

In the Matter Of:
East Chicago Waterway Management

DISTRICT BOARD OF DIRECTORS' MEETING

April 20, 2023



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**EAST CHICAGO WATERWAY MANAGEMENT
DISTRICT BOARD OF DIRECTORS' MEETING**

**City of East Chicago, Engineering/Annex Building
4444 Railroad Avenue
East Chicago, Indiana**

April 20, 2023

5:00 p.m.

Transcript of the East Chicago Waterway Management District Board of Directors' Meeting had in the above-entitled matter on the 20th day of April, 2023, commencing at 5:00 p.m., taken at City of East Chicago, Engineering/Annex Building, 4444 Railroad Avenue, East Chicago, Indiana, and via Zoom Video/Telephone conference, before Dawn M. Iseminger, RPR, and Notary Public, within and for the County of Porter, State of Indiana.

1 A P P E A R A N C E S

2 JOHN FEKETE, President

3 JAYLAN ROBINSON, Vice-President

4 HENRY RODRIGUEZ, Secretary

5 JOHN BAKOTA, Board Member

6 RAY LOPEZ - Treasurer (no present)

7 KEVIN DOYLE - Board member (not present)

8 FERNANDO TREVINO, FMT Consulting

9 ELLEN GREGORY, Ellen Gregory Law - via Zoom

10 Also Present:

11 VANESSA VARGAS, CliftonLarsonAllen - appearing via
12 Zoom

13 JIM WESCOTT of Tetra Tech - appearing via Zoom

14 MIKE NGUYEN, Army Corps of Engineers - appearing
15 via Zoom

16 TIM DULL, project manager for ACOM - appearing via
17 Zoom

18 ROBERT SANTORE, BMO Harris Bank - appearing via
19 Zoom

20 JIM ADAMS, AECOM - appearing via Zoom

21 Michael Elam - appearing via Zoom

22 John Andershock, Thatcher Foundations

23 MR. FEKETE: I'd like it call to order the
24 East Chicago Waterway Management Board of
25 Directors' regular public board meeting. Today's

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1 date is April 20. The time is 5:12.

2 The first order of business is the call to
3 order and the roll call.

4 John Bakota?

5 MR. BAKOTA: Here.

6 MR. FEKETE: Henry Rodriguez?

7 MR. HENRY RODRIGUEZ: Here.

8 MR. FEKETE: Jaylan Robinson?

9 MR. ROBINSON: Here.

10 MR. FEKETE: Kevin Doyle?

11 (No response).

12 MR. FEKETE: Ray Lopez?

13 MR. LOPEZ: Here.

14 MR. FEKETE: John Fekete, here. We have a
15 quorum.

16 The next order of business is the director
17 executor's report, Mr. Trevino.

18 MR. TREVINO: Fernando Trevino with FMT
19 Consulting. I'd like to start off by going over
20 the contents of your board packet. You have
21 today's agenda, the public meeting posting for
22 today's meeting, the board minutes for the two
23 March board meetings, the special board meeting on
24 March 7, and then the regular board meeting of
25 March 16.

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1 You have the CliftonLarsenAllen financial
2 report dated March 31st for the month of March.
3 That was emailed to the board today and hard
4 copies distributed here at the meeting.

5 You have today's claim docket dated
6 April 20th, along with copies of the purchase
7 orders and check register. You have three
8 CliftonLarsenAllen engagement letters, and
9 those are for your approval consideration.

10 You have First Merchant Bank statements
11 for the month of March for accounts entering in
12 608 and 616, along with a copy of the checks
13 that cleared last month and various deposits
14 that were recorded in the month of March.

15 You also have a copy of First Merchants CD
16 report with a run date of April 17th. You have
17 the BMO trust reports through March 31st, 2023,
18 of course. And you have AECOM's latest project
19 update and schedule regarding the Canal Street
20 bridge project, including an email of the
21 project update that I sent to the city dated
22 March 28th.

23 You have a copy of Tetra Tech's monthly
24 progress report dated April 14th. You have
25 Army Corps' report to the board dated

1 April 20th. You have Attorney Ellen Gregory's
2 report to the board with the revision date of
3 April 16th. And you have Jacobs' monthly
4 project progress report for the month of March
5 dated April 17th, and an email from Jacobs that
6 summarizes their response to the district's
7 comments to their draft sheet pile wall issued
8 for a construction package. And that concludes
9 the items in your board packet.

10 My report to the board regarding the
11 action items on today's agenda, we have four
12 action items: Two March board meeting minutes
13 for approval, the monthly claim docket, and the
14 CliftonLarsenAllen engagement letters. Ellen
15 and I have recently had a couple of conference
16 calls with CliftonLarsenAllen to finalize the
17 2023 engagement letters. In the past their
18 services were included in one engagement
19 letter. This year their new format includes
20 three separate engagement letters for their
21 accounting services. Those three letters are
22 on today's agenda for your approval
23 consideration.

24 Regarding finances, the CliftonLarsenAllen
25 financial reports, as I mentioned, were emailed

1 earlier today and hard copies provided. And
2 Vanessa Vargas is in attendance to give an
3 update on our financials.

4 Regarding user fees, Ellen and I are
5 working on a new user fee appeal procedure that
6 we plan to provide to the board for approval
7 consideration at May's board meeting, and I've
8 started working on the 2023 user fee invoices
9 and package which I'm forecasting to send by
10 the end of May.

11 Regarding the PCA amendments, we've had a
12 meeting with the Corps and Cleveland-Cliffs to
13 discuss the accounting close-out report; so
14 that work will be ongoing. And Ellen will
15 report on a meeting that's scheduled to happen
16 next week with the D.O.J. related to doing
17 additional work with Cleveland-Cliffs regarding
18 dredging and the potential of disposal material
19 into the CDF.

