

JOURNAL OF THE (1436<sup>th</sup>) MEETING OF THE  
BOARD OF TRUSTEES  
THE METROPOLITAN ST. LOUIS SEWER DISTRICT  
September 14, 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

Staff Members

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

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; Andrew Gottschalk, KPMG; Tom Curran, St. Louis County Government Center; Rodney Crim, SLDC; Otis Williams, SLDC; Pat Bannister, SLDC; Jim Burke, Farmworth; Ed Sweet, Parsons; Dennis Boehle, Local 410; Jerry Guillot, 3300 Lone Elm; Jon Bergenthal, Jacobs Engineering; Tom Meinhart, Jacobs Engineering; David Eike, CDM; Tammy Alsop, H, B & Co.; Eric Cowan, Banc of America; Tom Ratzki, Black & Veatch; Lawrence Nwachukwu, Basilica Engineering; Bill Clarke, Horner & Shifrin; Bently Green, CH2MHill; Bob Welsch, HNTB; G. White, Kwame; Don Moore, David Mason & Assoc.; Mark Kollitz, Woolpert; Ken Leiser, St. Louis Post-Dispatch; Cary Duchene, Black & Veatch; Vicki Taylor Edwards, Director of Human Resources; Marie Collins, Assistant Director of Engineering; Bruce Kozozenski, Manager of Risk Management; Lance LeComb, Public Affairs Specialist; Gene Rhodes, Audit Administrator; Theresa Bellville, Asst. Director of Finance; Debbie Johnson, Public Affairs Rep.; Steve Brown, Asst. Director of Human Resources, and Helen Williams, Senior Office Associate..

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Ms. Joyce-Hayes opened the meeting pursuant to notice and call.

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

Motion passed – 6 ayes, no nays

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

A formal vote was taken on the adoption of proposed Ord. No. 73-07 authorizing the Executive Director and Secretary-Treasurer on behalf of The Metropolitan St. Louis Sewer District to execute Amendment No. 7 to the Lease Agreement with Lange-Stegmann Fertilizer Company, for a lease of certain real property of the District known and numbered as #1 Angelica Street, in the City of St. Louis, Missouri

Motion made by Mr. Rosenberg, seconded by Ms. Harshman that proposed Ord. No. 73-07 be adopted.

Motion passed – 6 ayes, no nays

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

The Chair declared proposed Ord. No. 73-07 adopted and it was assigned Ordinance No. 12301.

Mr. Hayman reiterated a summary of the terms and conditions of the proposed long-term lease that consists of four, five-year rate increments. He also noted that any leasehold improvements would be at the expense, even in the event of a premature termination of the lease by MSD, of Lange-Stegmann and not reimbursed by MSD.

Motion mad by Mr. Rosenberg, seconded by Ms. Harshman, to reconvene into open session.

Motion passed – 6 ayes, no nays

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

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Upon motion made by Mr. Rosenberg, seconded by Ms. Harshman, the Journals of the August 10, 2006 (1434<sup>th</sup>) and August 31, 2006 (1435<sup>th</sup>) Meetings were approved.

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There was no report given by the Chair.

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Mr. Karam reported that the Program Management Committee met on September 7, 2006 at 4:30 p.m. The meeting was attended by trustees Dee Joyce-Hayes, David Rosenberg and himself. The minutes of the August 1, 2006 meeting were approved.

Staff presented and discussed the agenda items to be introduced on tonight's agenda. There was a detailed discussion regarding the following items: 16 thru 18, 21, 25 thru 35, 37 thru 39, and 49.

Staff then reviewed the reason for holding the Fairham Storm Sewer construction project from the August 31, 2006 consent agenda. The low bidder, Edward's Construction, is a small sewer construction company that has performed well for the District on past smaller projects. Due to issues with insurance and bonding accounting requirements for larger projects, Edward's requested that they not be awarded this project, but indicated they will still be interested in future projects. Staff has granted Edward's request and anticipates requesting amendment and adoption for this project to the second low bidder at next month's meeting.

Staff also provided information previously requested on items 10, 11 and 12 of the consent agenda. The meeting adjourned at 6:40 p.m. The next meeting is scheduled for October 3, 2006 at 7:00 a.m.

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Mr. Rosenberg reported that the Finance Committee met earlier on September 14<sup>th</sup>. In attendance were Trustees Rosenberg, Harshman and Karam. At that meeting Ms. Zimmerman reported on the activities of the Adjustment Review Committee (ARC). Mr. Tyminski gave a status report on the upcoming bond sale and Ms. Zimmerman updated the Committee on a proposed change to the engineering fee on the process that the Rate Commission uses to review the District's rates.

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Mr. Goffstein reported that the Audit Committee met earlier on September 14, 2006 at 11:30 a.m. The meeting was attended by Board Trustees, Karam, Rosenberg and himself.

The Audit Committee discussed the status of fiscal year 2007 Internal Audit schedule and approved the Data Mining, Billing, and Network Security reports and reviewed the Public Education Program and Internal Audit Status update. Additionally, a status was provided on follow-up to outstanding audit issues.

A closed session was convened and the meeting adjourned at 12:41 p.m.

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Ms. Harshman asked that the report of the Personnel & MBE/WBE Committee be held until Item No. 41 on the agenda is read.

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There was report given by the Executive Director.

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Mr. Jerry Guillot addressed the Board and explained that he had been experiencing backups from a blocked main in front of his house. He complimented MSD's crews who visited his property, but asked that the District resolve this problem. He emphasized that this is the third time he has experienced a backup from a blocked main and understands that the Insituform process can be used to line sewers and resolve problems like his. He concluded by asking the Board to fix his problem. Mr. St. Pierre indicated that he was not aware of this specific problem, but the Insituform process can be used on this type of line to avoid future problems.

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Mr. Sullivan addressed the Board and questioned why the District was retaining Jacobs for the watershed facility planning study. He cited some problems that Jacobs had experienced in other cities related to their overall business relationships. Mr. Sullivan expressed an opinion that several of the Board members had conflicts of interest with firms involved with the District's upcoming bond issue. In particular, he noted that Ms. Joyce-Hayes' law firm does business with some of the firms involved with the bond issue. He also noted that the Urban League has a partnership with A. G. Edwards and Edward D. Jones. Ms. Joyce-Hayes indicated that she could always abstain on the vote. He also raised questions about the contract for biosolids and asked if the District has developed a policy for employees who leave the District and then come back to do business with the District. Ms. Joyce-Hayes indicated that she does not believe that she has a conflict of interest with respect with the firms involved with the bond issue. She noted that her law firm, Sonnenschein, does legal work for various investment banking firms on a transaction-by-transaction basis. Her firm is not involved with the District's transactions, and she is not involved with this type of legal work. In fact, her firm specifically asked that they not be involved with a proposer on this particular transaction. Mr. Hayman indicated that the fact that a company received money does not in itself create a conflict of interest. This is especially true in light of the fact that the receipt of this money is being disclosed. Mr. Sullivan cited the imputed disqualification rule noting that if one individual has a conflict, the whole firm has a conflict. Ms. Joyce-Hayes pointed out that that rule does not apply in this instance; she noted that her firm does not have a conflict to begin with. Ms. Joyce-Hayes concluded that Mr. Sullivan is misapplying the rules of ethics. Mr. Buford indicated that the Urban League does not have a partnership with either A. G. Edwards or Edward D. Jones. He noted that they may be a contributor to the Urban League, but so are many other major companies in St. Louis. Mr. Buford noted that from time to time, the Urban League has received contributions from A. G. Edwards, Edward D. Jones and Banc of America. It was further noted that the contributions were given to the Urban League, not to Mr. Buford. Mr. Hayman

