#### In the Matter Of:

#### East Chicago Waterway Management

#### DISTRICT BOARD OF DIRECTORS' MEETING

September 15, 2021



Iseminger & Associates, Inc. 877-337-7379

| 1  |   |
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| 2  |   |
| 3  | EAST CHICAGO WATERWAY MANAGEMENT                      |
| 4  | DISTRICT BOARD OF DIRECTORS' MEETING                  |
| 5  |   |
| 6  | City of East Chicago, Engineering/Annex Building      |
| 7  | 4444 Railroad Avenue                                  |
| 8  | East Chicago, Indiana                                 |
| 9  | Via Zoom/Telephonic Conference                        |
| 10 |   |
| 11 | September 15, 2021                                    |
| 12 | Wednesday, 5:00 p.m.                                  |
| 13 |   |
| 14 |   |
| 15 | Transcript of the Zoom proceedings had in the         |
| 16 | above-entitled matter, on the 15th day of September,  |
| L7 | 2021, at 5:00 p.m., at the City of East Chicago,      |
| 18 | Engineering/Annex Building, 4444 Railroad Avenue,     |
| 19 | East Chicago, Indiana, via Zoom/Telephonic Conference |
| 20 | before Pamela C. Mokrzycki, Certified Shorthand       |
| 21 | Reporter and Notary Public for the County of Porter,  |
| 22 | State of Indiana.                                     |
| 23 |   |
| 24 | ISEMINGER & ASSOCIATES, INC.                          |
| 25 | (877) 337-7379  |
|    |   |

| 1  | APPEARANCES:   |
|----|--|
| 2  | AND TOTAL PROPERTY Descriptions  |
| 3  | MR. JOHN FEKETE, President   |
| 4  | MR. RAYMOND LOPEZ, SR., Treasurer and Fiscal Officer                   |
| 5  | MR. HENRY RODRIGUEZ, Board Member                                      |
| 6  | MR. JOHN BAKOTA, Board Member  |
| 7  | MR. FERNANDO TREVINO, FMT Consulting                                   |
| 8  | MS. ELLEN GREGORY, East Chicago Waterway Board of Directors' Attorney, |
| 9  | via Zoom.  |
| 10 |  |
| 11 |  |
| 12 | * * * *  |
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| 14 |  |
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| 24 |  |
| 25 | 2  |
|    | )  |

| 1  | MR. FEKETE: All righty. Are you all        |
|----|--|
| 2  | set?                                       |
| 3  | COURT STENOGRAPHER: Yes, sir.              |
| 4  | MR. TREVINO: Yep.                          |
| 5  | MR. FEKETE: All right. I would like        |
| 6  | to call to order the East Chicago Waterway |
| 7  | Management District Board of Directors'    |
| 8  | Meeting. Today's date is September 15,     |
| 9  | 2021. And the time is 4:59.                |
| 10 | First order of business is the roll        |
| 11 | call.                                      |
| 12 | John Bakota?                               |
| 13 | MR. BAKOTA: Here.                          |
| 14 | MR. FEKETE: Henry Rodriguez?               |
| 15 | MR. RODRIGUEZ: Here.                       |
| 16 | MR. FEKETE: Patrick Rodriguez?             |
| 17 | (No response.)                             |
| 18 | MR. FEKETE: Ted Zagar?                     |
| 19 | (No response.)                             |
| 20 | MR. FEKETE: Kevin Doyle?                   |
| 21 | (No response.)                             |
| 22 | MR. FEKETE: Ray Lopez?                     |
| 23 | MR. LOPEZ: Here.                           |
| 24 | MR. FEKETE: John Fekete? Here.             |
| 25 | We have a quorum.                          |
|    | 3  |

| 1  | And next order of business is the            |
|----|--|
| 2  | Executive Director's Report.                 |
| 3  | MR. TREVINO: (Nodding.)                      |
| 4  | MR. FEKETE: Mr. Trevino.                     |
| 5  | MR. TREVINO: Yes. Fernando Trevino           |
| 6  | with FMT Consulting.                         |
| 7  | First, I would like to start out             |
| 8  | with going over the contents of your board   |
| 9  | packet. You have the board minutes I'm       |
| 10 | sorry, you have the copy of the public       |
| 11 | meeting posting for today's meeting.         |
| 12 | You have the board minutes for               |
| 13 | August 18th, 2021.                           |
| 14 | You have a copy of the East Chicago          |
| 15 | Waterway Management District Approval Memo   |
| 16 | for additional hours for FMT Consulting.     |
| 17 | And that memo is dated September 15th, 2021. |
| 18 | You have the First Merchants Bank            |
| 19 | statements for the month of August of 2021.  |
| 20 | You have And also a copy of the              |
| 21 | user fee deposits that were made in the      |
| 22 | month  |
| 23 | of August.                                   |
| 24 | You have a copy of the First                 |
| 25 | Merchant's Bank CD for account ending in     |
|    | 4  |

