

EAST CHICAGO WATERWAY MANAGEMENT  
DISTRICT BOARD OF DIRECTORS' MEETING  
City of East Chicago, Engineering/Annex Building  
4444 Railroad Avenue  
East Chicago, Indiana  
February 18, 2015  
Wednesday, 5:00 p.m.

Transcript of the proceedings had in the  
above-entitled matter, on the 18th day of  
February, 2015, at 5:00 p.m., at the City of East  
Chicago, Engineering/Annex Building, 4444 Railroad  
Avenue, East Chicago, Indiana, before Peggy S.  
LaLonde, Certified Shorthand Report and Notary  
Public for the County of LaPorte, State of  
Indiana.

ISEMINGER & ASSOCIATES, INC.  
14 Indiana Avenue - Suite A  
1st Source Bank Building  
Valparaiso, Indiana 46383  
(219) 464-2178

February 18, 2015

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

MR. JOHN FEKETE, President

MR. HENRY RODRIGUEZ, Secretary

MR. RAY LOPEZ, treasurer/Financial Officer

MR. JOHN BAKOTA, Board Member

MR. PATRICK RODRIGUEZ, Board Member

MR. TED ZAGAR, Board Member

MR. KEVIN DOYLE, Board Member

MR. FERNANDO TREVINO, FMT Consulting

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

ALSO PRESENT:

MR. TIM ANDERSON, CliftonLarsonAllen

MR. DAVID ALONZO, BMO Harris

February 18, 2015

1 MR. FEKETE: I'd like to call to order  
2 the meeting of the East Chicago Waterway Management  
3 Board of Directors. Today's date is February 18th,  
4 2015, and the time is 5:22. First order of business  
5 is the call to order. Kevin Doyle.

6 MR. DOYLE: Here.

7 MR. FEKETE: John Bakota?

8 MR. BAKOTA: Here.

9 MR. FEKETE: Henry Rodriguez?

10 MR. HENRY RODRIGUES: Here.

11 MR. FEKETE: Patrick Rodriguez?

12 MR. PATRICK RODRIGUEZ: Here.

13 MR. FEKETE: Ted Zagar.

14 MR. ZAGAR: Here.

15 MR. FEKETE: Ray Lopez?

16 MR. LOPEZ: Here.

17 MR. FEKETE: John Fekete? Here. We have  
18 a full board. Consulting Engineering report, Mr.  
19 Trevino?

20 MR. TREVINO: Yes. Fernando Trevino,  
21 Executive Director with FMT Consultants, Inc. I'd  
22 start off by going over the contents of your report  
23 packet. You have the Board meeting notes for  
24 January 21st, 2015. You have a letter of  
25 authorization to BMO Harris Bank regarding the 2015

3

February 18, 2015

1 budget and it's for authorizing \$268,519.50 from the  
2 Trust to our Operating account. And a second letter  
3 of authorization to First Merchants Bank for  
4 \$5,395.25 from our non-trust account to our  
5 Operating account. And also that is in regards to  
6 our 2015 budget.

7 Staying on 2015 budget, you have an  
8 EPA letter of concurrence on our 2015 budget  
9 regarding the ECI Facility Trust and the signature  
10 on the concurrence is January 29th, 2015. You have  
11 a second letter regarding our 2015 budget and that's  
12 from IDEM and that's dated February 3rd, 2015, and  
13 also approving our 2015 budget that we submitted.

14 You have the CliftonLarsonAllen  
15 financial statements dated January 31st, 2015. The  
16 claim docket for approval consideration dated  
17 February 18th, 2015. And you probably have a  
18 second, those letter of authorizations were repeated  
19 and you have the supporting e-mails behind it, along  
20 with the spreadsheets. And when we get to that on  
21 the agenda I'll further explain. But I also gave  
22 you full size copies of the spreadsheet so it will  
23 be easier to read.

24 The e-mail is from myself to Ann  
25 Beck from IDEM and Rick from EPA regarding our 2014

4

February 18, 2015

1 cash balance and what we would have to transfer, and  
2 attached are the two spreadsheets that support those  
3 figures.