reiterated the position that a contribution in and of itself does not constitute a conflict of interest, especially when that contribution has been disclosed. Ms. Harshman indicated that she is not involved with fund raising on a decision level; however that from time to time, every one of the firms involved with this transaction has probably done some type of business with St. Louis University, either through contributions or sending students to the school. Ms. Joyce-Hayes indicated that procedurally, we will need at least two votes from the City trustees and two votes from the County trustees to pass an ordinance establishing the members of the bond finance team. Therefore, both she and Mr. Buford could not possibly abstain on their vote. Messrs. Hayman and Theerman again commented that they did not believe that a conflict of interest exist in this case. Mr. Goffstein indicated that he served two terms on the Missouri Board Ethics Committee and in this case, he sees no conflict.

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## CONSENT AGENDA

ADOPTION OF PROPOSED ORD. NO. 21-07 (ORDINANCE NO. 12293) 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.

ADOPTION OF PROPOSED ORD. NO. 26-07 (ORDINANCE NO. 12294) 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.

### Plan Approval

#### Valcour & Weber Storm Sewer (2005052)

This project, located North of Gravois Road and West of Mackenzie Road in unincorporated St. Louis County, is to eliminate recurring storm water flooding and erosion at 8 residential properties. This project is in the fiscal year 2006 Budget and the estimated construction cost is \$300,000.00.

#### Prendergast #1745 Storm Sewer Repair (Infrastructure Repair) (2005081)

This project, located north of Interstate 270 and East of Lewis and Clark Boulevard in the municipality of Spanish Lake, is to eliminate a major pipe collapse in a 48" pipe culvert. This project is in the fiscal year 2006 Budget and the estimated construction cost is \$100,000.00.

**(Revised 10/10/06)**

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

Motion passed – 6 ayes, no nays

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

The Chair declared the Consent Agenda adopted and proposed Ord. Nos. 21-07 and 26-07 and were assigned Ordinance Nos. 12293 and 12294.

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ADOPTION OF PROPOSED ORD. NO. 32-07 (ORDINANCE NO. 12295) 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.

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

Motion passed – 5 ayes, 1 nay

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

The Chair declared proposed Ord. No. 32-07 adopted and it was assigned Ordinance No. 12295

Mr. Karam asked Mr. Hoelscher to summarize his presentation on this issue that was given to the Program Management Committee. Mr. Hoelscher indicated that this planning study is required to maintain the 20-year Capital Improvement Program. He emphasized that due to the District’s limited resources, additional staff and expertise is needed to augment the planning function. Jacobs provides approximately 85 percent of these needs. Mr. Goffstein questioned if there are any concerns about this firm’s ethical practice. Mr. Theerman responded that is a fairly old issue that the District has already researched. The problems were associated with personnel from a different Jacob’s office, none of which are connected to the MSD project.

ADOPTION OF PROPOSED ORD. NO. 39-07 (ORDINANCE NO. 12296) AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO CONTRACTS WITH A. G. EDWARDS, BANC OF AMERICA SECURITIES, EDWARD JONES, AND STIFEL NICOLAUS

WHEREBY A. G. EDWARDS, BANC OF AMERICA SECURITIES, EDWARD JONES, AND STIFEL NICOLAUS WILL SERVE AS BOND UNDERWRITERS FOR THE DISTRICT.

Motion passed – 5 ayes, 1 abstention

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

The Chair declared proposed Ord. No. 39-07 adopted and it was assigned Ordinance No. 12296.

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UNFINISHED BUSINESS

Ordinances

None.

Resolutions

None.

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NEW BUSINESS

Ordinances

INTRODUCTION OF PROPOSED ORD. NO. 40-07 APPROPRIATING \$159,000.00 FROM THE OPERATION, MAINTENANCE AND CONSTRUCTION IMPROVEMENT FUND OF NORTH AFFTON TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF STORM SEWERS IN JOEL - IVANHOE STORM SEWER (2005131), 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 STORM SEWERS.

Proposed Ord. No. 40-07 was presented and read. The work to be done under this contract consists of the construction of approximately 819 lineal feet of pipe sewers varying in size from 8-inches to 24-inches in diameter and appurtenances. The purpose of this project is

to eliminate recurring stormwater flooding and erosion at 12 residential properties. This project is scheduled to be completed in 60 days.

Motion made by Mr. Rosenberg, seconded by Ms. Joyce-Hayes that proposed Ord. No. 40-07 be introduced.

Motion passed – 5 ayes no nays

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

INTRODUCTION OF PROPOSED ORD. NO. 41-07 APPROPRIATING \$280,000.00 FROM THE OPERATION, MAINTENANCE AND CONSTRUCTION IMPROVEMENT FUND OF SEMINARY BRANCH OF RIVER DES PERES TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF STORM SEWERS IN VALCOUR & WEBER STORM SEWER (2005052), 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 STORM SEWERS.

Proposed Ord. No. 41-07 was presented and read. The work to be done under this contract consists of the construction of approximately 1,200 lineal feet of pipe sewers varying in size from 6-inches to 30-inches in diameter and appurtenances. The purpose of this project is to eliminate recurring stormwater flooding and erosion at eight residential properties. This project is scheduled to be completed in 60 days.

Motion by Mr. Goffstein, seconded by Ms. Joyce-Hayes that proposed Ord. No. 41-07 be introduced.

Motion passed – 5 ayes, no nays

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

INTRODUCTION OF PROPOSED ORD. NO. 42-07 APPROPRIATING \$205,000.00 FROM THE OPERATION, MAINTENANCE AND CONSTRUCTION IMPROVEMENT FUND OF SUGAR CREEK TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF STORM SEWERS IN W. ADAMS STORM SEWER REPLACEMENT (CIP 2007) (2005145), 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 XL CONTRACTING, INC. FOR THE CONSTRUCTION OF THE AFORESAID STORM SEWERS.

Proposed Ord. No. 42-07 was presented and read. The work to be done under this contract consists of the installation of approximately 754 lineal feet of pipe sewers varying in size

from 6-inches to 36-inches in diameter and appurtenances. The purpose of this project is to address street flooding and yard flooding of three properties as a result of deteriorated and collapsed storm sewers. This project is scheduled to be completed in 45 days.