| 1  | 515.   |
|----|--|
| 2  | You have the BMO Harris Bank ECI             |
| 3  | Facility Trust Report dated August 31st,     |
| 4  | 2021.  |
| 5  | You have the Army Corps of Engineer          |
| 6  | Board Report with a date of September 15th,  |
| 7  | 2021.  |
| 8  | You have Attorney Ellen Gregory's            |
| 9  | report to the board with a revision date     |
| 10 | of September 14th, 2021.                     |
| 11 | Um   |
| 12 | (Brief pause had in the proceedings.)        |
| 13 | You have TetraTech's progress report         |
| 14 | for August of 2021.                          |
| 15 | You have a letter from the U.S. EPA          |
| 16 | to myself dated August 31st, 2021, regarding |
| 17 | accepted in-kind costs for the Great Lake    |
| 18 | Legacy Act Project.                          |
| 19 | You have a copy of the cover letter          |
| 20 | when I submitted the first half work in-kind |
| 21 | report summary related to the Great Lake     |
| 22 | Legacy Act Project. And that letter is       |
| 23 | dated September 21st.                        |
| 24 | You have a letter a copy of a                |
| 25 | couple emails. The first dated               |
|    | S S S S S S S S S S S S S S S S S S S        |

September 14th, 2021, related to a lost 1 2 check and a request to issue a stop payment 3 on it. And so since that check has been lost that check is on today's claim docket 4 5 requesting to be reapproved and reissued. That concludes the items in your 6 7 board packet. 8 As far as any update report to the 9 board, the Army Corps of Engineers and INDOT 10 reached out to the district requesting our 11 input regarding Coast Guard's proposal to 12 change the Indy Boulevard draw bridge 13 operation from a 24-hour operation attendant 14 to 12-hour advanced notice attendant. Public feedback on that is due on or before 15 16 September 27th of this month, which is this 17 So more on that during the meeting. month. 18 Regarding finances on today's 19 agenda, we have a board action item that 20 is affiliated with the contract that the 21 District has with FMT Consulting to consider 22 the option of approving an additional one 23 hundred hours for the calendar year of 2021. 24 Also, I composed and submitted two 25 invoices that were sent to BP. One was for

the reimbursement for the District's 2020 1 2 efforts related to the Section 10 Permit 3 Agreement and the second invoice is related to the Great Lake Legacy Act Project. 4 Regarding user fees, our 2021 user 5 fee collections and deposited to date is 6 7 approximately 357,000 or 99.1 percent of 8 all invoices that were submitted. 9 received the \$2,500.00 payment related to 10 resolving the prior years unpaid user fees 11 for M & M Management. This resolution includes the 221 user 12 13 fee affiliated with that property. 14 We have one outstanding unpaid 2020 15 user fee. A reminder that the board agreed 16 to extend the deadline to September 14th 17 which was yesterday. So I am recommending 18 that we reach out to Attorney Wieser and 19 have him pursue legal remedies for the 20 unpaid balance. 21 Regarding the PCA Amendment, just 22 to -- kind of a reminder that we have --23 conceptually have a final document between 24 the District and the Army Corps. So the PCA 25 Amendment has been approved by the Corps'

1 headquarters and now it's being run past the 2 Army Corps secretary. So once that gets --3 Once we hear back that that has been approved or -- or -- hopefully approved, 4 5 then we will ask the Board to approve that amendment and have it signed and send 6 7 it to the Corps for counter signature. 8 know that we have been saying this for the 9 last two or three months, but we are hoping 10 to have that document ready for the next 11 board meeting which is -- and we had a 12 meeting to discuss an update on that earlier 13 today so that -- they didn't report any 14 concerns with the approval. 15 Regarding the Great Lakes Legacy Act 16 Project, you might recall that the project 17 agreement fourth modification was approved 18 by the Board and BP and we were waiting for 19 EPA approval. EPA has now approved that 20 fourth amendment and the project team 21 received a signed copy from EPA on 22 August 19th and have a fully executed 23 project agreement fourth modification and 24 that was also forwarded to the Board on 25 August 20th. 8