4 You have the ECI Facility Trust  
5 report dated February 17th, 2015, from BMO Harris.  
6 You have BMO Harris brokerage account statement for  
7 account ending in 534 for the month of January,  
8 2015. You have a 1099-INT form from BMO Harris for  
9 tax year 2014. You have First Merchants Bank  
10 account statements for accounts ending in 608 and  
11 616. Both are for the month of January, 2015.

12 You have a resolution, East Chicago  
13 Waterway Management District, regarding accepting  
14 the transfer of parcel of property from East Chicago  
15 Board of Public Works and that resolution will be  
16 2015-01. You have a second resolution 2015-02 and  
17 that's a resolution to hire services of appraisal of  
18 a property within the CDF.

19 You have a consultant services  
20 agreement between Bamberger, Foreman, Oswald & Hahn,  
21 municipal real estate advisors, along with the  
22 District. And when we get to that I'll explain a  
23 little more.

24 You have another contract titled  
25 Local Consult Legal Services Agreement, and that one

5

February 18, 2015

1 is between Bamberger, Foreman, Oswald & Hahn and  
2 Wieser & Wyllie. And I believe it includes the  
3 Waterway Management District signatory to that  
4 agreement.

5 And you have Tetra Tech progress  
6 report dated February 10th, 2015, which is for the  
7 month of January 2015 and includes their invoice,  
8 schedule and again their progress report.

9 You have the Army Corps of Engineers  
10 monthly board report dated February 18th, 2015.

11 And last but not least you have the  
12 Attorney Ellen Gregory report to the Board with the  
13 revised date of February 16th, 2015.

14 That concludes the items on the  
15 packet.

16 Just a couple of updates to report  
17 on. As you can tell from the items that are in your  
18 packet there is a few action items that are on your  
19 agenda for consideration today. The Dredging  
20 Project, Army Corps has asked that if they can have  
21 their annual dredging public meeting on March 18th,  
22 2015 after our monthly Board meeting. And we gave  
23 them the go ahead with that and I have already  
24 secured the room. I will inform the Corps that it's  
25 a go to have their public meeting on that date at

6

February 18, 2015

1 6:00 p.m..

2 There are a couple of parcels within  
3 the CDF that needed to be resolved. One of those  
4 parcels belong to the City of East Chicago and which  
5 they have agreed to transfer to us. The Board of  
6 Public Works has already approved the resolution to  
7 transfer that. A reciprocal resolution is required  
8 by us to take ownership of that and that resolution  
9 is in your Board packet, along with the resolution  
10 that they approved.

11 Great Lakes Legacy Act Project,  
12 continue to work on access agreements for key areas  
13 along the river and canal. We are pretty close to  
14 finalizing the community engagement plan. We had a  
15 conference call today to review some final comments  
16 and we expect the final plan to be completed by this  
17 Friday. Also been working with the EPA on our  
18 Waterway Management District work in kind as part of  
19 the Great Lakes Legacy Act Plan. I have a couple  
20 questions for them on that how we handle indirect  
21 costs, what the percentage calculations would be and  
22 what their process is compared to what, you know,  
23 I'm proposing.

24 I mentioned Tetra Tech's progress  
25 report is in your packet. We have a tentative date

7

February 18, 2015

1 of April 23rd to present the draft of the  
2 remediation options to the adjacent landowners. So  
3 I just need to confirm if that's date is okay with  
4 Jim Wescott and make sure the facilities are  
5 available and then I'll be finalizing that, so the  
6 Board will be getting a notice if we are going to  
7 hold it on April 23rd.

8 User fees. Right now we anticipate  
9 the user fees going out sometime next week. Our  
10 plan was to include a copy of the community  
11 engagement plan to the adjacent landowners and so we  
12 are just trying to complete that so we can include  
13 that attachment. I'm also working on a 2015  
14 communicator, basically communicating our two key or  
15 two key projects to adjacent landowners, which is  
16 the dredging project and Great Lakes Legacy Act  
17 Project, so that will be going out with the user fee  
18 package.

19 The Army Corps Board report is in  
20 your packet. And Attorney Ellen Gregory will be  
21 giving an update on legal matters.

22 The regular meetings that I've been  
23 attending on behalf of the District is the BP  
24 bi-weekly meetings, the Great Lakes Legacy Act  
25 Project team meetings, the Grand Cal River/Roxana



February 18, 2015

1 Marsh meetings with EPA, City and other state  
2 boards, the dredging project meetings, and the canal  
3 response meetings.