Motion by Mr. Rosenberg, seconded by Ms. Joyce-Hayes that proposed Ord. No. 42-07 be introduced.

Motion passed – 5 ayes, no nays

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

INTRODUCTION OF PROPOSED ORD. NO. 43-07 APPROPRIATING \$365,000.00 FROM THE OPERATION, MAINTENANCE AND CONSTRUCTION IMPROVEMENT FUND OF LOWER MERAMEC RIVER BASIN TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF SANITARY SEWERS IN FISHPOT WEST SANITARY RELIEF (90023), IN THE 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 UNNERSTALL CONTRACTING CO., LTD., FOR THE CONSTRUCTION OF THE AFORESAID SANITARY SEWERS.

Proposed Ord. No. 43-07 was presented and read. The work to be done under this contract consists of the construction of approximately 1,630 lineal feet of pipe sewers varying in size from 8-inches to 24-inches in diameter and appurtenances. This construction is the first phase of a three-phase sanitary improvement project. The purpose of this project is to alleviate property loss and damage due to basement backups and overloaded sanitary sewers. This project is scheduled to be completed in 180 days.

Motion made by Mr. Rosenberg, seconded by Mr. Goffstein that proposed Ord. No. 43-07 be introduced.

Motion passed – 5 ayes, no nays

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

INTRODUCTION OF PROPOSED ORD. NO. 44-07 APPROPRIATING \$31,000.00 FROM THE OPERATION, MAINTENANCE AND CONSTRUCTION IMPROVEMENT FUND OF BLACK CREEK TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF STORM SEWERS IN SUMMERDALE LANE #340 STORM SEWER (2006108), IN THE CITY OF OLIVETTE, MISSOURI; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH SOUTHERN DITCHING & EXCAVATING COMPANY FOR THE CONSTRUCTION OF THE AFORESAID STORM SEWERS.

**(Revised 10/10/06)**

Proposed Ord. No. 44-07 was presented and read. The work to be done under this contract consists of the installation of approximately 197 lineal feet of 15-inch diameter pipe sewers and appurtenances. The purpose of this project is to eliminate yard ponding and minor erosion at the end of Summerdale Lane cul-de-sac and on #340 Summerdale. This project is scheduled to be completed in 30 days.

Motion made by Ms. Joyce-Hayes, seconded by Mr. Rosenberg that proposed Ord. No. 44-07 be introduced.

Motion passed – 5 ayes, no nays

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

INTRODUCTION OF PROPOSED ORD. NO. 45-07 APPROPRIATING \$2,100,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR PROJECT COSTS FOR THE CONSTRUCTION OF HARLEM-BADEN RELIEF PHASE IV (ROSALIE) (2003039), 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 BATES UTILITY COMPANY, INC. FOR THE AFORESAID CONSTRUCTION.

Proposed Ord. No. 45-07 was presented and read. The work to be done under this contract consists of the construction of approximately 2,800 lineal feet of pipe sewers varying in size from 30-inches to 48-inches in diameter and appurtenances. This construction is the fourth phase of a multiple phase capital improvement program. The purpose of this project is to alleviate street flooding and basement backups due to overcharged combined sewers. This project is scheduled to be completed in 270 days.

Motion made by Mr. Rosenberg, seconded by Ms. Joyce-Hayes that proposed Ord. No. 45-07 be introduced.

Motion passed – 4 ayes, 1 nay

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

INTRODUCTION OF PROPOSED ORD. NO. 46-07 MAKING A SUPPLEMENTAL APPROPRIATION OF \$1,200,000.00 FROM THE SANITARY REPLACEMENT FUND TO BE USED FOR ADDITIONAL PROJECT COSTS FOR THE REMOVAL OF BIOSOLIDS FROM THE MISSOURI RIVER WASTEWATER TREATMENT PLANT IN MISSOURI RIVER WWTP BIOSOLIDS REMOVAL-SOUTH LAGOON PHASE I (2001064), IN THE CITY OF MARYLAND HEIGHTS, MISSOURI.

Proposed Ord. No. 46-07 was presented and read. The work to be done under this contract consists of the removal and disposal of biosolids from the Missouri River Wastewater

Treatment Plant south sludge lagoon. The purpose of this project is to remove biosolids since biosolids storage is no longer an acceptable method of storage according to EPA requirements. This project is scheduled to be completed in 365 days.

Motion made by Mr. Rosenberg, seconded by Ms. Joyce-Hayes that proposed Ord. No. 46-07 be introduced.

Motion passed – 4 ayes, 1 nay

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

INTRODUCTION OF PROPOSED ORD. NO. 47-07 APPROPRIATING \$200,000.00 FROM THE SANITARY REPLACEMENT FUND FOR ENGINEERING SERVICES FOR THE DESIGN OF BAUMGARTNER SANITARY RELIEF (SKME-434) (2006032) AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO CONTRACT E-1190 WITH CMV – COCHRAN, LLC FOR THE AFORESAID ENGINEERING SERVICES.

Proposed Ord. No. 47-07 was presented and read. This project consists of the design and preparation of construction documents for approximately 3,100 feet of 18-inch diameter sanitary sewers and appurtenances. This project will provide for the elimination of surcharging at several manholes and alleviate basement backups for approximately 15 properties. The preliminary construction cost estimate is \$1,015,000.00. 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. Joyce-Hayes that proposed Ord. No. 47-07 be introduced.

Motion passed – 5 ayes, no nays

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

INTRODUCTION OF PROPOSED ORD. NO. 48-07 APPROPRIATING \$157,000.00 FROM THE SANITARY REPLACEMENT FUND FOR ENGINEERING SERVICES FOR THE DESIGN OF CSO – EDGEWOOD L-174 AND LADUE FOREST I-125 INTERCEPTOR/OUTFALL REMOVAL (2005105) AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO CONTRACT E-1192 WITH SAIC ENGINEERING, INC. FOR THE AFORESAID ENGINEERING SERVICES.

Proposed Ord. No. 48-07 was presented and read. This project consists of the design and preparation of construction documents for approximately 3,100 feet of 18-inch diameter

**(Revised 10/10/06)**

sanitary sewers and appurtenances. This project will provide for the elimination of surcharging at several manholes and alleviate basement backups for approximately 15 properties. The preliminary construction cost estimate is \$1,015,000.00. 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 Mr. Karam that proposed Ord. No. 48-07 be introduced.

