVERFLOW MODIFICATION AND MONITORING PROGRAM (2006174).

Proposed Ord. No. 22-07 was presented and read. This project consists of the removal, rehabilitation, and modification of existing SSOs to eliminate excessive inflow and infiltration and equipping with electric monitoring devices for future reporting purposes in coordination with an ongoing inspection program.

Motion made by Ms. Joyce-Hayes, seconded by Mr. Crumpton, that proposed Ord. No. 22-07 be introduced.

Motion passed – 5 ayes, no nay

Poll taken:	D. J. Hayes	aye	J. H. Buford	aye
	D. B. Rosenberg	aye	J. H. Goffstein	aye
	C. Karam	aye		

INTRODUCTION OF PROPOSED ORD. NO. 23-07 APPROPRIATING \$1,195,000.00 FROM THE SANITARY REPLACEMENT FUND FOR ENGINEERING SERVICES FOR THE DESIGN OF CREVE COEUR CREEK SANITARY TRUNK SEWER RELIEF PHASE II (2003063B) AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO CONTRACT E-1181 WITH ABNA ENGINEERING, INC. FOR THE AFORESAID ENGINEERING SERVICES.

Proposed Ord. No. 23-07 was presented and read. This project consists of the design and preparation of construction documents for approximately 9,730 feet of 10-inch to 72-inch diameter sanitary sewers and appurtenances. This project will provide for the elimination of two sanitary bypasses after construction of the sixth phase. The preliminary construction cost estimate is \$11,530,000.00. The non-construction costs are 16% of the total estimated program costs. The design costs are 8% of the estimated construction costs.

Motion made by Ms. Joyce-Hayes, seconded by Mr. Rosenberg, that proposed Ord. No. 23-07 be introduced.

Motion passed – 5 ayes, no nays

Poll taken:	D. J. Hayes	aye	J. H. Buford	aye
	D. B. Rosenberg	aye	J. H. Goffstein	aye
	C. Karam	aye		

INTRODUCTION OF PROPOSED ORD. NO. 24-07 APPROPRIATING \$485,000.00 FROM THE SANITARY REPLACEMENT FUND FOR ENGINEERING SERVICES FOR THE DESIGN OF GRAVOIS TRUNK (WHITECLIFF TO RDP) SANITARY RELIEF PHASE IV (E-1182 & 90032C) AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO CONTRACT E-1182

WITH HNTB CORPORATION FOR THE AFORESAID ENGINEERING SERVICES.

Proposed Ord. No. 24-07 was presented and read. This project consists of the design and preparation of construction documents for approximately 3,220 feet of 12-inch to 84-inch diameter sanitary sewers and appurtenances. The preliminary construction cost estimate is \$3,000,000.00. This is the fourth of a 14-phase project to provide for the elimination of 23 sanitary bypasses after the Lemay No. 1 pump station is improved. The non-construction costs are 19% of the total estimated program costs. The design costs are 13% of the estimated construction costs.

Motion made by Ms. Joyce-Hayes, seconded by Mr. Rosenberg that proposed Ord. No. 24-07 be introduced.

Motion passed – 5 ayes, no nays

Poll taken:	D. J. Hayes	aye	J. H. Buford	aye
	D. B. Rosenberg	aye	J. H. Goffstein	aye
	C. Karam	aye		

INTRODUCTION OF PROPOSED ORD. NO. 25-07 APPROPRIATING \$1,297,000.00 FROM THE SANITARY REPLACEMENT FUND FOR ENGINEERING SERVICES FOR THE DESIGN OF RIVERSIDE AND YARNELL SANITARY RELIEF (SKME-400) (2006050) AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO CONTRACT E-1183 WITH FRU CON ENGINEERING, INC. FOR THE AFORESAID ENGINEERING SERVICES.

Proposed Ord. No. 25-07 was presented and read. This project consists of the design and preparation of construction documents for approximately 13,200 feet of 8-inch to 48-inch diameter sewers and appurtenances. The Riverside and Yarnell sanitary systems suffer from extensive inflow and infiltration due to poor original construction and deterioration of construction materials. This I/I contributes significant flow to the constructed sanitary sewer overflow located just upstream of the Fenton Treatment Plant as well as additional flows that the District must pay to pump and treat. Secondly, the condition of this sewer makes it prone to cave-ins and blockages that can result in surcharged sewers and basement backups. Finally, this sewer will see additional flow due to the elimination of upstream SSOs and additional development in the William’s Creek watershed making the integrity of this system a high priority in order to protect the residents along this system. The preliminary construction cost estimate is \$7,900,000.00. The non-construction costs are 20% of the total estimated program costs. The design costs are 13% of the estimated construction costs.

