

EAST CHICAGO WATERWAY MANAGEMENT  
DISTRICT BOARD OF DIRECTORS' MEETING  
City of East Chicago, Engineering/Annex Building  
4444 Railroad Ave.  
East Chicago, Indiana  
March 16, 2016  
Wednesday, 5:00 P.M.

Transcript of the proceedings had in the  
above-entitled matter, on the 16th day of March,  
2016, at 5:00 p.m., at the City of East Chicago,  
Engineering/Annex Building, 4444 Railroad Avenue,  
East Chicago, Indiana, before Dawn M. Iseminger,  
Registered Professional Reporter and Notary Public  
for the County of Porter, State of Indiana.

March 16, 2016

A P P E A R A N C E S:

MR. JOHN FEKETE, President

MR. KEVIN DOYLE, Vice President

MR. HENRY RODRIGUEZ, Secretary

MR. RAY LOPEZ, Treasurer/Financial Officer

MR. JOHN BAKOTA, Board Member

MR. FERNANDO TREVINO, FMT Consulting

MS. ELLEN GREGORY, East Chicago Waterway Board of  
Directors' Attorney

Also Present:

JIM WESCOTT, Tetra Tech

TIM ANDERSON, CliftonLarsonAllen

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1 MR. FEKETE: I'd like to call to order the  
2 East Chicago Waterway Management District Board of  
3 Directors' meeting. Today's date is March 16,  
4 2016, and the time is 5:09.

5 Roll call vote. John Bakota?

6 MR. BAKOTA: Here.

7 MR. FEKETE: Henry Rodriguez?

8 MR. HENRY RODRIGUEZ: Here.

9 MR. FEKETE: Patrick Rodriguez?

10 (No response.)

11 MR. FEKETE: Ted Zagar?

12 (No response.)

13 MR. FEKETE: Kevin Doyle?

14 MR. DOYLE: Here.

15 MR. FEKETE: Ray Lopez?

16 MR. LOPEZ: Here.

17 MR. FEKETE: John Fekete, here. We have a  
18 quorum.

19 The first order of business is the  
20 consulting engineering report, Mr. Trevino.

21 MR. TREVINO: Fernando Trevino with FMT  
22 Consulting. We'll start off by going over the  
23 contents of your board packet. You have the  
24 agenda for today's meeting, March 16, 2016. You  
25 have the board minutes for your approval

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1 consideration for February 17, 2016. You have a  
2 budget amendment request on the budget dated March  
3 16, 2016. You have a letter of authorization to  
4 transfer funds to First Merchants Bank, the date  
5 of the letter is March 16, 2016. You have a Tetra  
6 Tech contract in your board packet and the  
7 attachment; and the attachment related to the  
8 contract is dated March -- I'm sorry, February 8,  
9 2016. You have a board resolution number 2016-03  
10 regarding withdrawing our withdrawal from the PERF  
11 fund. You have an engagement letter from -- with  
12 Rodney Humphrey dated March 14, 2016. You have a  
13 CliftonLarsenAllen financial report dated February  
14 29, 2015. You have a claim docket for approval  
15 consideration dated March 16, 2016. You have the  
16 BMO Harris ECI Facility Trust report dated  
17 March 14, 2016. You have First Merchants Bank  
18 financial statements for account ending in 608 and  
19 616 for the month of February. You have the Tetra  
20 Tech progress report dated March 4, 2016. You  
21 have a letter from Rothchild Insurance Agency  
22 dated February 25th, 2016. You have an Arcadis  
23 monthly progress report for the bird observation  
24 dated March 9, 2016. You have a preliminary  
25 notice of claim on bond regarding McCallister

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1 machinery, and that's dated February 26, 2016.

2 You have an Arcadis monthly progress report Number  
3 290 for the month of November 2016.

4 You have the accounts payable voucher, which is  
5 dated March 16, 2016. You have a progress report  
6 from Atlantic Richfield Company and it's dated  
7 March 7, 2016. You have an e-mail from Natalie  
8 Mills to myself and Ellen transmitting a letter  
9 from the Corps dated March 7, 2016, to EPA  
10 regarding the TSCA permit. You have the Army  
11 Corps of Engineers progress report to the board  
12 dated March 16, 2016. You have Attorney Ellen  
13 Gregory's report to the board with the revision  
14 date of March 14, 2016.