South Tank Farm Sheet Pile Wall 1 2 Project, the ninety percent basis of design 3 report is ongoing. The Lake George Canal East section, a 4 5 reminder that Phase I dredging was completed in 2020. Phase II dredging isn't scheduled 6 7 to recommence until after the South Tank 8 Farm Sheet Pile Wall Project is completed 9 which is scheduled to be done at the end of 10 2023 or after. 11 Lake George Canal Middle Cap Project. 12 The Army Corps has received the proposals 13 for this project and they are going through 14 their review process. 15 BP's pipeline removal project. BP's 16 -- This project is now completed. They 17 removed the approximately 22,366 linear 18 feet of piping from the west tank farm and around 200 linear feet from the south 19 20 tank farm. All piping and collected liquids 21 affiliated with the removal have been 22 transported and disposed of off site. 23 Construction crew demobilization should be 24 done by this week. 25 The Grand Cal' River Junction Reaches

1 Remedial Design. TetraTech design work is 2 ongoing. The project team continues to 3 have periodic meetings advancing the design 4 work. 5 Lake George Canal West Project. and EPA continue to work on finalizing the 6 7 project agreement between the two parties, 8 which will address the Lake George Canal 9 West section of the waterway. 10 The Great Lakes Legacy Act work 11 in-kind report. I have completed the 2021 12 semiannual work in-kind report which was 13 sent to EPA on September 1st. The board 14 was copied on my email transmittal when it 15 was sent to EPA and a copy of the letter --16 of the cover letter is in your board packet. 17 The Canal Street Bridge Project is --18 the design of the two dolphins is ongoing. 19 AECOM is working through some permitting 20 efforts with the appropriate agencies. 21 The BP term sheet agreement for the 22 parcels BP is interested in acquiring. 23 continue to have periodic meetings with BP 24 to advance this effort. You might recall

that the district contracted with two

1 appraisers to develop appraisal reports 2 for these properties. We have received a 3 draft of the two reports and we are going through our review process. 4 5 A copy of the Army Corps board report is in your packet and Attorney Ellen Gregory 6 7 will be giving various updates on legal 8 matters. 9 And that concluded my report. 10 MR. FEKETE: Any questions for 11 Mr. Trevino? 12 (No response.) 13 COURT STENOGRAPHER: Did we lose 14 Ms. Gregory --15 (Brief off-the-record discussion had 16 in the proceedings.) 17 MS. GREGORY: Yeah. I am still here. 18 (Indicating) 19 MR. FEKETE: Okay. 20 MR. LOPEZ: Ray, question? 21 MR. TREVINO: Yes. 22 MR. LOPEZ: The last report over here 23 is April 27th, 2021, for the cross share 24 dispute. Where is it at now? Remember, 25 they were supposed to owe us money?

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1
           MR. TREVINO:
                         Okay.
                                I am not sure
 2
     what you are referring to. Can I see
 3
     please?
 4
           (Brief pause had in the proceedings.)
           (Mr. Trevino reading said document.)
 5
           MR. TREVINO: Yes, this is affiliated
 6
 7
     with the modifying the project cooperation
 8
     agreement with the Corps. So once we have
 9
     that finalized we will be presenting that
10
     to the board for approval.
11
           MR. LOPEZ: This is dated in April, so
     it --
12
13
           MR. TREVINO:
                         Yeah.
14
           MR. LOPEZ: -- it's all going to be
15
     one package?
16
                        Yes, unfortunately,
           MR. TREVINO:
17
     that's how long it takes to --
18
                        To get through the
           MR. FEKETE:
19
     Corps --
20
           MR. TREVINO: -- to get through the
21
     Corps --
22
           MR. RODRIGUEZ:
                           Yeah.
23
           MR.
               TREVINO:
                         That's probably why.
24
           MR. BAKOTA:
                        That's why we haven't
25
     got our checks.
                                                             12
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| 1  |   | ٦ |
|----|---|---|
| 1  | MR. FEKETE: I keep checking the           |   |
| 2  | mailbox.                                  |   |
| 3  | MR. LOPEZ: And it's still ongoing         |   |
| 4  | with the canal bridge, right?             |   |
| 5  | MR. TREVINO: Uh-huh. Yep.                 |   |
| 6  | MR. LOPEZ: Okay.                          |   |
| 7  | MR. TREVINO: Yes.                         |   |
| 8  | MR. LOPEZ: Thank you.                     |   |
| 9  | MR. FEKETE: Any other questions?          |   |
| 10 | Thank you, Mr. Trevino.                   |   |
| 11 | The next order of business is the         |   |
| 12 | approval consideration of a board meeting |   |
| 13 | notes for August 18th. Since all board    |   |
| 14 | members are present we will take a voice  |   |
| 15 | vote.                                     |   |
| 16 | All in favor signify by saying, "Aye".    |   |
| 17 | ALL: Aye.                                 |   |
| 18 | MR. FEKETE: Any opposition?               |   |
| 19 | Hearing none, that motion is approved.    |   |
| 20 | Accounting consultant report.             |   |
| 21 | Mr. Trevino you are going to report on    |   |
| 22 | behalf of Mr. Anderson.                   |   |
| 23 | MR. TREVINO: That is correct. So I        |   |
| 24 | provided a copy of I also emailed it      |   |
| 25 | earlier today, but I also provided a hard |   |
|    | 13  |   |