4 And the other thing I wanted to  
5 report to the Board, IDEM has asked us to be a part  
6 of the TESKA permit for the CDF. So Attorney Ellen  
7 Gregory and I will be exploring that request and we  
8 will hopefully have a recommendation to the Board at  
9 the next Board meeting. That concludes my report.

10 MR. FEKETE: Any questions for Mr.  
11 Trevino?

12 MR. HENRY RODRIGUEZ: Yeah, Fernando, this  
13 public meeting for the dredging, March 18th, is that  
14 the one that we normally have every year in the  
15 council chamber?

16 MR. TREVINO: Right.

17 MR. HENRY RODRIGUEZ: That's going to be  
18 held where?

19 MR. TREVINO: Here in this conference  
20 room.

21 MR. HENRY RODRIGUEZ: Just let them know  
22 at the next counsel meeting. All right that's all.

23 MR. FEKETE: The next item is the approval  
24 of the Board meeting notes for January 21st.

25 MR. BAKOTA: Motion to accept.

9

February 18, 2015

1 MR. HENRY RODRIGUEZ: Second.

2 MR. FEKETE: Motion to accept and second.

3 All in favor signify by saying aye?

4 (All signify aye.)

5 Any opposition?

6 (No response)

7 Hearing none, overwhelmingly approved.

8 The next order of business is the  
9 approval of consideration of the 2015 budget  
10 transfers. They are in the Board packet, one from  
11 the trust account and one from the non-trust  
12 account. I think we discussed this last time what  
13 we had planned on doing this time at this meeting.  
14 I'll entertain a motion.

15 MR. LOPEZ: Motion to accept.

16 MR. FEKETE: We have a motion.

17 MR. HENRY RODRIGUEZ: Second.

18 MR. FEKETE: Motion and second. Roll call  
19 vote. Kevin Doyle?

20 MR. DOYLE: Yes.

21 MR. FEKETE: John Bakota?

22 MR. BAKOTA: Yes.

23 MR. FEKETE: Henry Rodriguez?

24 MR. HENRY RODRIGUEZ: Yes.

25 MR. FEKETE: Patrick Rodriguez?

10

February 18, 2015

1 MR. PATRICK RODRIGUEZ: Yes.

2 MR. FEKETE: Ted Zagar?

3 MR. ZAGAR: Yes.

4 MR. FEKETE: Ray Lopez?

5 MR. LOPEZ: Yes.

6 MR. FEKETE: John Fekete? Yes. Motion  
7 approved.

8 Next order of business is the  
9 accounting consultant report. Mr. Anderson?

10 MR. ANDERSON: Tim Anderson from  
11 CliftonLarsonAllen. You guys all have a copy --  
12 I'll just stand. It's kind of a short report this  
13 month anyway. You all have a copy of the financial  
14 statement that we do. Page 2 has got the first page  
15 with numbers on it and this is just for the month of  
16 January 2015. And basically what we did was pay the  
17 accounts payable from December. So we have got  
18 disbursements of 55,000, which was all accounts  
19 payable from last month.

20 The Operating account balance at the  
21 end of January was 618,000 and the user fee account  
22 was a million 333,000. And we should probably talk  
23 at some point about that user fee account if it  
24 continues to grow and there will be another half a  
25 million going into that thing, the budget transfer

11

February 18, 2015

1 was only five I think from the user fee account. So  
2 there potentially will be, you know, getting close  
3 to two million sitting in that account. I don't  
4 know what we are earning on interest -- well, I  
5 guess I do.

6 The next page, page 3, we earned  
7 \$226.00 on that account for the month of January  
8 with a million three in it. And we probably should  
9 talk, maybe come to the next meeting talk to them  
10 about a short-term because that money is going to  
11 sit there for awhile.

12 MR. TREVINO: Yep.

13 MR. ANDERSON: So operating accounts got  
14 618, user fee account has got a million three.  
15 Page 4 shows the budget appropriation for '15.  
16 That's our budget for '15, \$891,000. We had  
17 accounts payable, which you get to add to that for  
18 your total appropriations for the year of 947.  
19 January we spent 55,000 and that's the accounts  
20 payable from last year. And then for February,  
21 you've got the voucher register for another 58,000  
22 and you can see how it breaks out.