Motion passed – 5 ayes, no nays

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

INTRODUCTION OF PROPOSED ORD. NO. 49-07 AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO CONTRACT E-1193 WITH COLE & ASSOCIATES, INC. FOR GENERAL SERVICES AGREEMENT - SURVEYING SERVICES (FY 2007) (2007031) FOR SURVEYING SERVICES INCLUDING LAND SURVEYS, PROPERTY STRIP MAPS, GPS SURVEYS, AND OTHER GENERAL SURVEYING SERVICES

Proposed Ord. No. 49-07 was presented and read. This ordinance authorizes the District to enter into a contract with Cole & Associates, Inc. for surveying services associated with the design of sanitary and stormwater projects. Services provided include land surveys, property strip maps, and easements for projects to be completed either in-house or by design consultants. Additional general surveying services will be provided on an as needed basis for legal research, legal descriptions, topographic and land surveys for District facilities, and other requirements of the various District departments. Work will be assigned on a project-by-project basis. This contract is for a maximum of \$150,000, which is included in the FY2007 Engineering Department's Operating Budget.

Motion made by Mr. Rosenberg, seconded by Mr. Goffstein that proposed Ord. No. 49-07 be introduced.

Motion passed – 4 ayes, 1 abstention

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

INTRODUCTION OF PROPOSED ORD. NO. 50-07 AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO CONTRACT E-1194 WITH SABUR SURVEYING, INC. FOR GENERAL SERVICES AGREEMENT - SURVEYING SERVICES (FY 2007) (2007032) FOR

**Revised 10/10/06**

SURVEYING SERVICES INCLUDING LAND SURVEYS, PROPERTY STRIP MAPS, GPS SURVEYS, AND OTHER GENERAL SURVEYING SERVICES.

Proposed Ord. No. 50-07 was presented and read. This ordinance authorizes the District to enter into a contract with Sabur Surveying, Inc. for surveying services associated with the design of sanitary and stormwater projects. Services provided include land surveys, property strip maps, and easements for projects to be completed either in-house or by design consultants. Additional general surveying services will be provided on an as needed basis for legal research, legal descriptions, topographic and land surveys for District facilities, and other requirements of the various District departments. Work will be assigned on a project-by-project basis. This contract is for a maximum of \$150,000, which is included in the FY2007 Engineering Department's Operating Budget.

Motion made by Mr. Rosenberg, seconded by Mr. Goffstein that proposed Ord. No. 50-07 be introduced.

Motion passed – 4 ayes, 1 abstention

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

INTRODUCTION OF PROPOSED ORD. 51-07 AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO CONTRACT E-1195 WITH THE STERLING COMPANY FOR GENERAL SERVICES AGREEMENT -SURVEYING SERVICES (FY 2007) (2007033) FOR SURVEYING SERVICES INCLUDING LAND SURVEYS, PROPERTY STRIP MAPS, GPS SURVEYS, AND OTHER GENERAL SURVEYING SERVICES.

Proposed Ord. NO. 51-07 was presented and read. This ordinance authorizes the District to enter into a contract with The Sterling Company for surveying services associated with the design of sanitary and stormwater projects. Services provided include land surveys, property strip maps, and easements for projects to be completed either in-house or by design consultants. Additional general surveying services will be provided on an as needed basis for legal research, legal descriptions, topographic and land surveys for District facilities, and other requirements of the various District departments. Work will be assigned on a project-by-project basis. This contract is for a maximum of \$100,000, which is included in the FY2007 Engineering Department's Operating Budget.

Motion made by Mr. Rosenberg, seconded by Mr. Goffstein that proposed Ord. No. 51-07 be introduced.

Motion passed – 5 ayes, no nays

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

INTRODUCTION OF PROPOSED ORD. NO. 52-07 AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO CONTRACT E-1196 WITH HANSON PROFESSIONAL SERVICES, INC. FOR GENERAL SERVICES AGREEMENT – SURVEYING SERVICES (FY 2007) (2007034) FOR SURVEYING SERVICES INCLUDING LAND SURVEYS, PROPERTY STRIP MAPS, GPS SURVEYS, AND OTHER GENERAL SURVEYING SERVICES.

Proposed Ord. No. 52-07 was presented and read. This ordinance authorizes the District to enter into a contract with Hanson Professional Services, Inc. for surveying services associated with the design of sanitary and stormwater projects. Services provided include land surveys, property strip maps, and easements for projects to be completed either in-house or by design consultants. Additional general surveying services will be provided on an as needed basis for legal research, legal descriptions, topographic and land surveys for District facilities, and other requirements of the various District departments. Work will be assigned on a project-by-project basis. This contract is for a maximum of \$100,000, which is included in the FY2007 Engineering Department’s Operating Budget.

Motion made by Mr. Rosenberg, seconded by Mr. Goffstein that proposed Ord. No. 52-07 be introduced.

Motion passed – 5 ayes, no nays

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

INTRODUCTION OF PROPOSED ORD. NO. 53-07 AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO CONTRACT E-1197 WITH KOWELMAN ENGINEERING, INC. FOR GENERAL SERVICES AGREEMENT – SURVEYING SERVICES (FY 2007) (2007035) FOR SURVEYING SERVICES INCLUDING LAND SURVEYS, PROPERTY STRIP MAPS, GPS SURVEYS, AND OTHER GENERAL SURVEYING SERVICES.

Proposed Ord. No. 53-07 was presented and read. This ordinance authorizes the District to enter into a contract with Kowelman Engineering, Inc. for surveying services associated with the design of sanitary and stormwater projects. Services provided include land surveys, property strip maps, and easements for projects to be completed either in-house or by design consultants. Additional general surveying services will be provided on an as needed basis for legal research, legal descriptions, topographic and land surveys for District facilities, and other requirements of the various District departments. Work will be assigned on a project-by-project basis. This contract is for a maximum of \$100,000, which is included in the FY2007 Engineering Department’s Operating Budget.

Motion made by Mr. Rosenberg, seconded by Mr. Goffstein that proposed Ord. No. 53-07 be introduced.

Motion passed – 5 ayes, no nays

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

INTRODUCTION OF PROPOSED ORD. NO. 54-07 AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO CONTRACT E-1198 WITH REITZ & JENS INC. FOR GENERAL SERVICES AGREEMENT – SEWER AND CHANNEL DESIGN (FY 2007) (STORM) (2007036).

Proposed Ord. No. 54-07 was presented and read. This ordinance authorizes the District to enter into a contract with Reitz & Jens Inc. for the design of various projects in the CIP and the Operations budgets. This project consists of the design of small sanitary, combined, and storm sewer projects as needed throughout the District. This contract is included in the FY2007 Engineering Department’s Operating Budget for a total maximum contract amount of \$150,000. Projects will be issued by letter agreement per individual scopes of services.

Motion made by Mr. Rosenberg, seconded by Ms. Joyce-Hayes that proposed Ord. No. 54-07 be introduced.

Motion passed – 5 ayes, no nays

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

INTRODUCTION OF PROPOSED ORD. NO. 55-07 AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO CONTRACT E-1199 WITH GEORGE BUTLER ASSOCIATES, INC. FOR GENERAL SERVICES AGREEMENT - SEWER AND CHANNEL DESIGN (FY 2007) (2007037).

