

In the Matter Of:
East Chicago Waterway Management

DISTRICT BOARD OF DIRECTORS' MEETING

November 18, 2020



Iseminger & Associates, Inc.
877-337-7379

District Board of Directors' Meeting
11/18/2020

EAST CHICAGO WATERWAY MANAGEMENT
DISTRICT BOARD OF DIRECTORS' MEETING

City of East Chicago, Engineering/Annex Building
4444 Railroad Avenue
East Chicago, Indiana
Via Zoom/Telephone Conference

November 18, 2020

5:00 p.m.

**Transcript of the East Chicago Waterway Management
District Board of Directors' Meeting had in the
above-entitled matter on the 18th day of November,
2020, at 5:00 p.m., via Zoom Video/Telephone
conference, before Dawn M. Iseminger, RPR, and
Notary Public, within and for the County of
Porter, State of Indiana.**

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A P P E A R A N C E S

JOHN FEKETE, President

KEVIN DOYLE, Vice President

RAYMOND LOPEZ, SR., Treasurer and Fiscal Officer

HENRY RODRIGUEZ, Secretary

PATRICK RODRIGUEZ, Board Member

JOHN BAKOTA, Board Member

FERNANDO TREVINO, FMT Consulting

Also Present: Tim Anderson, CliftonLarsonAllen

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1 MR. FEKETE: Calling to order the East
2 Chicago Waterway District Board. Today's date is
3 November 18, 2020. The time is 5:10 p.m. This
4 meeting is being held by Zoom consistent with
5 Governor Holcomb's executive order relating to
6 stage five reopening during the COVID-19 state of
7 emergency.

8 The first order of business is the roll
9 call. John Bakota?

10 MR. BAKOTA: Here.

11 MR. FEKETE: Henry Rodriguez?

12 MR. HENRY RODRIGUEZ: Here.

13 MR. FEKETE: Patrick Rodriguez?

14 MR. PATRICK RODRIGUEZ: Here.

15 MR. FEKETE: Ted Zagar?

16 (No response.)

17 MR. FEKETE: Not here. Kevin Doyle?

18 MR. DOYLE: (No response.)

19 MR. FEKETE: Ray Lopez?

20 MR. LOPEZ: Here.

21 MR. FEKETE: John Fekete, here. We have a
22 quorum.

23 Executive directors' report, Mr. Trevino.

24 MR. TREVINO: Yes. So we start by going over
25 the contents of your board packet. You have the

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1 agenda for today's meeting. You have the public
2 meeting notice that was sent out to the papers and
3 also posted on our website. You have the board
4 minutes for August 21, 2020, and you have the
5 minutes for the meeting October 21, 2020.

6 You have the CliftonLarsonAllen financial
7 report dated October 31, 2020. And along with
8 the claim docket, the check register, you also
9 have in your board packet purchase orders and a
10 copy of the checks as well.

11 You have a letter of agreement dated
12 November 18, 2020, between the district and BP.
13 You have a proposal from AECOM, change order
14 number one, and that's related to the Great
15 Lakes Legacy Act project, the south tank farm
16 property, and the sheet pile wall.

17 And then you have another AECOM proposal,
18 and it's a proposal for preliminary design and
19 permitting for the dolphins for the Canal
20 Street bridge project; and that also is change
21 order number one for that project, and that is
22 dated November 13, 2020.

23 You have a proposal from American
24 Valuation Appraisal Services dated November 16,
25 2020, and that's to provide appraisal for an

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1 easement for easement work and a lease related
2 to the south tank farm. And then you have
3 another appraisal proposal from Vale Appraisal
4 Group, V-a-l-e, and that proposal is dated
5 October 27, 2020, and that's also to provide an
6 appraisal for the easement and leased areas of
7 the south tank farm.

8 You have the First Merchants Bank
9 statement for account ending in 608 for the
10 month of October 2020, and as well as the
11 checks that are affiliated with that bank
12 statement. So you have a copy of the cashed
13 checks.