23 And then the unused budget, which is  
24 again the most important column, we've got 832,000  
25 balance for the year. So we are safely under budget

12

February 18, 2015

1 on everything, but you would hope so in February,  
2 right?

3 MR. LOPEZ: I hope so, yeah.

4 MR. ANDERSON: I've got a couple other  
5 agenda items this month. The State Board of  
6 Accounts has us file, there's three total reports  
7 that they have us file. One of them is called the  
8 100-R. And that's a form where you go in and you  
9 basically certified that you don't have any  
10 employees. And Mr. Lopez is now adept at going in  
11 and signing off on the reports in their system. So  
12 we have got that set up. Everything is fine.

13 And then there's another report,  
14 reporting requirement, where we go in and tell the  
15 State Board of Accounts about all our debts, which  
16 we have none. So we do disclose the lease that we  
17 have with the City of East Chicago.

18 So -- and then there is another  
19 report that's not on their agenda, but there's what  
20 is they call the special district annual report  
21 which is due March 1st and we are working on it now.  
22 And Mr. Lopez will have to go in again and approve  
23 it. But it's basically this report that you look at  
24 each month on an annual basis. And we'll make sure  
25 we are in compliance and do that by March 1st.

13

February 18, 2015

1 MR. LOPEZ: There is no extra charge for  
2 his help.

3 MR. ANDERSON: You did fine. It is not an  
4 easy system to work with by the way. They don't,  
5 the State of Indiana does not want any paper anymore  
6 to come to them so everything is electronic and he's  
7 got his password.

8 MR. LOPEZ: They make it so hard to get  
9 into because everybody is trying to get into and we  
10 couldn't get it. He finally cracked it. It's  
11 suppose to be simple.

12 MR. ANDERSON: It's full disclosure. Any  
13 questions that you guys have?

14 (No response.)

15 MR. FEKETE: Thank you, Mr. Anderson. The  
16 next order of business is the approval consideration  
17 for accounts payable voucher register dated  
18 February 18th, 2015. I will entertain a motion to  
19 approve.

20 MR. BAKOTA: I make to motion to accept.

21 MR. DOYLE: Second.

22 MR. FEKETE: Motion and we have a second.  
23 Roll call vote. Kevin Doyle?

24 MR. DOYLE: Yes.

25 MR. FEKETE: John Bakota?

14

February 18, 2015

1 MR. BAKOTA: Yes.

2 MR. FEKETE: Henry Rodriguez?

3 MR. HENRY RODRIGUEZ: Yes.

4 MR. FEKETE: Patrick Rodriguez?

5 MR. PATRICK RODRIGUEZ: Yes.

6 MR. FEKETE: Ted Zagar?

7 MR. ZAGAR: Yes.

8 MR. FEKETE: Ray Lopez?

9 MR. LOPEZ: Yes.

10 MR. FEKETE: John Fekete? Yes. Motion is  
11 approved. BMO Harris Bank trust report, Mr. Alonzo.

12 MR. ALONZO: David Alonzo with BMO Harris.  
13 I'm going to run through our report. So as usual  
14 the first page goes through the returns since '97 on  
15 the Trust and then of course distributions year  
16 to-date. There is no distribution so far up until  
17 today.

18 Second page there is a little bit of  
19 error on the calculation here. So if you look on  
20 the second page on the column where it shows running  
21 total, the values. The value of the Trust on the  
22 17th of this month was \$596,560.00. The difference  
23 on the bottom that's highlighted in yellow, that  
24 should read \$10,148. If we take the February value  
25 and subtract the January value, the difference is

15

February 18, 2015

1       there is 10,148. It's a positive gain from last  
2       meeting interest that come through on some CDs that  
3       we had.

4                   Third page lists all the accounts  
5       that we have. We have got two CDs coming due in  
6       June of this year for about two and a half million  
7       dollars. Typically what we have done then is once  
8       we pull the budget money out of the Trust we would  
9       usually want to keep at least half million-dollars  
10      in that money market. So when things come due in  
11      June, we can always go back and take that money  
12      market to bring it back to 500,000. That's where  
13      the Trust distribution usually will take place is  
14      from the account that's got \$500,461 in it, which is  
15      the prime money market. So we'll have some CDs and  
16      things to talk about in the middle of this year that  
17      are coming up at the financial committee meeting.  
18      Were there any questions at all on the report?

