

In the Matter Of:
East Chicago Waterway Management

DISTRICT BOARD OF DIRECTORS' SPECIAL BOARD MEETING

November 01, 2021



Iseminger & Associates, Inc.
877-337-7379

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2 EAST CHICAGO WATERWAY MANAGEMENT
3 DISTRICT BOARD OF DIRECTORS'
4 SPECIAL BOARD 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 November 1st, 2021

12 Monday, 11:00 a.m.
13

14
15 Transcript of the proceedings had in the
16 above-entitled matter, on the 1st day of November,
17 2021, at 11:00 a.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

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

MR. JOHN FEKETE, President

MR. KEVIN DOYLE, Vice President,
Via Zoom

MR. RAYMOND LOPEZ, SR., Treasurer and
Fiscal Officer

MR. HENRY RODRIGUEZ, Board Member

MR. JOHN BAKOTA, Board Member

MR. FERNANDO TREVINO, FMT Consulting

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

* * * * *

District Board of Directors' Special Board Meeting
11/01/2021

1 MR. FEKETE: We call the meeting to
2 order.

3 MR. TREVINO: Okay.

4 MR. FEKETE: Call to order the East
5 Chicago Waterway Management District
6 Special Board Meeting. Today's date is
7 November 1st, and the time is 11:09.

8 First order of business is the roll
9 call. Um -- John Bakota?

10 MR. BAKOTA: Here.

11 MR. FEKETE: Henry Rodriguez?

12 MR. RODRIGUEZ: Here.

13 MR. FEKETE: Patrick Rodriguez?

14 (No response.)

15 MR. FEKETE: Pat Zaygar?

16 (No response.)

17 MR. FEKETE: Kevin Doyle?

18 MR. DOYLE: Here.

19 MR. FEKETE: Ray Lopez?

20 MR. LOPEZ: Here.

21 MR. FEKETE: John Fekete? Here.

22 We have a quorum.

23 Executive Directors' Report,
24 Mr. Trevino.

25 MR. TREVINO: Yeah, so I resent the

1 board packet this morning and it is
2 basically the same contents as the board
3 packet that was sent for the October 20th
4 board meeting with the exception of the
5 first two pages which is the agenda for
6 today's board meeting and the posting that
7 was used to post this special board meeting.

8 The reason that we are having a
9 special board meeting is at the October
10 20th board meeting we did not have a
11 quorum. So the intent of today's meeting
12 is just to take action on those items that
13 we weren't able to review and approve at
14 the October 20th board meeting. So --

15 MR. FEKETE: Okay. Any questions for
16 Mr. Trevino?

17 (No response.)

18 MR. FEKETE: Okay. Approval of the
19 board meeting minutes for September 15th?

20 MR. BAKOTA: Motion to approve.

21 MR. LOPEZ: Second it.

22 MR. FEKETE: I have a second.

23 All in favor signify by saying aye.

24 ALL: Aye.

25 MR. FEKETE: Kevin?

1 MR. DOYLE: Yes.

2 MS. GREGORY: Well, we have to do a
3 roll call for that.

4 MR. FEKETE: We have to do a roll
5 call.

6 MR. TREVINO: Okay.

7 MR. FEKETE: Okay. John Bakota?

8 MR. BAKOTA: Here.

9 MR. FEKETE: You have to say yes.

10 MR. BAKOTA: Yes.

11 (Everyone laughing out loud.)

12 MR. FEKETE: Henry Rodriguez?

13 MR. RODRIGUEZ: Yes.

14 MR. FEKETE: Kevin Doyle?

15 MR. DOYLE: Yes.

16 MR. FEKETE: Ray Lopez?

17 MR. LOPEZ: Yes.

18 MR. FEKETE: I vote yes.

19 Okay. That -- The minutes are
20 approved.

21 (Brief pause had in the proceedings.)

22 MR. FEKETE: The accounting consultant
23 report.

24 MR. TREVINO: Yeah. So the -- Tim
25 Anderson presented the -- his consulting --

1 as -- his financial report at the
2 October 20th meeting. It is the same
3 report that is presented and in front of
4 you. I handed out a hard copy of the budget
5 summary, so it's the same report as the
6 October 20th board meeting.