14 You also have First Merchants Bank
15 statements ending in 616, also for the month of
16 October of 2020. And you have a CD report for
17 First Merchants CD, account ending in 515, and
18 the issue date on the report is November 10,
19 2020.

20 You have David Alonzo's summary report to
21 the board for the trust. And you have the BMO
22 ECI facility trust report dated October 31,
23 2020.

24 You have Attorney Ellen Gregory's report
25 to the board with a revision date of

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1 November 15, 2020. And you have the Army Corps
2 of Engineer's report to the board with today's
3 date, November 18, 2020.

4 That concludes the items on the report.
5 Just to go over a few things, a few updates for
6 the board. As I mentioned, you have a copy of
7 the public meeting posting, so because we
8 originally advertised this to meet in person,
9 Olga sent our posting to the papers on Friday
10 and we also had it posted on our website, and a
11 copy of that is in your board packet.

12 I've been working with Attorney Jim Wieser
13 on easement and leases regarding the west shore
14 pipeline and NIPSCO for areas in the south tank
15 farm. As I mentioned, there's a proposal for
16 appraisals in your packet for approval
17 consideration. I'm scheduled to go through an
18 eight-hour OSHA safety refresher on
19 December 3rd. And I did receive the 2020
20 performance evaluations for my company, FMT
21 Consulting, and I plan to have a summary report
22 for next month's December board meeting.

23 Update on user fees. The 2020 user fees
24 collected to date is approximately \$358,000,
25 which is approximately 99 percent of the total.

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1 We have one outstanding unpaid user fee, which
2 is Imminent Management; and Attorney Wieser
3 continues to work on pursuit of that payment.
4 He has run into some troubles with the closing
5 of some of the courts due to COVID-19 but he's
6 still working on it.

7 Update on the PCA and tipping fee
8 agreement resolution. The district, along with
9 the Corp, EPA and ArcelorMittal, continue to
10 work towards a resolution on those two
11 agreements.

12 You might recall, at the October board
13 meeting the board approved a PCA amendment, and
14 the Corps was informed that we formally
15 approved that amendment. And the Corps, in
16 turn, informed us that that PCA's approval is
17 working its way through their approval process,
18 and through the process it has inherited some
19 minor amendments, which Kevin Derby thinks
20 there shouldn't be any issues or any major
21 issues going forward. So once we get those
22 amendments out, I'll share them with the board.

23 The Great Lakes Legacy Act project update.
24 The design work on the sheet pile work project
25 is ongoing. As a reminder, the sheet pile wall

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1 design team presented the 30 percent design
2 report to the city's technical review committee
3 on October 14th, and we continue to work with
4 AR/BP on negotiating the south tank farm
5 redevelopment and the design of the sheet pile
6 wall design. As part of BP's efforts in
7 designing the sheet pile wall to function as a
8 docking wall, BP submitted several technical
9 design questions to the district. You might
10 recall, the district approved the hiring of
11 AECOM to provide consulting services to help
12 respond to those questions. AECOM has
13 completed that task, and their invoice for
14 those services is in today's claim docket.
15 More recently, however, BP generated additional
16 technical questions related to the south tank
17 farm property and sheet pile wall. So I asked
18 AECOM for a proposal to respond to these
19 additional questions; and this proposal is in
20 your packet for approval consideration which is
21 referred to as change order number one. The
22 work includes conceptualizing aboveground
23 features on the south tank farm and assessing
24 the depth the groundwater needs so Wood can
25 evaluate their impact on the sheet pile wall

1 design and groundwater management system. This
2 work will be paid through the Great Lakes
3 Legacy Act project budget line item, which has
4 a current balance of \$499,600. We asked BP to
5 reimburse the district for AECOM's work on
6 responding to their technical questions since
7 it's related and necessary to the Great Lakes
8 Legacy Act project but neither party
9 anticipated it when we first drafted the cost
10 share agreement. And we asked them also that
11 it shouldn't count towards the \$70,000 limits
12 stipulated in the cost share agreement. And BP
13 has agreed to reimburse us and not count it
14 towards the \$70,000, and that agreement letter
15 is in your board packet for approval
16 consideration.