15 And a couple of announcements. You have  
16 an announcement from the office of Mayor  
17 Anthony Copeland regarding the State of The  
18 City Address on April 6, 2016, at noon, at the  
19 Field Educational Center. And you have a flyer  
20 from the Lakeshore Chamber of Commerce for a  
21 luncheon dated March 30, 2016, where Mayor  
22 Anthony Copeland will be the keynote speaker.

23 That concludes the items in your board  
24 packet.

25 A couple things to go over. You had in

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1 your packet a letter from Rothchild Agencies.  
2 He was scheduled to come in to give a  
3 presentation on the different insurance  
4 options, and that presentation will be  
5 rescheduled for next month, hopefully. We've  
6 been meeting with Rodney Humphrey on his  
7 efforts to produce prior years Corps' and  
8 district spending. We've had a couple  
9 conference calls with EnviroForensics and their  
10 evaluation of the Corps CDF construction and  
11 O&M costs, and a couple conference calls with  
12 David Burgoyne on the Feddeler real estate  
13 appraisal.

14 Action item on today's agenda: You have  
15 approval consideration for the board meeting  
16 notes for February 17th. You have the 2016  
17 budget amendment regarding Tetra Tech's  
18 February 8, 2016, proposal. Last month I  
19 provided a copy of that proposal and it's for  
20 additional tasks that are necessary to get us  
21 from the remedial design to construction. And  
22 I have received an EPA concurrence e-mail on  
23 the scope of work. The agenda on your -- the  
24 date of the proposal on your agenda is  
25 February 28, which I think is a typo. The

6

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1 correct date is March 8th -- I mean, I'm sorry  
2 February.

3 You have the 2016 budget transfer memo  
4 related to the budget amendment. You have the  
5 Tetra Tech conference -- contract, sorry --  
6 2016-03 resolution, the Rodney Humphrey  
7 engagement letter. The board already approved  
8 the scope of work and proposal last month.  
9 Approval consideration to change the 2016 user  
10 fee date to May 1, 2016, and you have the  
11 accounts payable voucher, which is dated  
12 March 16, 2016.

13 On the Great Lakes Legacy Act project,  
14 Tetra Tech just finalized the remedial design.  
15 I'm working to finalize the 2016 local share  
16 cost report. Tim Anderson is helping me out  
17 with the fixed cost calculation. We're also  
18 working on the remediation design fact sheet,  
19 which hopefully will be ready within the next  
20 couple weeks, and I plan to post that on our  
21 website.

22 The Great Lakes Legacy Act project team  
23 has been working on funding options for the  
24 remediation phase of the work. EPA is  
25 evaluating whether the City of East Chicago CSO

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1 project will qualify as local share; and I  
2 planned on sending EPA an email or a letter  
3 making an argument why the project should  
4 count. So, hopefully, I'll send that within  
5 the next couple weeks.

6 Tetra Tech's project report is in your  
7 packet for additional information, and  
8 Mr. Wescott is here to give us an update and  
9 answer any questions you might have on either  
10 the schedule or the proposal in front of you.  
11 Is Natalie here?

12 MR. WESCOTT: Not yet.

13 MR. TREVINO: Okay. Natalie said she'd be  
14 here for the -- for the Corps' update, and so  
15 hopefully she makes it. And Attorney Ellen  
16 Gregory will be giving an update on legal matters.  
17 And that concludes our report.

18 MR. FEKETE: Thank you. Any questions?

19 (No response.)

20 MR. FEKETE: Okay. The next thing we'd like  
21 to do is approve the board meeting notes from  
22 February 17, 2016.

23 MR. BAKOTA: Motion to approve.

24 MR. FEKETE: We have a motion. Do I have a  
25 second?

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1 MR. LOPEZ: Second.

2 MR. FEKETE: We have a second. All in favor  
3 signify by saying aye.

4 (All signify aye.)