Proposed Ord. No. 55-07 was presented and read. This ordinance authorizes the District to enter into a contract with George Butler Associates, Inc. for the design of various projects in the CIP and the Operations budgets. This project consists of the design of small sanitary, combined, and storm sewer projects as needed throughout the District. This contract is included in the FY2007 Engineering Department’s Operating Budget for a total maximum contract amount of \$140,000. Projects will be issued by letter agreement per individual scopes of services.

Motion made by Mr. Rosenberg, seconded by Ms. Joyce-Hayes that proposed Ord. No. 55-07 be introduced.

Motion passed – 5 ayes, no nays

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

INTRODUCTION OF PROPOSED ORD. NO. 56-07 AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO CONTRACT E-1200 WITH SHANNON & WILSON INC. FOR GENERAL SERVICES AGREEMENT – CONSTRUCTION MANAGEMENT SERVICES (FY 2007) (2007038).

Proposed Ord. No. 56-07 was presented and read. This ordinance authorizes the District to enter into a contract with Shannon & Wilson Inc. for various construction management services on an as needed basis to supplement the District's work force. The projects are located throughout the District in various cities and the County. The estimated construction cost varies. Funds are in the proposed FY2007 Engineering Department's Operating Budget for a total maximum contract amount of \$100,000.

Motion made by Mr. Rosenberg, seconded by Ms. Joyce-Hayes that proposed Ord. No. 56-07 be introduced.

Motion passed – 5 ayes, no nays

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

INTRODUCTION OF PROPOSED ORD. NO. 57-07 AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO CONTRACT E-1201 WITH HORNER & SHIFRIN, INC. FOR GENERAL SERVICES AGREEMENT -SEWER AND PROCESS DESIGN (FY 2007) (2007039).

Proposed Ord. No. 57-07 was presented and read. This ordinance authorizes the District to enter into a contract with Horner & Shifrin, Inc., for the design of various projects in the CIP and the Operations budgets. This project consists of the design of small sanitary, combined, storm sewer, and treatment plant projects as needed throughout the District. This contract is included in the FY2007 Engineering Department's Operating Budget for a total maximum contract amount of \$80,000. Projects will be issued by letter agreement per individual scopes of services.

Motion made by Mr. Rosenberg, seconded by Ms. Joyce-Hayes that proposed Ord. No. 57-07 be introduced.

Motion passed – 5 ayes, no nays

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

INTRODUCTION AND OF PROPOSED ORD. NO. 58-07 AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS

SEWER DISTRICT TO ENTER INTO CONTRACT E-1202 WITH FULLER, MOSSBARGER, SCOTT & MAY ENGINEERS INC. FOR GENERAL SERVICES AGREEMENT - GEOTECHNICAL SERVICES (FY 2007) (2007041) FOR THE GEOTECHNICAL SERVICES INCLUDING ROCK AND SOIL ANALYSIS, TESTING, EVALUATION OF FOUNDATIONS, SLOPES AND BEDDING AND OTHER GENERAL GEOTECHNICAL SERVICES.

Proposed Ord. No. 58-07 was presented and read. This ordinance authorizes the District to enter into a contract with Fuller, Mossbarger, Scott & May Engineers Inc. for geotechnical services associated with the design of sanitary and stormwater projects. Services provided include rock and soil analysis, testing, recommendations and evaluation of foundations, slopes, and bedding for projects to be completed either in-house or by design consultants. Work will be assigned on a project-by-project basis. This contract is for a total maximum amount of \$55,000, which is included in the proposed FY2007 Engineering Department's Operating Budget.

Motion made by Mr. Rosenberg, seconded by Ms. Joyce-Hayes that proposed Ord. No. 58-07 be introduced.

Motion passed – 5 ayes, no nays

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

INTRODUCTION OF PROPOSED ORD. NO. 59-07 AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO CONTRACT E-1203 WITH REITZ & JENS INC. FOR GENERAL SERVICES AGREEMENT -- GEOTECHNICAL SERVICES (FY 2007) (STORM) (2007042) FOR THE GEOTECHNICAL SERVICES INCLUDING ROCK AND SOIL ANALYSIS, TESTING, EVALUATION OF FOUNDATIONS, SLOPES AND BEDDING AND OTHER GENERAL GEOTECHNICAL SERVICES.

Proposed Ord. NO. 59-07 was presented and read. This ordinance authorizes the District to enter into a contract with Reitz & Jens Inc. for geotechnical services associated with the design of sanitary and stormwater projects. Services provided include rock and soil analysis, testing, recommendations and evaluation of foundations, slopes, and bedding for projects to be completed either in-house or by design consultants. Work will be assigned on a project-by-project basis. This contract is for a total maximum amount of \$45,000, which is included in the proposed FY2007 Engineering Department's Operating Budget.

Motion made by Mr. Rosenberg, seconded by Ms. Joyce-Hayes that proposed Ord. No. 59-07 be introduced.

Motion passed – 5 ayes, no nays

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

D. J. Hayes                      aye

INTRODUCTION OF PROPOSED ORD. NO. 60-07 MAKING A SUPPLEMENTAL APPROPRIATION OF \$70,000.00 FROM THE SANITARY REPLACEMENT FUND FOR ADDITIONAL ENGINEERING SERVICES FOR THE FINAL DESIGN OF FENTON WASTEWATER TREATMENT PLANT IMPROVEMENTS (2001068); 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-1014 WITH HDR ENGINEERING, INC., FOR THE AFORESAID ADDITIONAL ENGINEERING SERVICES.

Proposed Ord. No. 60-07 was presented and read. This ordinance appropriates supplemental funds and authorizes the District to enter into Amendment No. 8 with HDR Engineering, Inc. This project consists of the preparation of plans and specifications for construction of additional improvements to the Fenton Wastewater Treatment Plant odor control facilities. This amendment provides for covers and partial covers on the grit tank, gravity thickener and primary clarifier, and additional duct connecting to the Biofilter, electrical equipment, instrumentation, and miscellaneous site improvements. The preliminary estimated construction cost is \$600,000. The amended design contract is \$1,128,770.00.

Motion made by Mr. Rosenberg, seconded by Ms. Joyce-Hayes that proposed Ord. No. 60-07 be introduced.

Motion passed – 5 ayes, no nays

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

INTRODUCTION OF PROPOSED ORD. NO. 61-07 APPROPRIATING \$850,000.00 FROM THE GENERAL FUND OF THE DISTRICT FOR THE OPERATIONS AND MAINTENANCE OF STREAM FLOW GAUGES IN STREAM FLOW GAUGE OPERATIONS AND MAINTENANCE (98060); AND AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO AGREEMENT M-561 WITH THE UNITED STATES DEPARTMENT OF THE INTERIOR (U.S. GEOLOGICAL SURVEY) FOR THE AFORESAID SERVICES.