17 BP, along with their engineering design
18 team and I, met with the city's utility
19 director, Dr. Z, to discuss the option of the
20 sheet pile wall groundwater management
21 discharge to the city's POTW. The city
22 provided a copy of their sewer ordinance, which
23 I forwarded to BP for their review.

24 Phase one dredging of the Lake George
25 canal east section is still scheduled to occur

1 this year. The Corps has received the 401(c)
2 permit to allow that to happen. And the Corps
3 and EPA are trying to finalize the MOU to allow
4 the sediments to --

5 COURT REPORTER: You're cutting out. "The
6 Corps and EPA are"...?

7 MR. TREVINO: ...are working on the MOU
8 between the Corps and EPA for sediment disposal in
9 the CDF.

10 The Corps, through an interagency
11 agreement with EPA, is working on the Lake
12 George canal metal cap project, and that design
13 work is ongoing.

14 The west tank farm pipeline removal
15 project has been postponed to 2021. So when
16 that gets going again, I'll update the board on
17 the progress.

18 The EPA has informed us that they will
19 probably have to modify the project agreement
20 because some of the costs of some of the
21 project components have changed. So they want
22 that to be reflected in a modified P.A. So,
23 you know, we haven't seen a draft of that P.A.
24 modification, but when it comes, we'll share it
25 with the board.

1 The Canal Street bridge project, so you
2 might recall that the board and the city
3 approved an amended MOU to move forward with
4 that project. AECOM gave a project update
5 presentation at the September board meeting.
6 That presentation summarized the work that has
7 been completed and the next phase of the
8 project. And that next phase of the work is
9 summarized in the AECOM proposal, change order
10 number one which is on today's agenda for
11 approval consideration, and it is also in your
12 board packet.

13 The AECOM work for this new phase, phase
14 two, is forecasted to be mostly done in 2021,
15 and it includes two soil borings, a conceptual
16 design, and the necessary permitting.

17 I did give Val Gomez, who is our city
18 contact on the project, an update on the
19 project yesterday.

20 The Section 10 permit, we haven't talked
21 about this in a while but I thought it would be
22 a good idea to kind of remind the board that we
23 do have a Section 10 permit agreement with BP,
24 which includes cooperation on renewal in the
25 Section 10 permit and also assistance with the

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1 disposal manifesting of BP's free phase
2 hydrocarbon recovery and spent boom materials.
3 And BP reimburses the district for efforts
4 servicing this agreement, which is part of that
5 agreement.

6 This past Monday I visited the south tank
7 farm and reviewed and signed the manifest
8 related to BP's boom maintenance. The Corps
9 report is in your packet. Mike Nguyen will be
10 joining us and be providing an update on the
11 dredging project. And Attorney Ellen Gregory
12 will give an update on various legal matters.

13 That concludes my report to the board.

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

15 (No response.)

16 MR. FEKETE: Thank you. Next order of
17 business is the approval consideration for
18 August 31st special board meeting minutes. I'll
19 entertain a motion to approve.

20 MR. LOPEZ: Motion to approve by Lopez.

21 MR. FEKETE: Do we have a second?

22 MR. PATRICK RODRIGUEZ: Pat Rodriguez,
23 second.

24 MR. FEKETE: We have a second. Okay, all in
25 favor signify by saying aye.

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1 (All "signify".)

2 MR. FEKETE: Any objections?

3 (No response.)

4 MR. FEKETE: Hearing none, that motion is
5 approved.

6 The second order of business is the
7 approval for October 21st.

8 MR. TREVINO: John, can I interrupt real
9 quick? I got a text from Kevin. He says that,
10 Ellen, you have to admit Kevin Doyle in the
11 meeting.