Motion made by Ms. Joyce-Hayes, seconded by Mr. Rosenberg that proposed Ord. NO. 25-07 be introduced.

Motion passed – 5 ayes, no nays

Poll taken:	D. J. Hayes	aye	J. H. Buford	aye
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D. B. Rosenberg    aye  
C. Karam            aye

J. H. Goffstein    aye

INTRODUCTION OF PROPOSED ORD. NO. 26-07 APPROPRIATING \$745,000.00 FROM THE SANITARY REPLACEMENT FUND FOR ENGINEERING SERVICES FOR THE DESIGN OF UR-10 MENDELL AND WOLTER SANITARY RELIEF (SKME-595) (90087) AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO CONTRACT E-1184 WITH HOWARD R. GREEN COMPANY FOR THE AFORESAID ENGINEERING SERVICES.

Proposed Ord. No. 26-07 was presented and read. This project consists of the design and preparation of construction documents for approximately 7,750 feet of 8-inch to 36-inch diameter sanitary sewers and appurtenances. This project will provide for the elimination of two sanitary bypasses and alleviate basement backups for approximately 82 properties. The preliminary construction cost estimate is \$3,940,000.00. The non-construction costs are 21% of the total estimated program costs. The design costs are 26% of the estimated construction costs.

Motion made by Mr. Rosenberg, seconded by Ms. Harshman, that proposed Ord. No. 26-07 be introduced.

Motion passed – 4 ayes, 1 nay

Poll taken:	D. J. Hayes	aye	J. H. Buford	aye
	D. B. Rosenberg	aye	J. H. Goffstein	aye
	C. Karam	nay		

INTRODUCTION OF PROPOSED ORD. NO. 27-07 APPROPRIATING \$1,073,000.00 FROM THE SANITARY REPLACEMENT FUND FOR ENGINEERING SERVICES FOR THE DESIGN OF VALLEY SANITARY RELIEF (SKME-014) (2006052) AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO CONTRACT E-1185 WITH GEORGE BUTLER ASSOCIATES, INC. FOR THE AFORESAID ENGINEERING SERVICES.

Proposed Ord. No. 27-07 was presented and read. This project consists of the design and preparation of construction documents for approximately 17,000 feet of 8-inch to 24-inch diameter sanitary sewers and appurtenances. This project will provide for the elimination of one sanitary bypass and alleviate basement backups for approximately ten properties. The preliminary construction cost estimate is \$6,500,000.00. The non-construction costs are 20% of the total estimated program costs. The design costs are 13% of the estimated construction costs.

Motion made by Mr. Rosenberg, seconded by Ms. Harshman that proposed Ord. No. 27-07 be introduced.

Motion passed – 5 ayes, no nays

Poll taken:	D. J. Hayes	aye	J. H. Buford	aye
	D. B. Rosenberg	aye	J. H. Goffstein	aye
	C. Karam	aye		

INTRODUCTION OF PROPOSED ORD. NO. 28-07 APPROPRIATING \$795,000.00 FROM THE SANITARY REPLACEMENT FUND FOR ENGINEERING SERVICES FOR THE DESIGN OF MISSOURI WWTP SECONDARY TREATMENT EXPANSION AND DISINFECTION AT VARIOUS TREATMENT PLANTS (2006168) AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO CONTRACT E-1186 WITH BLACK & VEATCH CORPORATION FOR THE AFORESAID ENGINEERING SERVICES.

Proposed Ord. NO. 28-07 was presented and read. This project consists of the preparation of a Pre-design Report for the Missouri River WWTP to determine process and hydraulic improvements required for secondary treatment expansion and to identify associated modifications and improvements to the existing facilities' related construction costs. The Pre-design Report will expand on previous facility plan efforts to provide a treatment process that meets future regulations, re-evaluate the proposed Howard Bend Service Area development for the 20-year planning period and to 2030, evaluate biosolids and mass balance of biosolids operations, evaluate existing digestors to access their service life for future solids system improvements, and make recommendations that will result in the most economical project in the long term. This project will also include the preparation of a Disinfection Report for the Coldwater treatment plant to evaluate plant improvements for disinfection, and associated construction costs, that would be required to meet MDNR regulations. The preliminary budget for this project is \$50,000,000.00 for the Missouri WWTP secondary treatment expansion, and \$10,000,000 for disinfection facilities at the Missouri River and Coldwater WWTPs.