Proposed Ord. No. 61-07 was presented and read. The purpose of this contract is to continue to collect stream gauging information in 25 watersheds and water quality data in 5 of those watersheds. Stream discharge and water quality data will also be collected for three stations on the Missouri and five stations on the Mississippi Rivers in an effort to address anticipated water quality standards. The District is developing a baseline of stream stage, discharge and water quality information for several watersheds from the data collected. An additional objective involves the collection of samples for a DNA-fingerprinting technique to further develop a known-source library for the St. Louis area and identify potential sources of E.coli bacteria found in streams. The data provides the District and the USGS an indication of what impacts urban stormwater runoff, Sanitary Sewer Overflows, and Combined Sewer Overflows have on our creeks and streams. The data will be used by the District to develop stormwater management strategies that will address concerns resulting from the U.S. Environmental Protection Agency's issuance of the Phase II stormwater,

Total Maximum Daily Loads (TMDLs), pending Sanitary Sewer Overflow regulations, Combined Sewer Overflows, and the Clean Water Act. This flow monitoring initially began as part of the Storm System Master Improvement Plan study initiated in 1994 to study and prepare a stormwater master plan for development and capital projects in the District's 25 watersheds.

Motion made by Mr. Rosenberg, seconded by Ms. Joyce-Hayes that proposed Ord. No. 61-07 be introduced.

Motion passed – 5 ayes, no nays

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

INTRODUCTION OF PROPOSED ORD. NO. 62-07 AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR SEWER RELOCATION AND BETTERMENTS DURING THE DESIGN AND CONSTRUCTION OF IMPROVEMENTS TO ROUTE I-64 FROM WEST OF SPOEDE ROAD IN ST. LOUIS COUNTY TO SARAH STREET IN ST. LOUIS CITY. (PROJECT)

Proposed Ord. No. 62-07 was presented and read. In order to re-construct I-64 (Highway 40), it will be necessary to relocate District facilities at the Missouri Department of Transportation's (MoDot) expense and to upgrade District facilities at the District expense if cost effective and compatible with highway reconstruction. Because MoDot has a design-build contract, the exact location of relocations and betterments are not yet known. If funds are needed to upgrade District facilities (betterment), they will be presented to the Board for approval.

Motion made by Mr. Rosenberg, seconded by Mr. Goffstein that proposed Ord No. 62-07 be introduced.

Motion passed – 5 ayes, no nays

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

INTRODUCTION OF PROPOSED ORD. NO. 63-07 AUTHORIZING THE EXECUTIVE DIRECTOR AND THE SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO AN AGREEMENT WITH THE TREE COURT VALLEY ROAD MAINTENANCE ASSOCIATION TO SPECIFY THE TERMS AND CONDITIONS UNDER WHICH THE DISTRICT MAY USE THE FOLLOWING PRIVATE ROADWAYS: TREE COURT, TWIN LAKES, SPINDLE, APPLE TREE, AND WESTERMAN, WITHIN ST. LOUIS COUNTY, MISSOURI. (\$28,000 FROM THE OPERATIONS DEPARTMENT'S OPERATING BUDGET).

Proposed Ord. No. 63-07 was presented and read. The District needs to have the ability to access its Grand Glaize Facilities when access via Grand Glaize Parkway is not possible.

With the recent purchase of property for the improvements to the Grand Glaize WWTP, the District became a member of the Tree Court Valley Road Maintenance Association. To address residents' concern that the District would utilize the roadways within the Valley on a daily basis, and that said usage would be detrimental to the condition of the road surface, the District proposed entering into an agreement that limited usage to emergency conditions and maintenance of the property perimeter.

Motion made by Ms. Joyce-Hayes, seconded by Mr. Rosenberg that proposed Ord. No. 63-07 be introduced.

Motion passed – 5 ayes, no nays

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

INTRODUCTION OF PROPOSED ORD. NO. 64-07 DECLARING THE NECESSITY FOR THE ACQUISITION OF EASEMENTS AND LICENSES IN CERTAIN REAL PROPERTY WITHIN THE METROPOLITAN ST. LOUIS SEWER DISTRICT FOR THE PURPOSE OF CONSTRUCTION OF SEWERS AND RELATED APPURTENANCES IN THE PROJECT KNOWN AS FF-13 WALTZ RD / MCKELVEY RELIEF PHASE II (89155A) TO SERVE THE NEEDS OF RESIDENTS OF THE AREA, AND AUTHORIZING THE ACQUISITION OF SAID EASEMENTS AND LICENSES BY PURCHASE OR BY THE INSTITUTION OF CONDEMNATION PROCEEDINGS.

Proposed Ord. No. 64-07 was presented and read. This ordinance authorizes staff to enter into condemnation proceedings for permanent sewer easements and temporary construction licenses on one parcel of ground located north of the intersection of the Railroad and I-270 (north of Maryland Heights Aquatic Center) in the City of Maryland Heights, Missouri. These easements and license are needed to construct this project, which consists of approximately 1,135 feet of 24-inch diameter sewers. These easements and license have been appraised. Currently, the District has been unable to negotiate a settlement with the owners. This project is now tentatively scheduled to begin construction late this fiscal year at an estimated cost of \$500,000.

Motion made by Mr. Rosenberg, seconded by Ms. Joyce-Hayes that proposed Ord. No. 64-07 be introduced.

Motion passed – 5 ayes, no nays

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

INTRODUCTION OF PROPOSED ORD. NO. 65-07 REPEALING ORDINANCE NO. 12122, AS ADOPTED NOVEMBER 10, 2005, AND ENACTING A NEW ORDINANCE IN LIEU THEREOF, PRESCRIBING THE CLASSIFICATION PLAN FOR ALL EMPLOYEES IN THE CLASSIFIED SERVICE OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT, AND DESIGNATING THOSE CLASSIFICATIONS WHICH ARE ELIGIBLE FOR PAYMENT OF OVERTIME COMPENSATION.

Proposed Ord. No. 65-07 was presented and read. This ordinance revises the classification plan amended 11-10-05.

Ms. Harshman reported that the Personnel & MBE/WBE Committee met September 14, 2006 at 3:45 p.m. Present at the meeting were trustees Dee Joyce-Hayes, Charles Karam, John Goffstein and herself. The journal of the meeting dated July 6, 2006 was approved.

Ms. Vicki Edwards, Director of Human Resources, informed the Personnel Committee members that staff is recommending several modifications to the Classification Plan. The educational requirement for the Permit Supervisor position in the Engineering department is being aligned with other similar positions within the District. The new requirements will be an Associates Degree as opposed to a Bachelors Degree. A new position, titled Accounts Receivable Supervisor, was also created within the Finance department. In addition, four vacant classifications are being deleted due to restructuring within the Engineering and Finance departments.

Ms. Edwards also stated that the Civil Service Commission met and approved all modifications on September 6, 2006.