12 MS. GREGORY: I don't see him in the waiting
13 room.

14 MR. TREVINO: He sent me a message saying,
15 "Ellen has to let me in."

16 MS. GREGORY: I had joined him awhile ago.
17 Is his phone number 4029?

18 MR. TREVINO: Yes.

19 MS. GREGORY: He is there and he is not
20 muted. He should be able to speak.

21 MR. TREVINO: He will let me know what's
22 going on.

23 MR. FEKETE: To the approval for the
24 October 21, 2020, board meeting minutes, I'll
25 entertain a motion to approve.

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1 MR. PATRICK RODRIGUEZ: Pat Rodriguez, so
2 moved.

3 MR. FEKETE: I'll entertain a second.

4 MR. LOPEZ: Second.

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

7 (All signify "aye".)

8 MR. FEKETE: Any nays or objections?

9 (No response.)

10 MR. FEKETE: Hearing none, the motion it
11 approved.

12 MS. GREGORY: We should do roll call for
13 everything, if we can, going forward.

14 MR. FEKETE: Pardon?

15 MS. GREGORY: Because it's on Zoom, we should
16 do a roll call vote for everything rather than
17 doing a --

18 MR. FEKETE: We will have roll call votes for
19 everything else. I'll do it for everything else.

20 MS. GREGORY: Okay.

21 MR. FEKETE: That's why I asked for
22 objections or --

23 MR. TREVINO: Kevin voted in favor.

24 MR. FEKETE: Yeah.

25 Okay. Approval consideration for

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1 Fernando's additional hours. I think we
2 discussed this at the last meeting.

3 MR. LOPEZ: I make a motion to approve.

4 MR. FEKETE: I entertain a second.

5 MR. HENRY RODRIGUEZ: Second.

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

7 MR. BAKOTA: Yes.

8 MR. FEKETE: Henry Rodriguez?

9 MR. HENRY RODRIGUEZ: Yes.

10 MR. FEKETE: Patrick Rodriguez?

11 MR. PATRICK RODRIGUEZ: Yes.

12 MR. FEKETE: Ted Zagar?

13 (No response.)

14 MR. FEKETE: Kevin Doyle?

15 (No response.)

16 MR. FEKETE: Ray Lopez?

17 MR. LOPEZ: Yes.

18 MR. FEKETE: Okay.

19 MR. LOPEZ: I heard Kevin. I heard him say
20 "yes."

21 MR. FEKETE: Okay. Ray Lopez?

22 MR. LOPEZ: Yes.

23 MR. FEKETE: Okay. Here is what I have:
24 John Bakota, yes; Henry Rodriguez, yes; Patrick
25 Rodriguez, yes; nothing from Ted Zagar; Kevin

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1 Doyle, I didn't hear anything; Ray Lopez, yes;
2 John Fekete, yes. That motion is approved.

3 The accountant consulting report.
4 Mr. Anderson, you're up.

5 MR. ANDERSON: Can everybody hear me?

6 (All signify "yes.")

7 MR. ANDERSON: All right. Fernando sent you
8 all a copy of the financial statements through
9 October 31st. Page Number 2 of that report shows
10 the cash receipts of the district from January
11 through October. As Fernando mentioned, \$358,000
12 in user fees, you have about \$42,000 of interest
13 income, and then the transfer from the trust. So
14 we've got cash receipts of just over \$676,000.
15 And then we have our list of disbursements that we
16 budgeted for 2020, and this is what has been
17 spent, \$317,000. So our cash is increased
18 \$359,000 from where it was in January, which was
19 \$3.6 million. So our cash balances at the end of
20 October are \$3,964,000. And you see the breakdown
21 on Page 2 of that report. We've got \$777,000 in
22 the operating account. And then the user fees
23 now, the user fee account is actually two
24 accounts. We have a checking account with
25 \$1.6 million in it and CDs of 1.5. So almost

1 \$4 million between the operating account and the
2 user fee accounts.