5 MR. FEKETE: Any opposition?

6 (No response.)

7 MR. FEKETE: Abstentions?

8 (No response.)

9 MR. FEKETE: The motion is approved. The  
10 next order is the budget amendment that  
11 Mr. Trevino mentioned regarding the Tetra Tech  
12 February 8, 2016, proposal.

13 MR. TREVINO: Let me just quickly explain why  
14 the budget amendment is 28,500 and the proposal is  
15 for 68,500. Back in October, when we submitted  
16 the original budget, I asked Mr. Wescott to give  
17 me an estimate of what it would cost for this  
18 scope of work, and so four or five months later we  
19 have a better indication of what that work is and  
20 what that costs. So the difference between 68,5  
21 and 40 is 28,5. So we had already calculated  
22 40,000 into the 2016 budget; so -- and the 28,500  
23 is the amount that would be required to transfer  
24 into the operating fund; and that's the letter of  
25 authorization that's next. So the recommendation

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1 is to approve the budget amendment.

2 MR. FEKETE: Any questions for Mr. Trevino?

3 MR. LOPEZ: No.

4 MR. FEKETE: Okay. I'll entertain a motion  
5 to approve the recommendation.

6 MR. LOPEZ: Motion to approve.

7 MR. FEKETE: Do we have a second?

8 MR. DOYLE: Second.

9 MR. FEKETE: Any questions?

10 (No response.)

11 MR. FEKETE: No questions. All in favor  
12 signify -- oh, we have to have a roll call vote  
13 since it is a budget item.

14 John Bakota?

15 MR. BAKOTA: Yes.

16 MR. FEKETE: Henry Rodriguez?

17 MR. HENRY RODRIGUEZ: Yes.

18 MR. FEKETE: Patrick Rodriguez?

19 (No response.)

20 MR. FEKETE: Ted Zagar?

21 (No response.)

22 MR. FEKETE: Kevin Doyle?

23 MR. DOYLE: Yes.

24 MR. FEKETE: John Fekete, I vote yes. Ray  
25 Lopez?

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1 MR. LOPEZ: Yes.

2 MR. FEKETE: Okay. The motion is approved.  
3 The next item is the budget transfer memo from the  
4 non-trust account, which I think basically  
5 supports the action we just approved.

6 MR. TREVINO: Yeah.

7 MR. HENRY RODRIGUEZ: Yeah.

8 MR. FEKETE: Motion to approve the budget  
9 transfer?

10 MR. HENRY RODRIGUEZ: Motion to approve.

11 MR. FEKETE: Do I have a second?

12 MR. LOPEZ: Second.

13 MR. FEKETE: Roll call vote.  
14 John Bakota?

15 MR. BAKOTA: Yes.

16 MR. FEKETE: Henry Rodriguez?

17 MR. HENRY RODRIGUEZ: Yes.

18 MR. FEKETE: Patrick Rodriguez?

19 (No response.)

20 MR. FEKETE: Ted Zagar?

21 (No response.)

22 MR. FEKETE: Kevin Doyle?

23 MR. DOYLE: Yes.

24 MR. FEKETE: Ray Lopez?

25 MR. LOPEZ: Yes.

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1 MR. FEKETE: John Fekete, I vote yes. That  
2 motion is approved. The next item is the Tetra  
3 Tech contract proposal. Mr. Trevino.

4 MR. TREVINO: Yes. As I mentioned, there's a  
5 contract with Tetra Tech and it references the  
6 attachment which is Tetra Tech's proposal dated  
7 February 8, 2016, and total cost of the contract  
8 is 68,500, and it's -- the scope of work is broken  
9 down by the different tasks that are affiliated  
10 with getting us from the remedial design to the  
11 construction of the remediation, so...