Motion made by Mr. Rosenberg, seconded by Ms. Harshman that proposed Ord. No. 28-07 be introduced.

Motion passed – 5 ayes, no nays

Poll taken:	D. J. Hayes	aye	J. H. Buford	aye
	D. B. Rosenberg	aye	J. H. Goffstein	aye
	C. Karam	aye		

INTRODUCTION OF PROPOSED ORD. NO. 29-07 APPROPRIATING \$305,000.00 FROM THE SANITARY REPLACEMENT FUND FOR ENGINEERING SERVICES FOR THE DESIGN OF KEHRS MILL TRAILS SUBDIVISION SANITARY SEWERS (S.D. #2003144) AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO CONTRACT E-1187 WITH KUHLMANN DESIGN GROUP, INC. FOR THE AFORESAID ENGINEERING SERVICES.

Proposed Ord. No. 29-07 was presented and read. This project consists of the design and preparation of construction documents for approximately 20,000 feet of 2-inch to 4-inch diameter low-pressure force main sewers, 730 feet of 8-inch diameter gravity sewer, and

appurtenances. This project will provide for the elimination of septic tanks and provide sanitary service for approximately 97 properties. The preliminary construction cost estimate is \$1,660,000.00. The non-construction costs are 15% of the total estimated program costs. The design costs are 17% of the estimated construction costs.

Motion made by Mr. Rosenberg, seconded by Ms. Harshman that proposed Ord. No. 29-07 be introduced.

Motion passed – 4 ayes, 1 abstention

Poll taken:	D. J. Hayes	aye	J. H. Buford	aye
	D. B. Rosenberg	aye	J. H. Goffstein	aye
	C. Karam	abstain		

Introduction of proposed Ord. No. 30-07 appropriating \$280,000.00 from the Sanitary Replacement Fund for engineering services for the design of CSO – Ferguson and Raymond CSO Interceptor (I-134, L-074) (2005106) and authorizing the Executive Director and Secretary-Treasurer on behalf of The Metropolitan St. Louis Sewer District to enter into Contract E-1188 with Engineering Design Source, Inc. for the aforesaid engineering services.

Proposed Ord. No. 30-07 was presented and read. This project consists of the design and preparation of construction documents for approximately 1,160 feet of 10-inch diameter sanitary sewers, 210 feet of 12-inch diameter storm sewers, 215 feet of CIPP lining, and appurtenances. This project will provide for the elimination of one combined sewer overflow as required by Section 3 of the District’s LTCP, including elimination of private inflow sources from approximately 51 properties. The preliminary construction cost estimate is \$912,000.00. The non-construction costs are 27% of the total estimated program costs. The design costs are 25% of the estimated construction costs.

Motion made by Ms. Harshman seconded by Mr. Rosenberg that proposed Ord. No. 30-07 be introduced.

Motion passed – 5 ayes, no nays

Poll taken:	D. J. Hayes	aye	J. H. Buford	aye
	D. B. Rosenberg	aye	J. H. Goffstein	aye
	C. Karam	aye		

INTRODUCTION OF PROPOSED ORD. NO. 31-07 APPROPRIATING \$144,500.00 FROM THE SANITARY REPLACEMENT FUND FOR ENGINEERING SERVICES FOR THE DESIGN OF NATURAL BRIDGE BRANCH SANITARY RELIEF (SKME-221) (2006048) AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO CONTRACT E-1189 WITH ACCESS ENGINEERING, LLC FOR THE AFORESAID ENGINEERING SERVICES.

Proposed Ord. No. 31-07 was presented and read. This project consists of the design and preparation of construction documents for approximately 1,920 feet of 12-inch to 15-inch

diameter sanitary sewers and appurtenances. This project will alleviate basement backups for approximately five properties and elimination of a surcharged sanitary sewer system. The preliminary construction cost estimate is \$550,000.00. The non-construction costs are 25% of the total estimated program costs. The design costs are 20% of the estimated construction costs.