The members of the Personnel Committee are in agreement with staff's recommendation to modify the Classification Plan. There being no further business, the meeting adjourned at 3:50 p.m.

Motion made by Ms. Harshman, seconded by Mr. Rosenberg that proposed Ord. No. 65-07 be introduced.

Motion passed – 5 ayes, no nays

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

INTRODUCTION OF PROPOSED ORD. NO. 66-07 AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT AMENDMENT WITH CAMP DRESSER & MCKEE, INC. (CDM), WHEREBY CAMP DRESSER & MCKEE, INC. (CDM) WILL PROVIDE RATE EXPERT TESTIMONY SERVICES REQUIRED DURING ANTICIPATED FUTURE RATE COMMISSION HEARINGS.

Proposed Ord. No. 66-07 was presented and read. This Ordinance will allow the District to amend its existing rate modeling contract with CDM to ensure provision of adequate expert testimony required during the deliberation portion of the Rate Commission proceedings tentatively anticipated to begin in November/December 2006.

Motion made by Mr. Rosenberg, seconded by Mr. Goffstein that proposed Ord. No. 66-07 be introduced.

Motion passed – 5 ayes, no nays

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

Ms. Joyce-Hayes asked what the cost of this project would be? Mr. Theerman responded that there was a not-to-exceed an amount of \$175,000, but the services will be used on an as-needed-basis.

INTRODUCTION OF PROPOSED ORD. NO. 67-07 AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH LATHROP & GAGE, L.C., WHEREBY LATHROP & GAGE, L.C. WILL PROVIDE LEGAL CONSULTING SERVICES IN THE AREA OF ENVIRONMENTAL LAW.

Proposed Ord. No. 67-07 was presented and read. The District has retained Lathrop & Gage, L.C. for the last three years, and the District wishes to continue said firm's representation of the District in pending litigation.

Motion made by Mr. Rosenberg, seconded by Mr. Karam that proposed Ord. No. 67-07 be introduced.

Motion passed – 5 ayes, no nays

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

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 68-07 (ORDINANCE NO. 12297) AUTHORIZING THE EXECUTIVE DIRECTOR AND SECRETARY-TREASURER ON BEHALF OF THE METROPOLITAN ST. LOUIS SEWER DISTRICT TO ENTER INTO A CONTRACT WITH SHOOK, HARDY & BACON LLP, WHEREBY SHOOK, HARDY & BACON LLP WILL PROVIDE LEGAL CONSULTING SERVICES IN THE AREA OF ENVIRONMENTAL LAW, WITH AN EMERGENCY CLAUSE.

Proposed Ord. No. 68-07 was presented and read. Shook, Hardy & Bacon LLP is uniquely qualified in the continuing representation of the District.

Motion made, seconded and unanimously adopted to suspend the rules to allow for adoption of proposed Ord. No. 68-07.

Motion made by Mr. Rosenberg, seconded by Ms. Harshman that proposed Ord. No. 68-07 be adopted.

Motion passed – 6 ayes, no nays

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

The Chair declared proposed Ord. No. 68-07 adopted and it was assigned Ordinance No. 12297.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 69-07 (ORDINANCE NO. 12298) VACATING A TEN-FOOT (10') WIDE EASEMENT AS RECORDED IN DEED BOOK 6314, PAGE 129 OF THE ST. LOUIS COUNTY RECORDS IN LOT 19 OF BRASS LANTERN ESTATES SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 120, PAGE 23 OF THE ST. LOUIS COUNTY RECORDS, IN ST. LOUIS COUNTY, MISSOURI.

Proposed Ord. No. 69-07 was presented and read. The District has been requested to vacate its rights to an easement through a residential lot with no sewer. The District did not pay for the easement and has no future use for the easement.

Motion made, seconded and unanimously adopted to suspend the rules to allow for adoption of proposed Ord. No. 69-07.

Motion made by Mr. Rosenberg, seconded by Mr. Goffstein that proposed Ord. No. 69-07 be adopted.

Motion passed – 6 ayes, no nays

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

The Chair declared proposed Ord. No. 68-07 adopted and it was assigned Ordinance No. 12298.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 70-07 (ORDINANCE NO. 12299) VACATING A TEN-FOOT (10') WIDE AND FIFTEEN-FOOT (15') WIDE EASEMENT LOCATED IN LOT 6 OF THE SEASONS AT SCHOETTLER ADDITION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK, 350, PAGES 13 AND 214 OF THE ST. LOUIS COUNTY RECORDS, IN ST. LOUIS COUNTY, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI.

Proposed Ord. No. 70-07 was presented and read. The District has been requested to vacate its rights to easements on the south and west sides of this residential lot. The property owner would like to expand their home and the District has no future use for these easements.

Motion made, seconded and unanimously adopted to suspend the rules to allow for adoption of proposed Ord. No. 70-07.

Motion made by Mr. Rosenberg, seconded by Mr. Goffstein that proposed Ord. No. 70-07 be adopted.

Motion passed – 6 ayes, no nays

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

The Chair declared proposed Ord. No. 70-07 adopted and it was assigned Ordinance No. 12299.

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 71-07 (ORDINANCE NO. 12300) VACATING A PORTION OF A VARIABLE WIDTH EASEMENT LOCATED IN LOT 4 OF BLOCK 18 OF UNIVERSITY PARK SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 16, PAGES 38 AND 39 OF THE ST. LOUIS COUNTY RECORDS, IN ST. LOUIS COUNTY, CITY OF UNIVERSITY CITY, ST. LOUIS COUNTY, MISSOURI.

Proposed Ord. No. 71-07 was presented and read. The District has been requested to vacate its rights to a portion of a variable width easement on this residential lot. The District has no future use for the existing portion to be vacated.

Motion made, seconded and unanimously adopted to suspend the rules to allow for adoption of proposed Ord. No. 71-07.

Motion made by Mr. Rosenberg, seconded by Mr. Goffstein that proposed Ord. No. 71-07 be adopted.

Motion passed – 6 ayes, no nays

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

The Chair declared proposed Ord. No. 71-07 adopted and it was assigned Ordinance No. 12300.

**(HELD)**

INTRODUCTION AND ADOPTION OF PROPOSED ORD. NO. 72-07 VACATING A PORTION OF A VARIABLE WIDTH EASEMENT LOCATED IN LOT 4 OF BLOCK 18 OF UNIVERSITY PARK SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 16, PAGES 38 AND 39 OF THE ST. LOUIS COUNTY RECORDS, IN ST. LOUIS COUNTY, CITY OF UNIVERSITY CITY, ST. LOUIS COUNTY, MISSOURI.

Resolutions

ADOPTION OF RESOLUTION NO. 2673 WHEREAS, SUBDISTRICT NO. 90206 (RINGFORD DRIVE) WAS ESTABLISHED ON PETITION BY ORDINANCE NO. 12217, ADOPTED MAY 11, 2006.