7 MR. FEKETE: Any questions?

8 (No response.)

9 MR. FEKETE: Okay. The next order
10 of business is the approval consideration
11 for the accounts payable voucher. Do I have
12 a motion to approve?

13 MR. BAKOTA: Motion to approve.

14 MR. FEKETE: John Bakota. Do I have
15 a second?

16 MR. RODRIGUEZ: Second.

17 MR. TREVINO: Second.

18 MR. FEKETE: Second by Henry
19 Rodriguez.

20 We will have a roll call vote.
21 John Bakota?

22 MR. BAKOTA: Yes.

23 MR. FEKETE: Henry Rodriguez?

24 MR. RODRIGUEZ: Yes.

25 MR. FEKETE: Patrick Rodriguez?

1 (No response.)

2 MR. FEKETE: Ted Zaygar?

3 (No response.)

4 MR. FEKETE: Kevin Doyle?

5 MR. DOYLE: Yes.

6 MR. FEKETE: Ray Lopez?

7 MR. LOPEZ: Yes.

8 MR. FEKETE: John Fekete, and I vote
9 yes.

10 MR. TREVINO: (Nodding.)

11 MR. FEKETE: Okay. And the next
12 order of business is the FMT Consulting
13 request for additional hours for 2021. If
14 you all recall that we had an extension at
15 one of our previous meetings, which I
16 believe was September, and I believe that
17 it was decided that we would withhold any
18 further extensions until the time presented
19 itself. And Mr. Trevino has done a review
20 of the activities that are ongoing and has
21 made a request that we approve the extension
22 -- additional extension to his hours.

23 So I will entertain a motion to
24 approve that.

25 MR. RODRIGUEZ: Make a motion to

District Board of Directors' Special Board Meeting
11/01/2021

1 approve.

2 MR. FEKETE: Second?

3 MR. RODRIGUEZ: Second.

4 MR. FEKETE: Henry Rodriguez second
5 with Ray Lopez.

6 MR. LOPEZ: (Nodding.)

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

9 MR. BAKOTA: Yes.

10 MR. FEKETE: Henry Rodriguez?

11 MR. RODRIGUEZ: Yes.

12 MR. FEKETE: Patrick Rodriguez?

13 (No response.)

14 MR. FEKETE: Ted Zaygar?

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, yes. I
21 vote yes.

22 The next order of business is the
23 2022 budget.

24 Did you want to give a brief summary
25 on that, Mr. Trevino?

1 MR. TREVINO: Yeah. So the 2022
2 budget was reviewed with the Finance
3 Committee a couple weeks ago and the only
4 additional major line item to the 2022
5 budget is the RECRA parcels review. EPA
6 has asked us to take part in doing a RECRA
7 review of the ECI parcels, the non CDF
8 parcels, so that line item has been added
9 to the 2022 budget.

10 Other than that the others are
11 pretty standard and consistent with the
12 prior years.

13 MR. FEKETE: Okay.

14 MR. TREVINO: And there is the Great
15 Lakes Legacy Act. There is the carry-over
16 of the original budget that was approved at
17 500,000, but now it has be reduced by
18 \$400.00 so it at 499,600. And that's just
19 been a carry-over from a few years ago when
20 we first approved it. That spending is
21 contingent upon the design of the sheet
22 pile wall along the south tank farm which
23 is forecasted to be done in 2022.

24 The other big ticket item is the
25 Canal Street Bridge Project. We are

1 forecasting to complete the design sometime
2 this winter and install the dolphins in
3 2022. So that line item is at 600,000.

4 And those are the two major ticket
5 line items. And then the one that I
6 mentioned earlier is the RECRA review of
7 the non CDF ECI parcels and that is coming
8 from the trust. So that concludes the
9 summary.

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

12 (No response.)