Motion made by Ms. Harshman seconded by Mr. Rosenberg that proposed Ord. No. 31-07 be introduced.

Motion passed – 5 ayes, no nays

Poll taken:	D. J. Hayes	aye	J. H. Buford	aye
	D. B. Rosenberg	aye	J. H. Goffstein	aye
	C. Karam	aye		

INTRODUCTION OF PROPOSED ORD. NO. 32-07 MAKING A SUPPLEMENTAL APPROPRIATION OF \$7,200,000.00 FROM THE SANITARY REPLACEMENT FUND FOR ADDITIONAL ENGINEERING SERVICES FOR PLANNING FUNCTIONS IN WATERSHED FACILITY PLANNING (2003079); 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-1040 WITH JACOBS CIVIL, INC. FOR THE AFORESAID ADDITIONAL ENGINEERING SERVICES.

Proposed Ord. No. 32-07 was presented and read. This ordinance appropriates supplemental funds and authorizes the District to enter into Amendment No. 8 with Jacobs Civil, Inc. The purpose of the contract is to provide the necessary planning staff to initiate and maintain the District’s 20-year program. The planning consultants will provide the services of 45 individuals to produce 36 FTEs of work to support the District’s in-house planning staff assigned to this work. Ninety percent (90%) of the effort includes the preparation of 80 preliminary studies, completion of the hydraulic and hydrologic models for 10 watersheds and initiation of modeling in 6 watersheds, assist in the management of and prepare 40 preliminary studies from the I/I consultants, continue development of sanitary sewer overflow control plans in 5 priority watersheds and initiate plans in 5 additional watersheds, continue implementation and development of the District’s long term control plan for the areas served by combined sewer systems. The remaining 10% will be used to address 9 other smaller technical tasks. Resources may be adjusted as required by program needs. The amended appropriation is \$17,500,000 to date. This is the final amendment to this contract.

Motion made by Ms. Harshman seconded by Mr. Rosenberg that proposed Ord. No. 32-07 be introduced.

Motion passed – 5 ayes, no nays

Poll taken:	D. J. Hayes	aye	J. H. Buford	aye
	D. B. Rosenberg	aye	J. H. Goffstein	aye
	C. Karam	aye		

INTRODUCTION OF PROPOSED ORD. NO. 33-07 APPROPRIATING \$46,000.00 FROM THE GENERAL FUND OF THE DISTRICT FOR A FINANCIAL FEASIBILITY STUDY FOR THE PLANNED SALE OF SEWER REVENUE BONDS; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH BLACK & VEATCH CORPORATION WHEREBY BLACK & VEATCH CORPORATION WILL PERFORM SAID FINANCIAL FEASIBILITY STUDY.

Proposed Ord. NO. 33-07 was presented and read. A requirement for the underwriting of a municipal debt issue is the completion of a feasibility study that would assure either the bond or note holders that the District has the appropriate resources and ability to handle the project and ultimately repay the debt. The District solicited proposals from twelve firms. Two firms responded. These proposals were reviewed by a team comprised of multi-disciplined in-house staff members. Based on their assessment process, the firm of Black & Veatch was selected as having the best overall work plan for this engagement.

Motion made by Ms. Harshman seconded by Mr. Rosenberg that proposed Ord. No. 33-07 be introduced.

Motion passed – 5 ayes, no nays

Poll taken:	D. J. Hayes	aye	J. H. Buford	aye
	D. B. Rosenberg	aye	J. H. Goffstein	aye
	C. Karam	aye		

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 34-07 (ORDINANCE NO. 12273) PRESCRIBING THE SALARY OF THE EXECUTIVE DIRECTOR OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT.

Proposed Ord. No. 34-07 was presented and read. Section 8.070 of the District Charter requires that the salary of the Executive Director be set by ordinance. This ordinance increases the salary for the position of Executive Director to \$178,447.50.

Motion made, seconded and unanimously adopted to suspend the rules to allow for adoption of proposed Ord. No. 34-07.

Motion made by Mr. Rosenberg, seconded by Ms. Harshman that proposed Ord. No. 34-07 be adopted.

Motion passed – 5 ayes, no nays

Poll taken:	D. J. Hayes	aye	J. H. Buford	aye
	D. B. Rosenberg	aye	J. H. Goffstein	aye

C. Karam                      aye

The Chair declared proposed Ord. No. 34-07 adopted and it was assigned Ordinance No. 12273.