12 MR. FEKETE: This is basically an addition to  
13 what we discussed at the last meeting?

14 MR. TREVINO: At the last -- well, at the  
15 last meeting --

16 MR. FEKETE: We just brought it up at the  
17 last meeting but we didn't take any action on it?

18 MR. TREVINO: Right.

19 MR. FEKETE: Okay. Got it. Okay.

20 MR. TREVINO: At the last meeting, I hadn't  
21 received concurrence from EPA on the scope of work  
22 and the cost.

23 MR. FEKETE: Right.

24 MR. LOPEZ: Right.

25 MR. TREVINO: And I wanted to get that for

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1 the file. Since we're going to ask for that to be  
2 included in the local share --

3 MR. FEKETE: Uh-huh.

4 MR. TREVINO: -- it just made sense to wait  
5 to hear from them to make sure they got the  
6 concurrence on the scope and the cost.

7 MR. FEKETE: Okay. I'll entertain a motion  
8 to approve the Tetra Tech contract.

9 MR. BAKOTA: Motion to approve.

10 MR. FEKETE: Do I have a second?

11 MR. HENRY RODRIGUEZ: Second.

12 MR. FEKETE: We have a second. Roll call  
13 vote. John Bakota?

14 MR. BAKOTA: Yes.

15 MR. FEKETE: Henry Rodriguez?

16 MR. HENRY RODRIGUEZ: Yes.

17 MR. FEKETE: Patrick Rodriguez?

18 (No response.)

19 MR. FEKETE: Ted Zagar?

20 (No response.)

21 MR. FEKETE: Kevin Doyle?

22 MR. DOYLE: Yes.

23 MR. FEKETE: Ray Lopez?

24 MR. LOPEZ: Yes.

25 MR. FEKETE: John Fekete, I vote yes. The

13

1 motion is approved.

2 Switching the areas of interest. We want  
3 to discuss the resolution referring to PERF. I  
4 think we talked about it last time a little bit  
5 but actually took no action. Is that correct?

6 MR. TREVINO: I just brought it up, I think,  
7 at the last meeting and with the heads up that  
8 we'd be recommending a resolution to basically  
9 rescinding our resolution to withdraw from the  
10 PERF. After we submitted the resolution to the  
11 state, they calculated what it would cost to  
12 withdraw from PERF, and we just thought it would  
13 be more cost effective to the district to continue  
14 on. And the results of continuing on would be  
15 either monthly or quarterly going on line and  
16 submitting to the state that we have no employees.

17 MR. FEKETE: Okay. Any questions on the  
18 explanation?

19 (No response.)

20 MR. FEKETE: Hearing none, I'll entertain a  
21 motion to approve resolution 2016-03.

22 MR. LOPEZ: Motion to approve.

23 MR. FEKETE: Do I have a second?

24 MR. DOYLE: Second.

25 MR. FEKETE: Roll call vote.

1 John Bakota?

2 MR. BAKOTA: Yes.

3 MR. FEKETE: Henry Rodriguez?

4 MR. HENRY RODRIGUEZ: Yes.

5 MR. FEKETE: Patrick Rodriguez?

6 (No response.)

7 MR. FEKETE: Ted Zagar?

8 (No response.)

9 MR. FEKETE: Kevin Doyle?

10 MR. DOYLE: Yes.

11 MR. FEKETE: Ray Lopez?

12 MR. LOPEZ: Yes.

13 MR. FEKETE: John Fekete, I vote yes. That  
14 motion is approved.

15 The next item is the Rodney Humphrey  
16 engagement letter, approval for consideration.  
17 Again, Mr. Trevino.

18 MR. TREVINO: Yes. This is just putting a  
19 contract in place of what the board approved last  
20 month. Last month the board approved the scope of  
21 work and cost, and we just thought it would be a  
22 good idea to actually formulate a contract on the  
23 terms of -- the exact terms of the scope of work  
24 and cost; so Attorney Ellen Gregory has reviewed  
25 the contract and recommendations to approve it.

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1 MR. FEKETE: Okay. Any questions?

2 MR. LOPEZ: Clifton, you couldn't do this  
3 one, could you?

4 MR. ANDERSON: No. That's the one we  
5 couldn't do.

6 MR. LOPEZ: We talked about that.

7 MR. BAKOTA: On what we have here, did they  
8 mention a date of -- it's a very detailed schedule  
9 of disbursement by the district from years 2009  
10 and 2015.