13 MR. FEKETE: Thank you very much.

14 I will entertain a motion to approve
15 the 2022 budget as presented.

16 MR. RODRIGUEZ: Motion to approve.

17 MR. BAKOTA: Second.

18 MR. FEKETE: Henry Rodriguez. John
19 Bakota second.

20 Roll call vote. John Bakota?

21 MR. BAKOTA: Yes.

22 MR. FEKETE: Henry Rodriguez?

23 MR. RODRIGUEZ: Yes.

24 MR. FEKETE: Patrick Rodriguez?

25 (No response.)

1 MR. FEKETE: Ted Zaygar?

2 (No response.)

3 MR. FEKETE: Kevin Doyle?

4 MR. DOYLE: Yes.

5 MR. FEKETE: Ray Lopez?

6 MR. LOPEZ: Yes.

7 MR. FEKETE: John Fekete. I vote yes.

8 And the next approval consideration is
9 the filing of our 2020 tax return.

10 Mr. Trevino, just a quick summary.

11 MR. TREVINO: Yes. So that in your
12 board packet I included the filing for the
13 2020 tax return that was compiled by Tim
14 Anderson of Clifton Larson Allen so it's on
15 the agenda for approval so we can sign and
16 submit it.

17 MR. FEKETE: Okay. I will entertain a
18 motion to approve.

19 MR. LOPEZ: Motion to improve.

20 MR. FEKETE: Ray Lopez. Do I have a
21 second?

22 MR. RODRIGUEZ: Second.

23 MR. FEKETE: Henry Rodriguez a second.
24 And a roll call vote.

25 John Bakota?

1 MR. BAKOTA: Yes.
2 MR. FEKETE: Henry Rodriguez?
3 MR. RODRIGUEZ: Yes.
4 MR. FEKETE: Ted Zaygar?
5 (No response.)
6 MR. FEKETE: Patrick Rodriguez?
7 (No response.)
8 MR. FEKETE: Kevin Doyle?
9 MR. DOYLE: Yes.
10 MR. FEKETE: Ray Lopez?
11 MR. LOPEZ: Yes.
12 MR. FEKETE: John Fekete. I vote yes.
13 That motion is approved.
14 Any new business to come before the
15 board?
16 MR. TREVINO: No new business.
17 MR. FEKETE: No new business.
18 Any other business?
19 (No response.)
20 MR. TREVINO: No other business.
21 MR. FEKETE: Okay. Any public
22 comments from anybody online?
23 (No response.)
24 MR. TREVINO: Nope.
25 MR. FEKETE: Okay. Ellen, anybody

1 waiting online?

2 MS. GREGORY: Anybody waiting? No,
3 it is just Kevin and me. We are the only
4 two.

5 MR. FEKETE: Okay. No public
6 comments.

7 Our next board meeting will be
8 November 17th, 2021 at 5:00 p.m. at this
9 building.

10 This meeting is adjourned. And I
11 thank you all.

12 MR. BAKOTA: Good meeting.

13 MR. FEKETE: Okay.

14 COURT STENOGRAPHER: We are off the
15 record.

16 (Meeting adjourned.)

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C E R T I F I C A T E

I, PAMELA C. MOKRZYCKI, a competent and
duly qualified court stenographer, C.S.R., do hereby
certify that I did report in machine shorthand, the
foregoing proceedings and that my shorthand notes so
taken at said time and place were thereafter reduced
to typewritten transcript under my personal
direction.

I further certify that the foregoing
typewritten transcript constitutes a complete Zoom
record of the said proceedings taken at said time
and place, so ordered to be transcribed.

Dated at Valparaiso, Indiana, this 8th
day of November, 2021.