3 Page 3 just has the breakdown of the
4 individual accounts that show the cash
5 disbursements coming out, and the transfers
6 going in. And those balances are the same as
7 on Page 2, just a little bit more detail on the
8 money coming in each month and the money going
9 out. Page 4 is the important page.

10 MR. TREVINO: Can you hear?

11 MR. DOYLE: Yes, I can hear.

12 MR. TREVINO: All right, Kevin is with us.

13 MR. ANDERSON: Absolutely. Kevin, you missed
14 the whole thing.

15 MR. DOYLE: No, I heard the whole thing.

16 MR. ANDERSON: Okay. Page 4 is the important
17 page. It has the budget and it shows the \$317,000
18 that has been written out of the budget, the
19 claims docket that you have before you today, and
20 the available budget after the claims docket is
21 paid today. So we watch real close each line
22 item. And of course as we get to the end of the
23 year, we watch very close because we can't go over
24 any of those. None of those accounts can have a
25 negative balance, and they don't. And so at the

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1 end of October, or actually at the end of today,
2 after you sign the claims docket, we still have
3 \$743,000 of available budget distributed to the
4 accounts as you see on Page 4.

5 Any questions about the financials?

6 MR. LOPEZ: Good report. Thank you.

7 MR. ANDERSON: Thank you.

8 MR. FEKETE: I would like to add that the
9 \$743,000 that we have, there's still \$500,000 for
10 the Great Lakes Legacy Project that we have. And
11 so taking that out, there's still over \$243,000
12 left for the next two months.

13 MR. LOPEZ: Right. Right.

14 MR. ANDERSON: Yes.

15 MR. FEKETE: Very good.

16 Thank you, Mr. Anderson. Any questions
17 for Mr. Anderson?

18 (No response.)

19 MR. ANDERSON: Thank you.

20 MR. LOPEZ: Thank you, Tim.

21 MR. FEKETE: The next order of business is
22 the approval consideration for the accounts
23 payable voucher register dated November 18, 2020.
24 I entertain a motion to approve.

25 MR. HENRY RODRIGUEZ: I make a motion to

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1 approve.

2 MR. FEKETE: That was Henry?

3 MR. HENRY RODRIGUEZ: Yes.

4 MR. DOYLE: Second.

5 MR. FEKETE: We have a second by?

6 MR. DOYLE: Kevin.

7 MR. FEKETE: Okay. Whenever you make a
8 motion or give a second, please announce your
9 name, too. That makes it easier for Dawn.

10 I'll have a roll call vote. John Bakota?

11 MR. BAKOTA: Yes.

12 MR. FEKETE: Henry Rodriguez?

13 MR. HENRY RODRIGUEZ: Yes.

14 MR. FEKETE: Patrick Rodriguez?

15 MR. PATRICK RODRIGUEZ: Yes.

16 MR. FEKETE: Ted Zagar?

17 (No response.)

18 MR. FEKETE: Kevin Doyle?

19 MR. DOYLE: Yes.

20 MR. FEKETE: Ray Lopez?

21 MR. LOPEZ: Yes.

22 MR. FEKETE: John Fekete, I vote yes. That
23 motion is approved.

24 The next order of business for
25 consideration is the Great Lakes Legacy Act BP

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1 agreement letter referencing the AECOM
2 services.

3 MR. LOPEZ: Motion to approve by Lopez.

4 MR. FEKETE: Okay. Do I have a second?

5 MR. HENRY RODRIGUEZ: Second by Henry
6 Rodriguez.

7 MR. FEKETE: Okay. Roll call vote. John
8 Bakota?

9 MR. BAKOTA: Yes.

10 MR. FEKETE: Henry Rodriguez?

11 MR. HENRY RODRIGUEZ: Yes.

12 MR. FEKETE: Patrick Rodriguez?

13 MR. PATRICK RODRIGUEZ: Patrick Rodriguez,
14 yes.

15 MR. FEKETE: Ted Zagar?

16 (No response.)