11 MR. TREVINO: Yeah.

12 MR. BAKOTA: Are we going into the future  
13 with this?

14 MR. TREVINO: No. London Woody had performed  
15 a summary of our costs from 2008 and prior; so  
16 Rodney Humphrey is doing from 2009 to-date. Then  
17 he'll also put the summary of what was done in --  
18 you know, to bridge the whole time frame.

19 MR. BAKOTA: Okay.

20 MR. LOPEZ: That bottom says, 2001 to 2015.

21 MR. FEKETE: Okay. I'll entertain a motion  
22 to approve the Rodney Humphrey engagement.

23 MR. LOPEZ: Motion to approve.

24 MR. FEKETE: Do I have a second?

25 MR. HENRY RODRIGUEZ: Second.

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1 MR. FEKETE: Any questions?

2 (No response.)

3

4 MR. FEKETE: Roll call vote. John Bakota?

5 MR. BAKOTA: Yes.

6 MR. FEKETE: Henry Rodriguez?

7 MR. HENRY RODRIGUEZ: Yes.

8 MR. FEKETE: Patrick Rodriguez?

9 (No response.)

10 MR. FEKETE: Ted Zagar?

11 (No response.)

12 MR. FEKETE: Kevin Doyle?

13 MR. DOYLE: Yes.

14 MR. FEKETE: Ray Lopez?

15 MR. LOPEZ: Yes.

16 MR. FEKETE: John Fekete, I vote yes. The  
17 motion is approved.

18 The next item of business is the 2016 user  
19 fee due date. Mr. Trevino, you want to explain  
20 that?

21 MR. TREVINO: Yes. We've had various --  
22 usually, the user fee date -- our due date is  
23 April 1st and we had encountered various  
24 complications with getting the invoices out this  
25 year; so the recommendation is to move the due

17

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1 date from April 1st to May 1st.

2 MR. FEKETE: Okay. Any questions?

3 (No response.)

4 MR. FEKETE: I'll entertain a motion to  
5 approve the due date to May 1st for the user fee.

6 MR. BAKOTA: Motion to approve.

7 MR. FEKETE: Do I have a second?

8 MR. DOYLE: Second.

9 MR. FEKETE: I'll take a voice vote on that.  
10 All in favor signify by saying aye.

11 (All signify aye.)

12 MR. FEKETE: Any opposition?

13 (No response.)

14 MR. FEKETE: Any abstentions?

15 (No response.)

16 MR. FEKETE: The motion is approved. The  
17 accounting consultant report, Mr. Anderson.

18 MR. ANDERSON: Tim Anderson from  
19 CliftonLarsonAllen. So you guys have my report in  
20 your packet. Page 2 of the report just shows the  
21 receipts and disbursements through February.  
22 Really the only receipt into the non-trust  
23 accounts was the trust transfer itself. So  
24 through February 29th, we've got the transfer plus  
25 a little bit of interest that's been earned on the

18

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1 cash accounts, and then you can see the list of  
2 disbursements. We've cut checks through February  
3 for \$141,000. So the cash balance in those two  
4 accounts was \$2,058,000 at the beginning of  
5 January. Now it's \$2,194,000 at the end of  
6 February.

7 Page 3 shows the activity in both  
8 accounts, the transfers and the cash  
9 disbursements of both of those accounts.

10 And then Page 4 shows the budget that you  
11 guys passed at the beginning of the year, and  
12 then the disbursements that have been made  
13 against that budget. And then it also shows  
14 the checks that are on the docket for today.  
15 \$54,000 in checks that are on the docket to be  
16 approved today, and then the unused budget  
17 after those checks are cut. And you'll notice  
18 that, you know, we're not even close on any of  
19 the budget accounts, and that's what, you  
20 know -- that's what you need to know before you  
21 approve the docket, is that we've got plenty of  
22 budget on all the line items as of March 16th,  
23 which is today. So there's \$483,800 of unused  
24 budget as of March 16th.

25 Any questions?

19

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1 (No response.)

2 MR. ANDERSON: That's all I've got. Thank  
3 you.

4 MR. FEKETE: Moving along, we need approval  
5 consideration for the accounts payable voucher and  
6 register dated March 16, 2016. I'll entertain a  
7 motion to approve.