copy of Mr. Anderson's report dated August 1 2 31st. Page two is a summary of receipts 3 through August 31st and a summary of 4 disbursements. It also shows an increase in cash and 5 a cash balance at the beginning of the year 6 7 and a cash balance as of August 31st. And 8 the cash balance as of August 31st is 9 approximately 4.2 million and that's -that covers the -- our cash that's within 10 11 the First Merchants Bank accounts. 12 MR. FEKETE: Okay. 13 MR. TREVINO: And if you look at the 14 bottom of that report it also shows --15 breaks it down between the three accounts 16 that we have with First Merchants. 17 operating account, which basically is used 18 to manage our annual budget, and then the 19 account that we call the user fee account 20 where we, you know, deposit all the user 21 fee payments. And then the third is the 22 certificate of deposit that we have with 23 First Merchants. 24 Page three is a summary of the 25 operating account and it shows the cash

| 1  | disbursements by month and as well at        |
|----|--|
| 2  | for the operating account and for the user   |
| 3  | fee account. And it also has details         |
| 4  | related to the certificate of deposit.       |
| 5  | And the last sheet, page four, is            |
| 6  | our Budget Management Spreadsheet. So, you   |
| 7  | know, it shows an itemized list of all of    |
| 8  | our budget line items for the year. And it   |
| 9  | shows the budget amount for 2021. And then   |
| 10 | the last column on the right shows the       |
| 11 | unused budget so that you can see all of our |
| 12 | unused budget is in the positive. And then   |
| 13 | the second to the last column is a summary   |
| 14 | of our claim docket that's that you have     |
| 15 | in front of you that's on the docket on      |
| 16 | the agenda for approval consideration.       |
| 17 | And that summarizes Mr. Anderson's           |
| 18 | report.                                      |
| 19 | MR. FEKETE: Okay. Any questions?             |
| 20 | MR. LOPEZ: None.                             |
| 21 | MR. FEKETE: Hearing none.                    |
| 22 | Thank you very much. Thank                   |
| 23 | Mr. Anderson for his preparation.            |
| 24 | MR. TREVINO: (Nodding.)                      |
| 25 | MR. FEKETE: And the next order of            |
|    | 15   |