17 MR. FEKETE: Kevin Doyle?

18 MR. DOYLE: Kevin Doyle, yes.

19 MR. FEKETE: Ray Lopez?

20 MR. LOPEZ: Yes.

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

22 Okay, that motion is approved.

23 We have two change orders with AECOM. The
24 first one is in reference to the south tank
25 farm and the sheet pile wall engineering

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1 support. I'll entertain a motion to approve.

2 MR. HENRY RODRIGUEZ: I make a motion to
3 approve.

4 MR. FEKETE: Do we have a second?

5 MR. DOYLE: I second, Kevin Doyle.

6 MR. FEKETE: Okay. We'll have a roll call
7 vote. John Bakota?

8 MR. BAKOTA: Yes.

9 MR. FEKETE: Henry Rodriguez?

10 MR. HENRY RODRIGUEZ: Yes.

11 MR. FEKETE: Patrick Rodriguez?

12 MR. PATRICK RODRIGUEZ: Patrick Rodriguez,
13 yes.

14 MR. FEKETE: Kevin Doyle?

15 MR. DOYLE: Kevin Doyle, yes.

16 MR. FEKETE: Ray Lopez?

17 MR. LOPEZ: Yes.

18 MR. FEKETE: John Fekete, I vote yes. That
19 motion is approved.

20 Now we have another AECOM change order
21 request in reference to the Canal Street bridge
22 project. I entertain a motion to approve this
23 item.

24 MR. HENRY RODRIGUEZ: I make a motion to
25 approve.

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1 MR. FEKETE: Okay. Do I have a second?

2 MR. LOPEZ: Lopez.

3 MR. FEKETE: Say again. I need a second.

4 MR. PATRICK RODRIGUEZ: Ray Lopez seconded,
5 John.

6 MR. FEKETE: Okay. Roll call vote. John
7 Bakota?

8 MR. BAKOTA: Yes.

9 MR. FEKETE: Henry Rodriguez?

10 MR. HENRY RODRIGUEZ: Yes.

11 MR. FEKETE: Patrick Rodriguez?

12 MR. PATRICK RODRIGUEZ: Patrick Rodriguez,
13 yes.

14 MR. FEKETE: Ted Zagar?

15 (No response.)

16 MR. FEKETE: Kevin Doyle?

17 MR. DOYLE: Kevin Doyle, yes.

18 MR. FEKETE: Ray Lopez?

19 MR. LOPEZ: Yes.

20 MR. FEKETE: Job Fekete, I vote yes.

21 Okay, the next order of business is to
22 approve an appraisal engagement letter from
23 American Valuation Appraisal Services. This is
24 one of two proposals that we will be approving.
25 And I assume, Fernando, it's to allow

1 Mr. Wieser to go ahead and make a selection?

2 MR. TREVINO: We have an appraisal engagement
3 letter and so in talking with Attorney Wieser, and
4 I agree, it would be a good idea to have two
5 appraisals of these easements and the lease that
6 we're working on.

7 So the recommendation is to hire two
8 appraisers to perform the appraisals so we have
9 two prices to work with, a price for
10 easements -- and the other thing we're hoping
11 to do is to establish a unit price so we can,
12 hopefully, be able to use it on future
13 easements and future leases.

14 Here is one question that -- Ellen, both
15 of these engagement letters have Jim Wieser.
16 There are two Jim Wiesers. So can we approve
17 for him to sign on behalf of the district but
18 we're going to -- (inaudible) or the other
19 option is we're just approving them ourselves
20 and we sign them.

21 MS. GREGORY: It makes more sense for us to
22 sign them if we're going to be paying them
23 directly.

24 MR. TREVINO: Okay. So both of these
25 engagement letters will include a signature for

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1 John Fekete.

2 MR. FEKETE: I thought there was kind of like
3 a blank signature block.

4 MR. TREVINO: Yeah, one of them did have a
5 blank. The other one had Jim Wieser's name on it,
6 so we can just scratch that out.