8 MR. HENRY RODRIGUEZ: Motion to approve.

9 MR. FEKETE: Do I have a second?

10 MR. ZAGAR: Second.

11 MR. FEKETE: I have a second. Any  
12 discussion?

13 (No response.)

14 MR. FEKETE: I'll have a roll call vote.  
15 John Bakota?

16 MR. BAKOTA: Yes.

17 MR. FEKETE: Henry Rodriguez?

18 MR. HENRY RODRIGUEZ: Yes.

19 MR. FEKETE: Patrick Rodriguez?

20 (No response.)

21 MR. FEKETE: Ted Zagar?

22 (No response.)

23 MR. FEKETE: Kevin Doyle?

24 MR. DOYLE: Yes.

25 MR. FEKETE: Ray Lopez?

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1 MR. LOPEZ: Yes.

2 MR. FEKETE: John Fekete, I vote yes.

3 And the BMO Harris trust report,

4 Mr. Alonzo is not with us today.

5 MR. TREVINO: Mr. Alonzo isn't here today.

6 I'll just -- a couple highlights. The value as of  
7 March 14, 2016, is \$5,526,694. There's one of the  
8 CDs that have a maturity date of this year, which  
9 is in October, October 21st. And if you look at  
10 the last page, there's a difference since the last  
11 report, and it's \$276,899, and it's not exactly  
12 shown what the -- oh's, it is. If you look under  
13 2015, there's a distribution of \$268,519; and that  
14 was the transfer that the board approved last  
15 month regarding the 2016 budget. And those are  
16 the highlights for the ECI Facility Trust report.

17 MR. FEKETE: Okay. It still never ceases to  
18 amaze me when I look at this that we started off  
19 in 1997 with \$15.5 million. We have distributed  
20 \$18.7 million, and we still have \$5.5 million  
21 left. So that was some fiscal responsibility. I  
22 think that's a good measure.

23 MR. BAKOTA: Yeah.

24 MR. TREVINO: Good point.

25 MR. FEKETE: Great Lakes Legacy Act project

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1 update, Mr. Wescott.

2 MR. WESCOTT: Jim Wescott with Tetra Tech. I  
3 want to first thank the board for approving the  
4 contract. We love working on this project and  
5 with you guys. Hopefully, we can get to  
6 construction, but that's more of a money deal.  
7 The design, the original scope of work, is done.  
8 I put everything on CDs for Fernando. It's still  
9 up on the web as well, but many people have not  
10 gone there. And if there's any additional  
11 questions on the design, it'll still -- if it does  
12 go to construction, the design will probably get  
13 tweaked between now and going to the field. I  
14 know BP just provided me comments two days ago. I  
15 think some of them are minor but I think  
16 generally -- and I also know that EPA has already  
17 reached out to their construction contractor teams  
18 because I've gotten calls; so it seems like  
19 they're trying to move towards getting everything  
20 ready to go to construction and with the financing  
21 being the one piece that is kind of out there and  
22 hopefully comes together.

23 MR. FEKETE: That's very encouraging. Did  
24 you bet a chance to talk with --

25 MR. WESCOTT: Steve?

22

1 MR. FEKETE: Yes.

2 MR. WESCOTT: Yes. Well, I sent him an  
3 e-mail, and I can't remember if he called me back,  
4 but he, at least, knows what we're planning to do  
5 along the NIPSCO NiSource property.

6 MR. FEKETE: Okay. So you answered his --  
7 the question that he had of me?

8 MR. WESCOTT: Correct.

9 MR. FEKETE: Thank you.

10 MR. WESCOTT: So I think we're good. And  
11 there will still be outreach to a lot of the  
12 stakeholders, like Buckeye Partners and the City.  
13 But a lot of those, I think we're 95 percent where  
14 we want to be, and then there's a few loose  
15 strings to get between here and actually getting  
16 somebody in the field and doing construction.

17 MR. FEKETE: And at some point in the near  
18 future, we'd like to talk about some of the public  
19 outreach opportunities that we might have here  
20 within the city.