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1
     business then is the approval consideration
 2
     for the accounts payable voucher register
     dated today's date September 15th, 2021.
 3
           I will entertain a motion to approve.
 4
 5
           MR. BAKOTA:
                         Motion to approve.
                         Do I have a second?
 6
           MR. FEKETE:
 7
           MR. RODRIGUEZ:
                            Second.
 8
           MR. FEKETE:
                         We have a motion and a
 9
     second and I have a roll call vote.
10
           John Bakota?
11
           MR. BAKOTA:
                         Yes.
12
                         Henry Rodriguez?
           MR. FEKETE:
13
           MR. RODRIGUEZ:
                            Yes.
14
           MR. FEKETE:
                         Patrick Rodriquez?
15
           (No response.)
16
           MR. FEKETE:
                         Ted Zagar?
17
           (No response.)
18
                         Kevin Doyle?
           MR. FEKETE:
19
           (No response.)
20
           MR. FEKETE: Ray Lopez?
21
           MR. LOPEZ:
                        Yes, sir.
22
           MR. FEKETE:
                         John Fekete?
                                        I vote yes.
23
           That motion is approved.
24
           The next order of business is the
25
     request for additional hours for FMT
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1
     Consulting. You have the request
 2
     letter before you. Are there any
 3
     questions of Mr. Trevino?
 4
                       Is that the September 15th
           MR. LOPEZ:
 5
     letter, right?
 6
                         Right.
           MR. TREVINO:
 7
           MR. FEKETE:
                         That's it.
 8
           MR. LOPEZ: Motion to approve.
 9
           MR. FEKETE:
                        We have a motion to
10
               Do I have a second?
     approve.
11
           MR. RODRIGUEZ:
                            Second.
12
           MR. FEKETE: And we have a second.
13
           Okav. I have a roll call vote.
14
           John Bakota?
15
           MR. BAKOTA:
                        Yes.
16
           MR. FEKETE: Henry Rodriquez?
17
           MR. RODRIGUEZ:
                           Yes.
18
           MR. FEKETE: Patrick Rodriguez?
19
           (No response.)
20
           MR. FEKETE:
                        Ted Zagar?
21
           (No response.)
22
           MR. FEKETE:
                        Kevin Doyle?
23
           (No response.)
24
           MR. FEKETE: Ray Lopez?
25
           MR. LOPEZ: Yes, sir.
                                                             17
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| 1  | MR. FEKETE: John Fekete?                     |    |
|----|--|----|
| 2  | I approve. That motion is approved.          |    |
| 3  | The next order of business is the U.S.       |    |
| 4  | Army Corps Report.                           |    |
| 5  | Mr. Trevino, do you want to just             |    |
| 6  | quickly summarize it?                        |    |
| 7  | MR. TREVINO: Yeah. Is anyone on for          |    |
| 8  | the Corps?                                   |    |
| 9  | (Brief pause had in the proceedings.)        |    |
| 10 | (No response.)                               |    |
| 11 | MR. TREVINO: Okay. So, yeah, I               |    |
| 12 | will give a quick summary of the report      |    |
| 13 | that was submitted to us.                    |    |
| 14 | Regarding the CDR construction.              |    |
| 15 | Contractor will demobilize barges from       |    |
| 16 | the  |    |
| 17 | COURT STENOGRAPHER: I'm sorry, the           |    |
| 18 | contractor will                              |    |
| 19 | MR. TREVINO: will demobilize                 |    |
| 20 | barges from the site at the end of           |    |
| 21 | September. Water treatment was completed     |    |
| 22 | in August and the contractor has demobilized |    |
| 23 | the water treatment plant.                   |    |
| 24 | Regarding the Phase II Dike Raise            |    |
| 25 | project. The construction                    |    |
|    |  | 18 |

| 1  | MR. FEKETE: Dye grade?                       |
|----|--|
| 2  | MR. TREVINO: Phase II Dike Raise             |
| 3  | project. The construction is ongoing.        |
| 4  | Regarding CDF documentation. Oil             |
| 5  | boom coordination, nothing significant to    |
| 6  | report.                                      |
| 7  | Regarding the PTA revisions the              |
| 8  | Corps and the District reached an agreement. |
| 9  | Army Corps' Headquarters proposed changes    |
| 10 | to the PCA amendment received updated        |
| 11 | self-certification of the sponsor's          |
| 12 | financial capability. Certificate of         |
| 13 | authority and certificate regarding          |
| 14 | lobbying is currently in the process of      |
| 15 | updating the PCA amendment package.          |
| 16 | Regarding the federal parcel                 |
| 17 | resolution. The Corps real estate staff      |
| 18 | requested additional information for the     |
| 19 | LERR credit, that's L-E-R-R, and received    |
| 20 | it on July 20th of last year. Received an    |
| 21 | update letter on May 18th to request the     |
| 22 | LERR credit in the amount of \$95,261.82.    |
| 23 | And the parkway improvement project          |
| 24 | was completed last year.                     |
| 25 | And that concludes the Army Corps            |
|    | 19   |