7 MR. FEKETE: Okay. So having had that
8 explanation, are there any questions for
9 Mr. Trevino?

10 MR. PATRICK RODRIGUEZ: What is the cost for
11 their services? Is it a flat fee or is it an
12 hourly fee?

13 MR. TREVINO: No, it's a flat fee. At first,
14 one of the appraisers gave a range, and I had them
15 modify that so we had a flat fee. So one of the
16 costs, one of them is for \$2,000, and the other
17 one --

18 MS. GREGORY: One was 27.

19 MR. TREVINO: Yeah, and the other one is
20 \$2,300. And they're both reasonable proposals.

21 MR. PATRICK RODRIGUEZ: Thank you.

22 MR. LOPEZ: Do we vote on one or both?

23 MR. FEKETE: We vote on each one.

24 MR. PATRICK RODRIGUEZ: That's correct, yes.

25 MR. FEKETE: So the first one is the

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1 engagement letter with American Valuation
2 Appraisal Services. I'll entertain a motion to
3 approve.

4 MR. BAKOTA: Motion to approve, Bakota.

5 MR. FEKETE: Do I have a second?

6 MR. LOPEZ: Lopez, second.

7 MR. FEKETE: Okay. Roll call vote. John
8 Bakota?

9 MR. BAKOTA: Yes.

10 MR. FEKETE: Henry Rodriguez?

11 MR. HENRY RODRIGUEZ: Yes.

12 MR. FEKETE: Patrick Rodriguez?

13 MR. PATRICK RODRIGUEZ: Yes.

14 MR. FEKETE: Ted Zagar?

15 (No response.)

16 MR. FEKETE: Kevin Doyle?

17 MR. DOYLE: Yes.

18 MR. FEKETE: Ray Lopez?

19 MR. LOPEZ: Yes.

20 MR. FEKETE: John Fekete, I vote yes. That
21 motion is approved.

22 The second appraisal engagement letter
23 under consideration is the one with Vale
24 Appraisal Group. I'll entertain a motion to
25 approve.

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1 MR. LOPEZ: Lopez seconds.

2 MR. FEKETE: I need a motion to approve
3 first.

4 MR. LOPEZ: I thought you did.

5 MR. PATRICK RODRIGUEZ: Motion to approve,
6 Pat Rodriguez.

7 MR. LOPEZ: And Lopez seconds.

8 MR. FEKETE: Okay. Roll call vote. John
9 Bakota?

10 MR. BAKOTA: Yes.

11 MR. FEKETE: Henry Rodriguez?

12 MR. HENRY RODRIGUEZ: Yes.

13 MR. FEKETE: Patrick Rodriguez?

14 MR. PATRICK RODRIGUEZ: Patrick Rodriguez,
15 yes.

16 MR. FEKETE: Ted Zagar?

17 (No response.)

18 MR. FEKETE: Kevin Doyle?

19 MR. DOYLE: Kevin Doyle, yes.

20 MR. FEKETE: Ray Lopez?

21 MR. LOPEZ: Yes.

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

23 Okay. I got all the approval
24 considerations out of the way.

25 The Army Corps of Engineer's board report.

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1 Mr. Nguyen.

2 MR. NGUYEN: This is Mike Nguyen with the
3 Army Corps of Engineers. For the dredging, the
4 contractor started dredging October 3rd. And as
5 of today, they completed 45,305 cubic yards in
6 reach 13. 9,650 cubic yards in each one. And
7 21,088 cubic yards for the LTV, and dredging is
8 still ongoing. I think right now the tentative
9 date is that they're going to be done probably in
10 the week -- early month of December, probably the
11 18th. And they plan on starting the Lake George
12 dredging probably December 4th.

13 For the PCA amendment, the PCA was
14 forwarded to division. The review is complete.
15 Our division office forwarded to our
16 headquarter in D.C. for their review.

17 For the agreement between the Corps and
18 EPA, that is being worked on. That will be
19 sent to EPA for signature by the end of this
20 week.

