

RESOLUTION NO. 2834

WHEREAS, the Executive Director has prepared a list of proposed expenditures for the District in the form of a Capital Improvement & Replacement Program for Fiscal Year 2009-2010 in compliance with Section 7.130 of the District's Plan; and

WHEREAS, the Capital Improvement & Replacement Program is set forth in the District's 2009-2010 Proposed Budget; and

WHEREAS, the Capital Improvement & Replacement Program is a plan for financing capital improvements in the District and the Subdistricts; and

WHEREAS, the capital improvements set forth in the Capital Improvement & Replacement Program may be financed from numerous sources including District or Subdistrict funds, as the case may be, state and federal grants, and contributions of local municipalities; and

WHEREAS, the availability of total funds to finance a particular capital improvement in any fiscal year cannot be predicted with reasonable certainty; and

WHEREAS, the costs of capital improvements set forth in the Capital Improvement & Replacement Program are based upon engineering estimates and may change when construction of the capital improvements are bid and the contracts for construction are awarded; and

WHEREAS, the Board of Trustees deems it desirable to provide a Capital Improvement & Replacement Program as the capital improvement planning document of the District for Fiscal Year 2009-2010

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of The Metropolitan St. Louis Sewer District that the Capital Improvement & Replacement Program as

set forth in the District's 2009-2010 Proposed Budget is necessary for implementing the planning, design and construction of Infrastructure and Stormwater Projects throughout the District's boundaries.

BE IT FURTHER RESOLVED that the Capital Improvement & Replacement Program as set forth in the District's 2009-2010 Proposed Budget contains a list of proposed projects, the nature of the improvements, the estimated probable costs and method of payments.

BE IT FURTHER RESOLVED that a public hearing be held to afford all persons interested in said Capital Improvement & Replacement Program an opportunity to be heard; that such hearing shall be held at such time and place as the Executive Director shall determine, but not less than ten (10) nor more than thirty (30) days after the adoption of this Resolution; and that notice of such hearing shall be given by the publication of notice in at least one issue of a newspaper of general circulation with the Metropolitan St. Louis Sewer District not less than ten (10) days in advance of the date of such hearing.

The foregoing Resolution was adopted April 9, 2009.