| 1  | report that was in your packet.            |
|----|--|
| 2  | MR. FEKETE: Okay. Thank you,               |
| 3  | Mr. Trevino. And thank Mr. Wynn for        |
| 4  | preparing it for us.                       |
| 5  | MR. TREVINO: Sure.                         |
| 6  | MR. FEKETE: The next order of              |
| 7  | business is the Attorney Ellen Gregory     |
| 8  | Report. Ms. Gregory.                       |
| 9  | MS. GREGORY: Yes, Ellen Gregory            |
| 10 | with Ellen Gregory.                        |
| 11 | A couple of these items have been          |
| 12 | mentioned already a couple times by        |
| 13 | Fernando, but I will go through them again |
| 14 | anyway.                                    |
| 15 | MR. FEKETE: Okay.                          |
| 16 | MS. GREGORY: The PCA amendment. We         |
| 17 | are waiting for the secretary of the Army  |
| 18 | to approve. Once we receive that the       |
| 19 | document will be presented to the board    |
| 20 | for approval and signature. And then the   |
| 21 | Army Corps will be the final signature as  |
| 22 | has been the procedure.                    |
| 23 | Property transfer. We have periodic        |
| 24 | calls with BP and Jim Wieser has taken the |
| 25 | lead on the real estate legal aspects of   |

the fourth modification of PCA. 1 2 been signed by EPA. 3 The Canal Street Bridge, as Fernando mentioned the final design memo for the 4 5 dolphins is complete and we are working through printing issues. 6 7 The Indianapolis Boulevard Drawbridge. 8 There was a federal register notice on -- on 9 -- published on July 28th. Public comments 10 are due by September 27th. I will be 11 coordinating with Fernando on a response on behalf of the District. Um -- And just 12 13 today Fernando received a public records 14 request from a company called AD -- I'm 15 sorry, IDAR Group, they have requested 16 information regarding the District employees 17 in connection with what they are terming a 18 research and analysis into the public sector 19 titles and contact insights. 20 COURT STENOGRAPHER: I'm sorry, and 21 contacting sites? 22 MS. GREGORY: And contact insights, 23 i-n-s-i-q-h-t-s. 24 COURT STENOGRAPHER: Thank you. 25 THE WITNESS: I will be coordinating 21

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1
     with Fernando to respond to that since we
 2
     don't have any employees it's like the
 3
     response will just be that we don't have
 4
     any employees.
 5
           MR. LOPEZ:
                       Good.
           MS. GREGORY: And that's all that I
 6
 7
     have.
 8
           MR. LOPEZ:
                       Wow. That was great.
 9
           MR. FEKETE:
                        Okay. Any questions
10
     for Ms. Gregory.
11
           (No response.)
12
                        Thank you, Ellen.
           MR. FEKETE:
13
           MS. GREGORY:
                         (Nodding.)
14
           MR. FEKETE:
                        We didn't have on the
15
     agenda the BMO Harris Report. Did you want
16
     to just touch on that?
17
           MR. TREVINO: Yeah, I can -- Let's
18
     see.
19
           (Brief pause had in the proceedings.)
20
                         Okay. So you have a
           MR. TREVINO:
21
     copy of your BMO Trust Report as of August
22
     31st. We will just touch on a couple
23
     highlights of the report. So the -- As of
24
     the end of the month the prime money market
25
     has approximately 3.2 million, the 13th
                                                             22
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month CD has 1.2 million, which expires on 1 2 January 31st of the next year. And the 3 total trust balance is approximately 4.4 million. 4 MR. FEKETE: 5 Okay. So there is no action required at this moment? 6 7 MR. TREVINO: No, not of the BMO. 8 MR. FEKETE: Okay. Probably in 9 December we will have the finance committee 10 meeting on it? Right. You might 11 MR. TREVINO: recall that the reason that there is a 12 13 significant amount of money in the money 14 market is because the -- the available 15 interest rate options were so low that 16 they were pretty close to leave it in 17 the money market. 18 Right. MR. FEKETE: 19 THE WITNESS: And we are going to see 20 if -- um -- if -- if a better opportunity 21 comes up, you know, in the next few weeks. 22 MR. LOPEZ: Yeah. 23 MR. FEKETE: Right. 24 MR. TREVINO: And then we will be able 25 to hopefully get a better rate.