21 MR. WESCOTT: And I'm happy to support those.  
22 Any other questions?

23 MR. HENRY RODRIGUEZ: Yeah. Jim, on the  
24 progress report here -- you might have mentioned  
25 this before. I want to clarify. On task 17 --

1 MR. WESCOTT: Yes.

2 MR. HENRY RODRIGUEZ: -- it says here "Tetra  
3 Tech completed the designs, drawings,  
4 certifications and associated documents."

5 MR. WESCOTT: Yep.

6 MR. HENRY RODRIGUEZ: "Documents saved on the  
7 project share point site and each set will be  
8 provided to the East Chicago Waterway Management  
9 District on the disk."

10 MR. WESCOTT: He's got them right there  
11 (indicating) under his phone.

12 MR. TREVINO: He just delivered them.

13 MR. WESCOTT: We're all good. But if you  
14 guys want more, I'm happy to bring more, if you  
15 want some light reading to put you to sleep. Any  
16 other questions?

17 MR. HENRY RODRIGUEZ: Nope.

18 MR. WESCOTT: Thank you very much.

19 MR. FEKETE: How do you like that? That was  
20 good.

21 MR. LOPEZ: I was going to ask the same  
22 thing.

23 MR. FEKETE: The US Army Corps of Engineer's  
24 report. I see Natalie is not here.

25 MR. TREVINO: I guess Natalie is not here. I

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1 don't know if you want me to go over a couple of  
2 the highlights.

3 MR. FEKETE: Her report was kind of just a  
4 one-pager, wasn't it?

5 MR. TREVINO: Right.

6 MR. LOPEZ: You can (indicating) --

7 MR. TREVINO: Let me cover a couple  
8 highlights.

9 MR. FEKETE: Sure.

10 MR. TREVINO: Regarding the CDF construction,  
11 the contractor resumed with water treatment this  
12 week, the week of March 14th. Dredging is  
13 tentatively scheduled to begin in August of this  
14 year, and it will be dependent on removal of water  
15 from the facility. Equipment storage facility  
16 mobilization is scheduled for the spring of this  
17 year and ongoing submittal transmissions regarding  
18 the project.

19 CDF construction: On March 7, 2016, the  
20 Corps sent the letter to US EPA regarding their  
21 rescinding of the TSCA permit.

22 And on the dredging and operations  
23 contract, solicitation was released  
24 December 2nd. The pre-proposal meeting was  
25 held on December 9th, and proposals were due

25

1 January 25th. And the contract is awarded,  
2 tentatively scheduled for April 1st. And the  
3 annual dredging public meeting is tentatively  
4 scheduled for the month of June of this year.  
5 Natalie also mentioned to me that she'll be  
6 going on maternity leave in a couple of weeks  
7 and Mr. Mike William will be replacing her as  
8 project manager in the interim.

9 MR. FEKETE: Okay.

10 MR. TREVINO: That's the Corps' update.

11 MR. FEKETE: Thank you. Attorney Ellen  
12 Gregory report.

13 MS. GREGORY: Ellen Gregory with Ellen  
14 Gregory Law. I just wanted to clarify one thing  
15 on the TSCA permit. The letter from the Corps to  
16 US EPA was rescinding the TSCA permit application.  
17 There hasn't been a permit; so they weren't  
18 rescinding the permit. But they were basically  
19 saying we're not going to be able to apply, which  
20 means there won't be any PCB materials deposited  
21 into the CDF.

22 On the consent decree, we continue to have  
23 biweekly calls. The next one is scheduled for  
24 tomorrow. BP and the DOJ are supposed to be  
25 having discussions regarding incorporating the

1 AOC and the Great Lakes Legacy Act work into  
2 the previous version of the consent decree, and  
3 we should hear more on that tomorrow. The  
4 report on the AOC work is scheduled to be  
5 submitted in early May.

6 On the CDF, the Feddeler appraisal, the  
7 revised appraisal from David Burgoyne, is  
8 supposed to be received within a couple of  
9 days. We're waiting on some final information  
10 from the Army Corps before he can put that  
11 report together.