21 For the Feddeler parcel, still ongoing
22 coordination with ECWMD and the Corps for the
23 dredging.

24 And for the Parkway, the Corps is
25 continuing to work to close out the contract.

1 And that's all I have.

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

3 MR. LOPEZ: Mike, I have a question.

4 MR. NGUYEN: Yes.

5 MR. LOPEZ: Is your headquarters in Griffith?

6 MR. NGUYEN: No. It's in Washington, D.C.

7 MR. LOPEZ: Because it's up for sale, that
8 business. It said Army Corps of Engineers, and I
9 thought maybe Trump got rid of you guys.

10 MR. NGUYEN: No. That is our field office,
11 our Calumet office. And I think we're relocating
12 that office. We just lease the office space.

13 MR. LOPEZ: Thank you.

14 MR. NGUYEN: Okay.

15 MR. FEKETE: Okay, any other questions for
16 Mr. Nguyen?

17 (No response.)

18 MR. FEKETE: We'll move on to the Attorney
19 Ellen Gregory report.

20 MR. NGUYEN: Before I go, I just want to let
21 the board know that for the next meeting, I won't
22 be calling in. I have a lot of vacation I have to
23 use up before January 1st. I'll be out for three
24 weeks in December.

25 MR. LOPEZ: Thank you for the information.

1 MR. PATRICK RODRIGUEZ: Okay.

2 MR. NGUYEN: I'll give Fernando the report
3 before I leave for vacation. It's a stay-at-home
4 vacation, basically.

5 MS. GREGORY: All right.

6 MR. FEKETE: All right.

7 MR. LOPEZ: Have a nice Thanksgiving.

8 MR. FEKETE: Have a great vacation.

9 MR. NGUYEN: All right.

10 MR. FEKETE: Okay, Ellen Gregory report.

11 MS. GREGORY: Ellen Gregory with Ellen
12 Gregory Law. Most of what I'm going to be
13 reporting has been either reported by Fernando or
14 Mike. But the PCA has been routed to Corps
15 headquarters, as Mike mentioned. Canal Street
16 bridge MOU was finalized and has been signed by
17 both the city and the district. Jim Wieser
18 continues to coordinate on property transfer
19 issues, as well as the easements and the leases,
20 which we just went over the appraisals for west
21 shore pipeline and NIPSCO on south tank farm. And
22 that's it for the legal matters.

23 MR. FEKETE: Any questions for Miss Gregory?

24 (No response.)

25 MR. FEKETE: Thank you. Any new business to

1 come before the board?

2 (No response.)

3 MR. FEKETE: Any outstanding business?

4 MR. LOPEZ: Ellen, what happened to the lake?
5 That lake behind you, what happened to it? Did
6 you move?

7 MS. GREGORY: No. I didn't put my background
8 up, so you get to see my kitchen instead.

9 MR. LOPEZ: Okay.

10 MR. FEKETE: Ellen, can you tell us if there
11 are any other public attendees other than Mike
12 Spinar?

13 MS. GREGORY: Mike Spinar is the only one.
14 Yep, that was it.

15 MR. FEKETE: I wanted to make sure we got
16 that on the record as well, lacking a sign-in
17 sheet.

18 MS. GREGORY: Right.

19 MR. FEKETE: Okay. No public comments.

20 Our next board meeting will be
21 December 16, 2020, at 5:00 p.m. And it will be
22 another Zoom meeting. I thank you all for your
23 participation, and everyone have a great
24 holiday.

25 This meeting is adjourned.


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 on the aforementioned date, time, and location, for the East Chicago Waterway Management District Board of Directors Meeting.

I further certify that I then and there reported in machine shorthand the proceedings of said Special Meeting, 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 the proceedings.

I further certify that I am not related by blood or marriage to any of the parties, nor am I an employee of any of the parties or of their attorneys or agents, nor am I interested in any way, financially or otherwise, in the outcome of said litigation.

Dated this 14th day of December, 2020.


Dawn M. Iseminger, RPR
My Commission expires: 9/22/2025



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