1 MR. LOPEZ: Yeah. Wait and see. 2 Yeah. 3 MR. FEKETE: Okay. Well, thank you 4 very much. MR. TREVINO: (Nodding.) 5 MR. FEKETE: Under new business. Did 6 7 we want to approve -- uh --8 MR. TREVINO: Yeah. 9 MR. FEKETE: -- the user fee and have Jim Wieser --10 MR. TREVINO: Yeah, we can do that. 11 12 Yeah, so I recommended that, you know, since 13 the board approved extending the 2021 user 14 fee deadline to September 14th, which has 15 come and gone and we have not received 16 payment from that last vendor, I recommend 17 that we reach out to Attorney Wieser and 18 have him pursue legal remedies of the unpaid 19 balance. 20 MR. FEKETE: Okay. I will entertain 21 a motion to that regard. 22 MR. LOPEZ: And I will second. 23 MR. RODRIGUEZ: Motion to approve. 24 MR. LOPEZ: Yeah. 25 MR. RODRIGUEZ: Motion to approve. 24

| r  |  |
|----|--|
| 1  | MR. FEKETE: Yes, and a second.               |
| 2  | MR. BAKOTA: And a second.                    |
| 3  | MR. FEKETE: We are out of order.             |
| 4  | MR. TREVINO: Right.                          |
| 5  | MR. FEKETE: I got it out of order.           |
| 6  | I think we can deal with this with a voice   |
| 7  | vote.  |
| 8  | All in favor signify by saying, "Aye."       |
| 9  | ALL: Aye.                                    |
| 10 | MR. FEKETE: Any opposition?                  |
| 11 | Extensions?                                  |
| 12 | (No response.)                               |
| 13 | MR. FEKETE: None heard, the motion is        |
| 14 | approved.                                    |
| 15 | MR. LOPEZ: Okay.                             |
| 16 | MR. FEKETE: Any other business to            |
| 17 | come before the board?                       |
| 18 | MR. TREVINO: Yes, I mentioned earlier        |
| 19 | that the Army Corps and INDOT had reached    |
| 20 | out to us regarding this change in operation |
| 21 | of the Indy Boulevard lift bridge. And the   |
| 22 | comments and response is due by              |
| 23 | September 27th, which is before our next     |
| 24 | board meeting. So I was going to ask the     |
| 25 | board that they approve a motion to either   |

1 delegate the board president, Mr. Fekete, 2 or myself, to research this a little bit 3 further and submit a response on behalf 4 of the District before that -- before that deadline of September 27th, if a response 5 is required. 6 7 MR. LOPEZ: Okay. 8 MR. FEKETE: Okay then. Do we approve 9 that? 10 MR. TREVINO: We have got to make a motion. 11 MR. BAKOTA: I make a Motion to 12 13 approve. 14 MR. TREVINO: Ι. 15 MR. LOPEZ: I second the motion. 16 MR. FEKETE: Okay. A voice vote. 17 All in favor signify any by saying, 18 "Aye". 19 ALL: Aye. 20 MR. FEKETE: The motion is approved. 21 Any other business to come before the 22 board? 23 ALL: (No response.) 24 MR. TREVINO: No other business. 25 MR. FEKETE: Huh? 26

| 1  | MR. TREVINO: No other business.           |
|----|---|
| 2  | MR. FEKETE: Hearing none, our next        |
| 3  | board meeting will be October 20th, 2021, |
| 4  | at 5:00 p.m. at this facility.            |
| 5  | And with that said I declare this         |
| 6  | meeting adjourned.                        |
| 7  | MR. LOPEZ: Okay.                          |
| 8  | MR. BAKOTA: Good meeting.                 |
| 9  | MR. TREVINO: Good.                        |
| 10 |   |
| 11 | T-H-E E-N-D.                              |
| 12 |   |
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| 1  |   |
|----|---|
| 2  |   |
| 3  | CERTIFICATE   |
| 4  |   |
| 5  | I, PAMELA C. MOKRZYCKI, a competent and               |
| 6  | duly qualified court stenographer, C.S.R., do hereby  |
| 7  | certify that I did report in machine shorthand, the   |
| 8  | foregoing proceedings and that my shorthand notes so  |
| 9  | taken at said time and place were thereafter reduced  |
| 10 | to typewritten transcript under my personal           |
| 11 | direction.  |
| 12 | I further certify that the foregoing                  |
| 13 | typewritten transcript constitutes a complete record  |
| 14 | of the said proceedings taken at said time and place, |
| 15 | so ordered to be transcribed.                         |
| 16 | Dated at Valparaiso, Indiana, this 28th day           |
| 17 | of September, 2021.                                   |
| 18 | Of September, 2021.                                   |
| 19 | SEAL ***  Somelate Profit of                          |
| 20 | SEAL Dela C. Mokrzycki                                |
| 21 | Pamela C. Mokrzycki                                   |
| 22 |   |
| 23 |   |
| 24 |   |
| 25 |   |

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