19                   MR. LOPEZ: We have two due in June?

20                   MR. ALONZO: Two in June, the sixth month  
21      CD and then the three-year.

22                   MR. FEKETE: What about the interest?

23                   MR. ALONZO: We have been working with  
24      guys on the ratings. To sort of tell on Tim's  
25      point, if you guys maintain larger balances we'd be

16



February 18, 2015

1 more than happy to give you a BMO version on what we  
2 offer on the First Midwest accounts, some short-term  
3 stip certificates of deposit and offer we guys some  
4 better rates and we have other options too.

5 MR. LOPEZ: We can bring it up at the  
6 financial meeting.

7 MR. FEKETE: Any questions for Mr. Alonzo?

8 (No response.)

9 Thank you. The next item is the approval  
10 consideration for Resolution No. 2015-01 to accept  
11 the property transfer from the City. I'll entertain  
12 a motion to accept.

13 MR. BAKOTA: Motion to accept.

14 MR. FEKETE: Do we have a second?

15 MR. HENRY RODRIGUEZ: Second.

16 MR. FEKETE: We have a motion and second.

17 Roll call vote in order. Kevin Doyle?

18 MR. DOYLE: Yes.

19 MR. FEKETE: John Bakota?

20 MR. BAKOTA: Yes.

21 MR. FEKETE: Henry Rodriguez?

22 MR. HENRY RODRIGUEZ: Yes.

23 MR. FEKETE: Patrick Rodriguez?

24 MR. PATRICK RODRIGUEZ: Yes.

25 MR. FEKETE: Ted Zagar?

17

February 18, 2015

1 MR. ZAGAR: Yes.

2 MR. FEKETE: Mr. Lopez?

3 MR. LOPEZ: Yes.

4 MR. FEKETE: John Fekete? I vote yes.

5 The next order of business is to approve

6 consideration for resolution No. 2015-02 to hire

7 appraisal services. Do I have a motion to accept?

8 MR. PATRICK RODRIGUEZ: Motion to accept  
9 resolution.

10 MR. HENRY RODRIGUEZ: Second.

11 MR. FEKETE: We have a motion and second.

12 Any discussion?

13 (No response.)

14 Have a roll call vote. Kevin Doyle?

15 MR. DOYLE: Yes.

16 MR. FEKETE: John Bakota.

17 MR. BAKOTA: Yes.

18 MR. FEKETE: Henry Rodriguez?

19 MR. HENRY RODRIGUEZ: Yes.

20 MR. FEKETE: Patrick Rodriguez?

21 MR. PATRICK RODRIGUEZ: Yes.

22 MR. FEKETE: Ted Zagar?

23 MR. ZAGAR: Yes.

24 MR. FEKETE: Mr. Lopez?

25 MR. LOPEZ: Yes.

18

February 18, 2015

1 MR. FEKETE: John Fekete? I vote yes.

2 The next order of business is the approval  
3 consideration for MREA, real estate consulting  
4 services contract. Entertain a motion to accept.

5 MR. HENRY RODRIGUEZ: Motion to accept.

6 MR. FEKETE: Do we have a second?

7 MR. ZAGAR: Second.

8 MR. FEKETE: Motion and second. Any  
9 discussion?

10 (No response.)

11 Roll call vote. Kevin Doyle?

12 MR. DOYLE: Yes.

13 MR. FEKETE: John Bakota?

14 MR. BAKOTA: Yes.

15 MR. FEKETE: Henry Rodriguez?

16 MR. HENRY RODRIGUEZ: Yes.

17 MR. FEKETE: Patrick Rodriguez?

18 MR. PATRICK RODRIGUEZ: Yes.

19 MR. FEKETE: Ted Zagar?

20 MR. ZAGAR: Yes.

21 MR. FEKETE: Ray Lopez?

22 MR. LOPEZ: Yes.

23 MR. FEKETE: John Fekete? I vote yes.

24 Motion is approved.

25 The next order is approval consideration

February 18, 2015

1 for the Wieser & Wyllie contract. I have a motion  
2 to accept?

3 MR. LOPEZ: Motion to accept.

4 MR. FEKETE: Have a motion. Second?

5 MR. DOYLE: Second.

6 MR. FEKETE: We have a second. Any  
7 discussion?

8 (No response.)