Pamela C. Mokrzycki

Pamela C. Mokrzycki

<hr/> <p style="text-align: center;">\$</p> <hr/> <p>\$400.00 9:18</p> <hr/> <p style="text-align: center;">1</p> <hr/> <p>11:09 3:7 15th 4:19 1st 3:7</p> <hr/> <p style="text-align: center;">2</p> <hr/> <p>2021 7:13 2022 8:23 9:1,4,9,23 10:3,15 20th 4:3,10,14 6:2,6</p> <hr/> <p style="text-align: center;">4</p> <hr/> <p>499,600 9:18</p> <hr/> <p style="text-align: center;">5</p> <hr/> <p>500,000 9:17</p> <hr/> <p style="text-align: center;">6</p> <hr/> <p>600,000 10:3</p> <hr/> <p style="text-align: center;">A</p> <hr/> <p>accounting 5:22 accounts 6:11 Act 9:15 action 4:12 activities 7:20 added 9:8 additional 7:13,22 9:4 agenda 4:5 Anderson 5:25 approval 4:18 6:10 approve 4:13,20 6:12,</p>	<p>13 7:21,24 8:1 10:14,16</p> <hr/> <p>approved 5:20 9:16,20</p> <hr/> <p>aye 4:23,24</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p>Bakota 3:9,10 4:20 5:7, 8,10 6:13,14,21,22 8:8, 9 10:17,19,20,21</p> <p>basically 4:2</p> <p>big 9:24</p> <p>board 3:6 4:1,2,4,6,7,9, 10,14,19 6:6</p> <p>Bridge 9:25</p> <p>budget 6:4 8:23 9:2,5, 9,16 10:15</p> <p>business 3:8 6:10 7:12 8:22</p> <hr/> <p style="text-align: center;">C</p> <hr/> <p>call 3:1,4,9 5:3,5 6:20 8:7 10:20</p> <p>Canal 9:25</p> <p>carry-over 9:15,19</p> <p>CDF 9:7 10:7</p> <p>Chicago 3:5</p> <p>Committee 9:3</p> <p>complete 10:1</p> <p>concludes 10:8</p> <p>consideration 6:10</p> <p>consistent 9:11</p> <p>consultant 5:22</p> <p>consulting 5:25 7:12</p> <p>contents 4:2</p> <p>contingent 9:21</p> <p>copy 6:4</p> <p>couple 9:3</p>	<hr/> <p style="text-align: center;">D</p> <hr/> <p>date 3:6</p> <p>decided 7:17</p> <p>design 9:21 10:1</p> <p>Directors' 3:23</p> <p>District 3:5</p> <p>dolphins 10:2</p> <p>Doyle 3:17,18 5:1,14,15 7:4,5 8:16,17</p> <hr/> <p style="text-align: center;">E</p> <hr/> <p>earlier 10:6</p> <p>East 3:4</p> <p>ECI 9:7 10:7</p> <p>entertain 7:23 10:14</p> <p>EPA 9:5</p> <p>exception 4:4</p> <p>Executive 3:23</p> <p>extension 7:14,21,22</p> <p>extensions 7:18</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>farm 9:22</p> <p>favor 4:23</p> <p>Fekete 3:1,4,11,13,15, 17,19,21 4:15,18,22,25 5:4,7,9,12,14,16,18,22 6:7,9,14,18,23,25 7:2,4, 6,8,11 8:2,4,7,10,12,14, 16,18,20 9:13 10:10,13, 18,22,24</p> <p>Finance 9:2</p> <p>financial 6:1</p> <p>FMT 7:12</p> <p>forecasted 9:23</p> <p>forecasting 10:1</p> <p>front 6:3</p>	<hr/> <p style="text-align: center;">G</p> <hr/> <p>give 8:24</p> <p>Great 9:14</p> <p>GREGORY 5:2</p> <hr/> <p style="text-align: center;">H</p> <hr/> <p>handed 6:4</p> <p>hard 6:4</p> <p>Henry 3:11 5:12 6:18, 23 8:4,10 10:18,22</p> <p>hours 7:13,22</p> <hr/> <p style="text-align: center;">I</p> <hr/> <p>install 10:2</p> <p>intent 4:11</p> <p>item 9:4,8,24 10:3</p> <p>items 4:12 10:5</p> <hr/> <p style="text-align: center;">J</p> <hr/> <p>John 3:9,21 5:7 6:14,21 7:8 8:7,20 10:18,20</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p>Kevin 3:17 4:25 5:14 7:4 8:16</p> <hr/> <p style="text-align: center;">L</p> <hr/> <p>Lakes 9:15</p> <p>laughing 5:11</p> <p>Legacy 9:15</p> <p>Lopez 3:19,20 4:21 5:16,17 7:6,7 8:5,6,18, 19</p> <p>loud 5:11</p>
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