12 On the PCA, we happened to have  
13 discussions with the Army Corps regarding  
14 various cost sharing issues. There's a letter  
15 that was included in the board packet last  
16 month, and we're still waiting to get responses  
17 from the Army Corps on those issues.

18 And various legal matters that I've worked  
19 with Fernando on that he had mentioned include  
20 the Great Lakes Legacy Act, Tetra Tech  
21 contract, Rodney Humphrey engagement letter,  
22 and the PERF withdrawal. And that's all I  
23 have.

24 MR. FEKETE: Any questions?

25 (No response.)

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1 MR. LOPEZ: I have one.

2 MR. FEKETE: Yeah.

3 MR. LOPEZ: Natalie, in her report, said that  
4 they're going to schedule dredging in August.  
5 Your report says in the spring.

6 MS. GREGORY: Yeah. She had originally said  
7 they were going to be doing it in the spring; so I  
8 hadn't gotten that yet.

9 MR. LOPEZ: Thank you.

10 MR. FEKETE: Okay. Any other questions?

11 (No response.)

12 MR. FEKETE: Thank you very much. Any new  
13 business to come before the board?

14 MR. TREVINO: (Indicating).

15 MR. FEKETE: You want to bring that up?

16 MR. TREVINO: Yes. As I mentioned, in your  
17 packet there's a flyer from the Lakeshore Chamber  
18 of Commerce regarding a general membership  
19 luncheon. At this particular luncheon, the Mayor  
20 of East Chicago will be the keynote speaker, Mayor  
21 Anthony Copeland. In the past the board has sent  
22 a couple of representatives to the luncheon, or  
23 those who wanted to attend, and the cost is \$25.

24 MR. HENRY RODRIGUEZ: I'm making a motion to  
25 approve.

28

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1 MR. FEKETE: Do we have a second? Do we have  
2 a second?

3 MR. BAKOTA: Second.

4 MR. FEKETE: Any discussion?

5 (No response.)

6 MR. FEKETE: All in favor, signify by saying  
7 aye.

8 (All signify aye).

9 MR. BAKOTA: Can you name the people that are  
10 going?

11 MR. FEKETE: Who is interested in going?

12 MR. LOPEZ: Me and --

13 MR. TREVINO: I'll probably go.

14 MR. LOPEZ: We always go.

15 MR. FEKETE: Okay, Fernando and Ray.

16 MR. TREVINO: Fernando and Ray.

17 MR. HENRY RODRIGUEZ: Okay.

18 MR. FEKETE: The motion has been approved.  
19 Any other business?

20 (No response.)

21 MR. FEKETE: Any public comments?

22 (No response.).

23 MR. FEKETE: I'd like to thank everybody for  
24 attending. Our next board meeting -- and pay  
25 attention to this because our next board meeting

29

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1 will be at 4:30, rather than 5:00, at this  
2 facility at the request -- we had a request to  
3 move it up a half hour for this particular  
4 meeting. I'll entertain a motion for adjournment.

5 MR. HENRY RODRIGUEZ: Motion to adjourn.

6 MR. BAKOTA: Second.

7 MR. FEKETE: And a second. All in favor  
8 signify by saying aye.

9 (All signify aye).

10 MR. FEKETE: Motion is approved.

11 WHEREUPON THE MEETING WAS ADJOURNED.

March 16, 2016

C E R T I F I C A T E

I, Dawn M. Iseminger, Registered Professional Reporter (RPR), and Notary Public within and for the County of Porter, State of Indiana, do hereby certify that I appeared at The City of East Chicago, Engineering/Annex Building, 4444 Railroad Avenue, East Chicago, Indiana, on the 16th day of March, 2016, to report the proceedings had of the District Board of Directors' Meeting.

I further certify that I then and there reported in machine shorthand the proceedings given at said time and place, and that the testimony was then reduced to typewriting from my original shorthand notes, and the foregoing transcript is a true and accurate record of said proceedings had.

Dated this 18th day of April, 2016.

*Dawn M. Iseminger*

Dawn M. Iseminger, RPR

My Commission expires: 7/22/2017