Mr. Karam asked why these easements are being vacated. Mr. Hoelscher responded that we have new easements and the old ones are being abandoned.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 35-07 (ORDININANCE NO. 12274)  
INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 35-07 VACATING PRESTON PLACE COURT A FORTY-FOOT (40') WIDE PRIVATE ROADWAY AND A TEN-FOOT (10') WIDE UTILITY EASEMENT LOCATED IN LOTS 3 AND 4 OF PRESTON PLACE SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 350, PAGES 243 AND 244 OF THE ST. LOUIS COUNTY RECORDS, IN ST. LOUIS COUNTY, MISSOURI.

Proposed Ord. No. 35-07 was presented and read. The District has been requested to vacate its rights to Preston Place Court, a forty-foot (40') wide private roadway and a ten-foot (10') wide utility easement. The proper owner has submitted a revised recorded plat relocating the private roadway and utility easement at no cost to the District. The District has no future use for the private residential roadway and utility easement.

Motion made by Mr. Rosenberg, seconded by Ms. Harshman that proposed Ord. No.35-07 be introduced.

Motion passed – 5 ayes, no nays

Poll taken:	D. J. Hayes	aye	J. H. Buford	aye
	D. B. Rosenberg	aye	J. H. Goffstein	aye
	C. Karam	aye		

Motion made, seconded and unanimously adopted to suspend the rules to allow for adoption of proposed Ord. No. 35-07.

Motion made by Mr. Karam, seconded by Mr. Rosenberg that proposed Ord. No. 35-07 be adopted.

Motion passed – 5 ayes, no nays

Poll taken:	D. J. Hayes	aye	J. H. Buford	aye
	D. B. Rosenberg	aye	J. H. Goffstein	aye
	C. Karam	aye		

The Chair declared proposed Ord. No. 35-07 adopted and it was assigned Ordinance No. 12274.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 36-07 (ORDININANCE NO. 12275)  
VACATING PORTIONS OF TEN-FOOT (10'), FIFTEEN-FOOT (15') AND TWENTY-FOOT (20') WIDE

EASEMENTS LOCATED IN LOTS A AND B OF THE RE-SUBDIVISION OF DELMAR GARDENS NORTH SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 349, PAGE 626 OF THE ST. LOUIS COUNTY RECORDS, IN ST. LOUIS COUNTY, MISSOURI.

Proposed Ord. No. 36-07 was presented and read. The District has been requested to vacate its rights to a ten-foot (10') wide, fifteen-foot (15') wide, and twenty-foot (20') wide easement. The property owner has relocated District facilities in these existing easements and has obtained new easements along the relocated alignment at no cost to the District. The District has no future use for the existing easements on this commercial property.

Motion made by Mr. Rosenberg, seconded by Ms. Harshman that proposed Ord. No.36-07 be introduced.

Motion passed – 5 ayes, no nays

Poll taken:	D. J. Hayes	aye	J. H. Buford	aye
	D. B. Rosenberg	aye	J. H. Goffstein	aye
	C. Karam	aye		

Motion made, seconded and unanimously adopted to suspend the rules to allow for adoption of proposed Ord. No. 36-07.

Motion made by Mr. Karam, seconded by Mr. Rosenberg that proposed Ord. No. 36-07 be adopted.

Motion passed – 5 ayes, no nays

Poll taken:	D. J. Hayes	aye	J. H. Buford	aye
	D. B. Rosenberg	aye	J. H. Goffstein	aye
	C. Karam	aye		

The Chair declared proposed Ord. No. 36-07 adopted and it was assigned Ordinance No. 12275.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 37-07 (ORDINANCE NO. 12276) APPROPRIATING \$250,000.00 FROM THE EMERGENCY FUND FOR EMERGENCY PROCUREMENT OF EQUIPMENT AND SERVICES NECESSITATED BY THE STORM INCIDENT AND POWER OUTAGE IN THE ST. LOUIS METROPOLITAN AREA ON AND AFTER JULY 19, 2006; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO CONTRACTS FOR SUCH EQUIPMENT AND SERVICES AS ARE NECESSARY TO KEEP THE DISTRICT OPERATIONAL.