9 Roll call vote. Kevin Doyle?

10 MR. DOYLE: Yes.

11 MR. FEKETE: John Bakota?

12 MR. BAKOTA: Yes.

13 MR. FEKETE: Henry Rodriguez?

14 MR. HENRY RODRIGUEZ: Yes.

15 MR. FEKETE: Patrick Rodriguez?

16 MR. PATRICK RODRIGUEZ: Yes.

17 MR. FEKETE: Ted Zagar?

18 MR. ZAGAR: Yes.

19 MR. FEKETE: Ray Lopez?

20 MR. LOPEZ: Yes.

21 MR. FEKETE: John Fekete? I vote yes.

22 Motion is approved.

23 Great Lakes Legacy Act project  
24 update.

25 MR. TREVINO: Yes. Mr. Wescott wasn't

20

February 18, 2015

1 able to attend today's Board meeting. Just a quick  
2 summary. I mentioned one item that we are near  
3 completion on, which is the community engagement  
4 plan for the Great Lakes Legacy Act and we are -- we  
5 should be -- we should have the final plan by this  
6 Friday. And then there is also Tetra Tech plan  
7 doing some additional sediment sampling in the  
8 Spring. And we are tentatively scheduled to start  
9 having our meetings with the adjacent parcel owners  
10 in April and the feasibility study report some time  
11 in May or June.

12 So that's an update on the Great  
13 Lakes Legacy Act Project.

14 MR. FEKETE: Okay. Very good. Thank you.  
15 Army Corps Report.

16 MR. TREVINO: Natalie also wasn't able to  
17 attend today's Board meeting, she was in OSHA  
18 eight-hour refresher training. I don't know if you  
19 want the report to stand by itself or do you want me  
20 to summarize a couple items on here?

21 CDF construction, the contractor,  
22 which is will return to the site in the Spring of  
23 2015. Modification for the discharge of the East  
24 Chicago Sanitary District is currently with the Army  
25 Corps contracting for review. The package has not

21

February 18, 2015

1       been submitted to the contractor for pricing.

2                       The term well installation. The  
3 work includes the installation of 8 to 16 additional  
4 wells. Wells will be tied into the existing grating  
5 control system. Work is anticipated in Spring of  
6 2015. The contractor has initiated the submittal  
7 work.

8                       CDF documentation regarding permits,  
9 public meeting is planned for mid April 2015. No  
10 date is established at this time. Oil bloom  
11 coordination, the Corps proposing to include this  
12 work in the fiscal year 2015 to 2021, dredging  
13 contract --

14                      MISS GREGORY: 2017.

15                      MR. TREVINO: 2017 to 2021 dredging  
16 contract. PCA non-federal funding. We met with the  
17 Corps yesterday to review the PC revisions and I'll  
18 let Attorney Ellen Gregory elaborate on that a  
19 little more. There is -- we had a meeting also  
20 yesterday to resolve getting an appraisal for one of  
21 the parcels that we are trying to resolve and that  
22 was the resolution that the Board passed earlier in  
23 the meeting. So we'll move forward with the  
24 appraisal on that parcel.

25                      The Parkway Improvement. The

February 18, 2015

1 Parkway Improvement work is complete from the main  
2 gate south of canal. The remaining work will be  
3 completed in the Spring of 2015.

4 And the public meeting, the Corps is  
5 proposing March 18th, 2015, after the regular  
6 scheduled meeting at 6:00 p.m. and I'll let them  
7 know that that date is okay so they can move forward  
8 on advertising. That concludes the Corps report.

9 MR. FEKETE: Thank you very much. Your  
10 Attorney Ellen Gregory report.

11 MS. GREGORY: Ellen Gregory, with  
12 Bamberger, Foreman, Oswald & Hahn. Attempt to  
13 create an AOC, the last conference call we had two  
14 weeks ago BP was nearing finishing the review and  
15 thought within the next few weeks they would have  
16 the finalized AOC, and then shortly thereafter  
17 revision of the consent decree to distribute to the  
18 rest of the group.