Resolution No. 2673 was presented and read. This special tax bill subdistrict was established by Ordinance No. 12217 on May 11, 2006 and consists of 15 properties in the Ringford Place Subdivision using individual septic tanks. The estimated total probable cost of the project is \$255,000. The average tax bill for a typical residential lot is estimated to be \$17,000 and the interest rate utilizing State Revolving Loan funds is 3.0% per annum if tax bills are paid by annual installments not exceeding ten (10). The second or last required public hearing for this project is scheduled for Tuesday, October 10, 2006 at 7:00 p.m. at Bernard Middle School, 1054 Forder Road, St. Louis, MO 63129. At the close of the hearing, the property owners will be given the opportunity to vote by signed ballot on whether or not to proceed further with the project. A public hearing report will be submitted at the regular November Board of Trustees meeting.

Motion made by Mr. Rosenberg, seconded by Mr. Goffstein that Resolution No. 2673 be adopted.

Motion passed – voice vote – 6 ayes, no nays

ADOPTION OF RESOLUTION NO. 2674, WHEREAS THE PRESENT RULES OF THE BOARD OF TRUSTEES GOVERNING ITS PROCEDURES WERE ADOPTED BY ORDER OF THE BOARD ON APRIL 10, 2003 AND ARE SET FORTH IN RESOLUTION NO. 2494.

Resolution No. 2674 was presented and read. This resolution supersedes Resolution No. 2494 regarding the rules of the Board with respect to the terms of Board officers, consent agenda procedures, clarification of ordinance adoption procedures and standing Committees of the Board and citizen advisory Committees. The change to the preceding resolution involves the number of Board Committees.

Motion made by Mr. Rosenberg, seconded by Mr. Goffstein that Resolution No. 2674 be adopted.

Motion passed – 5 ayes, 1 nay

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

Mr. Karam asked that this item be held until the next meeting to allow for all Board members to comment on it. Ms. Harshman indicated that the proposed change is the consolidation of three Board committees that meet somewhat infrequently into one committee, the Stakeholders Relations Committee. She requested that the Board vote on this proposed change at this meeting in order for the District to carry on its business. She felt that if another section of the Board rules needs to be discussed, it could be discussed at the next meeting.

ADOPTION OF RESOLUTION NO. 2675, AUTHORIZING THE FILING OF AN APPLICATION WITH THE MISSOURI DEPARTMENT OF NATURAL RESOURCES, STATE REVOLVING

FUND PROGRAM FOR LOANS UNDER THE MISSOURI SAFE DRINKING WATER LAW  
(SECTION 640, RSMO).

Resolution No. 2675 was presented and read. This resolution establishes a list of authorized representatives for the District to handle application for the State Revolving loan program. This action will allow MSD to draw down loan funds for the L-52 project.

Motion made by Mr. Rosenberg, seconded by Mr. Goffstein that Resolution No. 2675 be adopted.

Motion passed – voice vote; 6 ayes, no nays

ADOPTION OF RESOLUTION NO. 2661 EXPRESSING THE BOARD OF TRUSTEES' APPRECIATION TO GALE A. RUCKER FOR HIS 28 YEARS OF EXEMPLARY SERVICE TO THE METROPOLITAN ST. LOUIS SEWER DISTRICT FROM MARCH 20, 1978, TO HIS RETIREMENT SEPTEMBER 1, 2006.

Resolution No. 2661 was presented and read.

Motion made by Mr. Rosenberg, seconded by Mr. Goffstein that Resolution No. 2661 be adopted.

Motion passed – voice vote; 6 ayes, no nays

ADOPTION OF RESOLUTION NO. 2662 EXPRESSING THE BOARD OF TRUSTEES' APPRECIATION TO SAMUEL E. HECK FOR HIS 38 YEARS OF EXEMPLARY SERVICE TO THE METROPOLITAN ST. LOUIS SEWER DISTRICT FROM MARCH 27, 1968, TO HIS RETIREMENT SEPTEMBER 1, 2006.

Resolution No. 2662 was presented and read.

Motion made by Mr. Rosenberg, seconded by Mr. Goffstein that Resolution No. 2662 be adopted.

Motion passed – voice vote; 6 ayes, no nays

ADOPTION OF RESOLUTION NO. 2666 EXPRESSING THE BOARD OF TRUSTEES' APPRECIATION TO JAMES W. HEISLER FOR HIS 24 YEARS OF EXEMPLARY SERVICE TO THE METROPOLITAN ST. LOUIS SEWER DISTRICT FROM APRIL 21, 1982, TO HIS RETIREMENT SEPTEMBER 1, 2006.

Resolution No. 2666 was presented and read.

Motion made by Mr. Rosenberg, seconded by Mr. Goffstein that Resolution No. 2666 be adopted.

Motion passed – voice vote; 6 ayes, no nays

ADOPTION OF RESOLUTION NO. 2667 EXPRESSING THE BOARD OF TRUSTEES APPRECIATION TO ROBERT L. WRICE FOR HIS 13 YEARS OF EXEMPLARY SERVICE TO THE METROPOLITAN ST. LOUIS SEWER DISTRICT FROM JANUARY 25, 1993, TO HIS RETIREMENT SEPTEMBER 1, 2006.

Resolution No. 2667 was presented and read.

Motion made by Mr. Rosenberg, seconded by Mr. Goffstein that Resolution No. 2667 be adopted.

Motion passed – voice vote; 6 ayes, no nays

ADOPTION OF RESOLUTION NO. 2668 EXPRESSING THE BOARD OF TRUSTEES APPRECIATION TO JEANNETTE M. BRINEGAR FOR HER 39 YEARS OF EXEMPLARY SERVICE TO THE METROPOLITAN ST. LOUIS SEWER DISTRICT FROM AUGUST 21, 1967, TO HER RETIREMENT SEPTEMBER 1, 2006.

Resolution No. 2668 was presented and read.

Motion made by Mr. Rosenberg, seconded by Mr. Goffstein that Resolution No. 2668 be adopted.

Motion passed – voice vote; 6 ayes, no nays

ADOPTION OF RESOLUTION NO. 2671 EXPRESSING THE BOARD OF TRUSTEES APPRECIATION TO JIMMY GRIMES FOR HIS 38 YEARS OF EXEMPLARY TO THE METROPOLITAN ST. LOUIS SEWER DISTRICT FROM JULY 15, 1968, TO HIS RETIREMENT SEPTEMBER 1, 2006.

Resolution No. 2671 was presented and read.

Motion made by Mr. Rosenberg, seconded by Mr. Goffstein that Resolution No. 2671 be adopted.

Motion passed – voice vote; 6 ayes, no nays

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Upon motion made by Mr. Goffstein, seconded by Mr. Rosenberg, and unanimously passed, the meeting adjourned at 6:10 p.m.

Secretary-Treasurer