Proposed Ord. No. 37-07 was presented and read. Due to the storm events of July 19

and 21, 2006, seventy-two (72) District facilities lost power. This ordinance authorizes an appropriation of \$250,000 from the Emergency Fund to cover costs, such as generator rental, extra overtime, fuel costs, debris removal, and transportation services. The District will pursue recovery of these costs from FEMA.

Motion made by Mr. Rosenberg, seconded by Ms. Harshman that proposed Ord. No.37-07 be introduced.

Motion passed – 5 ayes, no nays

Poll taken:	D. J. Hayes	aye	J. H. Buford	aye
	D. B. Rosenberg	aye	J. H. Goffstein	aye
	C. Karam	aye		

Motion made, seconded and unanimously adopted to suspend the rules to allow for adoption of proposed Ord. No. 37-07.

Motion made by Ms. Harshman, seconded by Mr. Rosenberg that proposed Ord. No. 37-07 be adopted.

Motion passed – 5 ayes, no nays

Poll taken:	D. J. Hayes	aye	J. H. Buford	aye
	D. B. Rosenberg	aye	J. H. Goffstein	aye
	C. Karam	aye		

The Chair declared proposed Ord. No. 36-07 adopted and it was assigned Ordinance No. 12275.

Mr. Karam asked how much has the District expended. Mr. Theerman responded that \$175,000 has been expended and the District will seek recovery from FEMA. Ms. Joyce-Hayes asked what this money was expended for. Mr. Theerman replied, for generator rental and tree and debris removal. Mr. Karam asked if overtime was included in this amount. Mr. Theerman indicated that it was not, but would be included in the FEMA claim. Ms. Joyce-Hayes questioned if it would be cost-justified for the District to purchase more generators. Mr. Theerman responded that the District's generator inventory is adequate. The most severe situation occurred at the Coldwater plant which was an unusual problem.

### Resolutions

ADOPTION OF RESOLUTION NO. 2659 EXPRESSING THE BOARD OF TRUSTEES' APPRECIATION TO PAULA L. ECKRICH FOR HER 16 YEARS OF EXEMPLARY SERVICE TO THE METROPOLITAN ST. LOUIS SEWER DISTRICT FROM JUNE 4, 1990, TO HER RETIREMENT EFFECTIVE AUGUST 1, 2006.

Resolution No. 2659 was presented and read.

ADOPTION OF RESOLUTION NO. 2660 EXPRESSING THE BOARD OF TRUSTEES' APPRECIATION TO JOHN T. BANJAK FOR HIS YEARS OF SERVICE AS A MEMBER OF THE CIVIL SERVICE COMMISSION OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT FROM NOVEMBER 13, 2001 TO JULY 22, 2006.

Resolution No. 2660 was presented and read.

ADOPTION OF RESOLUTION NO. 2663 EXPRESSING THE BOARD OF TRUSTEES' APPRECIATION TO HAROLD CRUMPTON FOR HIS SERVICE AS A MEMBER OF THE BOARD OF TRUSTEES OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT FROM MARCH 2004 TO JULY 2006.

Resolution No. 2663 was presented and read.

Motion made by Ms. Harshman, seconded by Mr. Rosenberg that Resolution No. 2663 be adopted.

Motion passed – voice vote; 5 ayes no nays

ADOPTION OF RESOLUTION NO. 2664 WHEREAS, SECTION 9.3 OF THE PENSION PLAN OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT PROVIDES THAT THE BOARD OF TRUSTEES OF THE DISTRICT, MAY FROM TIME TO TIME, APPOINT ONE OR MORE INVESTMENT MANAGERS TO ACT ON BEHALF OF ANY TRUSTEE OR TRUSTEES OF THE PENSION PLAN WITH RESPECT TO ALL OR A SPECIFIED PORTION OF THE ASSETS OF THE PENSION FUND HELD BY SAID TRUSTEE. SUCH INVESTMENT MANAGERS SHALL BE EITHER (A) REGISTERED AS AN INVESTMENT ADVISER UNDER THE INVESTMENT ADVISERS ACT OF 1940, (B) THE SECURITIES OF INVESTMENT COMPANIES (MUTUAL FUNDS) REGISTERED UNDER THE INVESTMENT COMPANY ACT OF 1940, (C) A BANK COMMON OR COLLECTIVE TRUST FUND AS DEFINED IN THE INVESTMENT ADVISERS ACT OF 1940, (D) A LEGAL INSURANCE COMPANY QUALIFIED TO MANAGE, ACQUIRE OR DISPOSE OF PLAN ASSETS UNDER THE LAWS OF MISSOURI.