19 The CDF, as Fernando mentioned, the  
20 issue of the Water Management District being  
21 involved with the TESKA permit permit, and he and I  
22 will follow-up on the legal requirements regarding  
23 that. Other CDF issues relate to real estate items  
24 that local real estate Attorney Jim Wieser is  
25 assisting with, which include transfer of a City

23

February 18, 2015

1 owned parcel which is part one of the resolution  
2 earlier, and then the transfer of a parcel that is  
3 believed to be owned by ARCO, Jim Wieser is  
4 following up with BP on that.

5 On the Fetteler parcel, the  
6 appraisal, which was part of what was approved today  
7 will go forward and we'll try and work with the Army  
8 Corps to resolve the claim by Robert Fetteler, LLC  
9 for the easement interest in that parcel.

10 On the PCA we met with the Army  
11 Corps yesterday and asked them where they stood on  
12 the revisions in the language to the PCA. And they  
13 hadn't really done much on that. We are going to  
14 try and push that forward, especially this TESKA  
15 issue comes more to the forefront, we want to have  
16 these PCA revisions in place as well as because the  
17 consent decree will be finalized, hopefully before  
18 the end of the year.

19 On real estate issues, we chatted  
20 briefly with BP's attorney yesterday and he  
21 mentioned that they are having internal discussions  
22 about the possible transfer of the northwest  
23 parcels. So we are going hopefully moving forward  
24 on that shortly.

25 And I did want to mention the

24



February 18, 2015

1 agreements between Bamberger, Foreman and Municipal  
2 Real Estate Advisers and also the agreement between  
3 Bamberger, Foreman and Wieser & Wyllie are basically  
4 the exact same agreement that had been entered into  
5 with me and those entities, and we basically just  
6 rewrote it so that Bamberger would be the signature  
7 rather than me. That's all I have. Does anybody  
8 have any questions?

9 MR. FEKETE: Any questions for Miss  
10 Gregory?

11 (No response.)

12 Thank you. Next order of business is --

13 MR. LOPEZ: I'm sorry, back up. Liability  
14 insurance? You didn't mention that.

15 MS. GREGORY: Fernando and I are going to  
16 tie that into the discussions with the PCA.

17 MR. LOPEZ: Thank you.

18 MR. FEKETE: Next order of business. Any  
19 new business to come before the board?

20 (No response.)

21 Other business? Just to give you a little update  
22 with regard to the George Park Project that we  
23 talked about for sometime. Michigan State is  
24 continuing to do their work. The funding is being  
25 provided I believe by the DNR and requires no

25

February 18, 2015

1 additional funds from us at this point in time,  
2 which is good. But I have indicated to them that  
3 should they need additional funding support, that we  
4 would be available, but there are certain  
5 requirements that we would have to meet, meet a  
6 specific project work and everything else that goes  
7 along with it. All the things we have discussed and  
8 they understand that, but it doesn't look like they  
9 are going to be coming to us.

10 Secondly, with regard to George  
11 Park, I've been in contact with Matt Shank from U.S.  
12 Army Corps of Engineers and because he's made  
13 reference to the vegetation aspect of the project to  
14 be similar to what they have done at 63rd Street in  
15 Chicago. And I said we'd like to come out and take  
16 a visit and we'll try to arrange that. He threw out  
17 some dates, but with the weather the way it is now  
18 and everything else, we figure that maybe it's best  
19 if we kind of wait till April. So that's the  
20 direction I'm going to take with Matt at this point  
21 in time and we'll try to set some dates and let  
22 everybody know. That's it.

23 Any other business?

24 (No response.)

25 Any public comment?

26

February 18, 2015

1 (No response.)

2 hearing none -- the next Board meeting is March 18,  
3 2015, 5:00 p.m. at this facility. I will entertain  
4 a motion for adjournment.

5 MR. BAKOTA: Motion to adjourn.

6 MR. FEKETE: I have a motion. A second?

7 MR. HENRY RODRIGUEZ: Second.

8 MR. FEKETE: All in favor signify by  
9 saying aye.

10 (All signify aye.)

11 Thank you very much.

12  
13  
14 MEETING ADJOURNED.  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

27

February 18, 2015

C E R T I F I C A T E

I, Peggy S. Lalonde, Certified Shorthand Reporter (CSR), and Notary Public within and for the County of LaPorte, 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 18th day of February, 2015, 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 4th day of March, 2015.



Peggy S. LaLonde, CSR

My Commission expires: 3/14/2018