Resolution No. 2664 was presented and read. This resolution authorizes the addition of GMO to serve as the investment manager for the Global Tactical Asset Allocation component of the pension investments. The Pension Plan assets will be invested in GMO's Global Balanced Asset Allocation Fund. The Global Balanced Asset Allocation Fund is recommended by our pension investment consultant, NEPC who conducted a due diligence study on the District's behalf. This recommendation will be presented to the Finance Committee prior to the Board meeting on August 10. Approximately 12% of the pension assets, or \$20,000,000 is earmarked for this investment style.

Motion made by Mr. Goffstein, seconded by Mr. Rosenberg that Resolution No. 2664 be adopted.

Motion passed – voice vote; 5 ayes, no nays.

ADOPTION OF RESOLUTION NO. 2665 TRANSFERRING UNENCUMBERED APPROPRIATED BALANCES TOTALING \$168,900.00 FROM CERTAIN CLASSIFICATIONS OF EXPENDITURES WITHIN THE GENERAL FUND AND REAL PROPERTY IMPROVEMENTS AND ALTERATIONS FUND TO OTHERS WITHIN THE GENERAL FUND AND REAL PROPERTY IMPROVEMENTS AND ALTERATIONS FUND TO MEET THE OPERATING NEEDS OF THE DISTRICT FOR THE REMAINDER OF THE FISCAL YEAR 2005-2006.

Resolution No. 2665 was presented and read. This resolution transfers unencumbered appropriated balances from certain allowable expenditure classifications to another within the General Fund to meet the operating needs of the District for the remainder of the Fiscal Year 2005-2006; said transfer to be made between accounts and in the amounts as indicated.

Motion made by Mr. Rosenberg, seconded by Ms. Harshman that Resolution No. 2665 be adopted.

Motion passed – voice vote; 5 ayes, no nays.

**(HELD)**

ADOPTION OF RESOLUTION NO. 2669 WHEREAS, ORDINANCE NO. 11846, ADOPTED SEPTEMBER 9, 2004, AUTHORIZED THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH SECURITAS SECURITY SERVICES USA, INC. WHEREBY SECURITAS SECURITY SERVICES USA, INC. WOULD PROVIDE SECURITY FOR THE DISTRICT'S HEADQUARTERS BUILDING, DISTRICT EMPLOYEES AND THROUGHOUT THE DISTRICT AS NEEDED.

ADOPTION OF RESOLUTION NO. 2670 EXPRESSING THE BOARD OF TRUSTEES' APPRECIATION TO DISTRICT EMPLOYEES FOR THEIR EXTRAORDINARY EFFORTS AND WORK PERFORMED IN PRESERVING THE PUBLIC HEALTH IN THE ST. LOUIS METROPOLITAN AREA ON AND AFTER THE STORM INCIDENTS OF JULY 19 AND 21, 2006.

Resolution No. 2670 was presented and read.

Motion passed – voice vote; 5 ayes, no nays

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ELECTION OF CHAIRMAN FOR THE PERIOD OF AUGUST 2006 THROUGH MARCH 2007.

Motion made by Mr. Rosenberg to nominate Ms. Joyce-Hayes for Chair, seconded by Mr. Karam.

Motion passed – 4 ayes, 1 abstention

Poll taken: D. J. Hayes                      abstain                      J. H. Buford   a                      ye

D. B. Rosenberg	aye	J. H. Goffstein	aye
C. Karam	aye		

Motion made to close nomination by Mr. Rosenberg, seconded by Mr. Karam.

Motion passed – 4 ayes, 1 abstention

Poll taken:	D. J. Hayes	abstain	J. H. Buford	aye
	D. B. Rosenberg	aye	J. H. Goffstein	aye
	C. Karam	aye		

Motion made to vote for Chair by Mr. Rosenberg, seconded by Mr. Karam.

Motion passed – 4 ayes, 1 abstention.

Poll taken:	D. J. Hayes	abstain	J. H. Buford	aye
	D. B. Rosenberg	aye	J. H. Goffstein	aye
	C. Karam	aye		

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Upon motion made by Mr. Goffstein, seconded by Mr. Rosenberg, and unanimously passed, the meeting adjourned at 6:05 P.M.

Secretary-Treasurer