20 Regarding the Great Lakes Legacy Act
21 project, the south tank farm sheet pile wall
22 project, Atlantic Richfield and their general
23 contractor, Jacobs, have submitted their
24 hundred percent issue for construction package.
25 Atlantic Richfield and Jacobs work on securing

1 the necessary permitting is also ongoing. The
2 district continues to work with Atlantic
3 Richfield to help resolve easement conflicts
4 for the construction of the sheet pile wall.
5 AR gave a series of presentations in the last
6 few weeks regarding their sheet pile wall
7 project. They gave a presentation at our
8 March 16 board meeting that was open to the
9 public. At the conclusion of the presentation
10 the board approved the project to proceed. On
11 March 28th they gave a presentation of the
12 project to the city's technical review
13 committee. On April 3rd, they gave
14 presentations to the city's planning
15 commission.

16 AR finalized the sheet pile wall project
17 fact sheet which was shared with the city,
18 including the city's fire department, the
19 police department, the planning department, and
20 schools.

21 AR and his contractors have been busy
22 mobilizing and prepping the site for
23 construction. The driving of the steel is
24 scheduled to begin in the month of May. And
25 the sheet pile wall project is forecasted to be

1 completed by early 2024.

2 Regarding the Lake George canal east
3 section, phase 2 dredging is scheduled to
4 recommence after the sheet pile wall project is
5 completed, which as mentioned is scheduled to
6 be done in 2024. The Army Corps of Engineer's
7 is managing the project on EPA's behalf. And
8 the Corps is coordinating additional canal
9 sediment sampling. That's scheduled to be done
10 some time this spring.

11 Regarding the Lake George canal middle cap
12 project, the Army Corps of Engineers is
13 managing this remediation project on EPA's
14 behalf as well, and cap construction work is
15 ongoing.

16 The Lake George canal west remediation
17 work between BP and EPA is ongoing. Regarding
18 the Grand Cal' River junction reaches remedial
19 design, Tetra Tech remedial design completion
20 is ongoing. The project team continues to have
21 periodic meetings to discuss activities such as
22 design completion, permit application, junction
23 marsh coordination, community engagement, and
24 coordination with the former city dump site.

25 The Grand Cal' River phase one remediation

1 project process is ongoing. The drafting of
2 the project agreement is currently on pause
3 pending the resolution of out source control
4 concerns. Once the project team resolves the
5 source control concerns, the expectation is
6 that EPA will submit a source control memo
7 stating that all potential known contamination
8 sources are of no concern. That drafting of
9 that memo is an EPA action item. Once the
10 source control memo is finalized, we will
11 resume our work on drafting of the project
12 agreement.

13 We're also working on scheduling a meeting
14 with Buckeye regarding the restoration of the
15 junction marsh, which is currently planned to
16 be bid as an option.

17 Jim Wescott is in attendance today to
18 provide additional updates. Regarding the work
19 in kind reporting, I submitted the district
20 2022 annual work in kind report to EPA on
21 March 28th.

22 Regarding the Canal Street bridge project,
23 we recently submitted requests for bids for the
24 construction of the dolphins, which was
25 approved by the board. Bids were due today at

1 5:00 p.m. Jim Adams, with AECOM, is in
2 attendance to provide a project update. The
3 latest schedule is in your board packet. And
4 we did receive one bid; so when we get to the
5 Canal Street bridge project on the agenda, I'll
6 open that up and report a quick summary on it.

7 The BP settlement agreement, as a quick
8 summary: The Atlantic Richfield settlement
9 agreement, the board might recall that the
10 district approved and signed the settlement
11 agreement at a special board meeting on
12 March 7th. The city, in turn, approved and
13 signed the settlement agreement on March 9th at
14 their board of public works meeting. Atlantic
15 Richfield had already approved and signed the
16 settlement agreement in advance of the district
17 and city; so we have a fully executed
18 settlement agreement.

19 Since then, the district and Atlantic
20 Richfield have been working on various action
21 items related to finalizing the conveyance of
22 the properties.

23 The Army Corps report is in your board
24 packet. Project manager, Mike Nguyen, will be
25 providing an update report to the board. And

1 regarding legal matters, Attorney Ellen Gregory
2 will give an update on various legal matters
3 ongoing.

4 And that concludes my report.

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

6 (No response.)

7 MR. FEKETE: Thank you very much. The next
8 order of business is the approval consideration of
9 the board meeting notes. Since all members
10 participating are in attendance in person, I'll
11 entertain a motion to approve.

12 MR. BAKOTA: Motion to approve.

13 MR. FEKETE: Do I have a second?

14 MR. RODRIGUEZ: Motion.

15 MR. FEKETE: Voice vote, all in favor signify
16 by saying "aye."

17 (All signify aye).

18 MR. FEKETE: Any opposition?

19 (No response).

20 MR. FEKETE: Any abstentions?

21 (No response).

22 MR. FEKETE: The motion is approved. Now,
23 the accounting consulting report, Vanessa.

24 MS. VARGAS: Vanessa Vargas from
25 CliftonLarsenAllen. In front of you, you have the

1 financial statements on a cash basis for the
2 month of March 31, 2023.

3 If you turn to Page 2, we'll begin with
4 the statement of cash receipts and cash
5 disbursements for the three months ended
6 March 31, 2023.

7 You have received interest income of
8 \$17,847.97, user fees of \$130,295.64, and have
9 received a trust transfer of \$149,191.38.

10 Bringing your total receipts as of March 31 to
11 \$297,334.99.

12 You've had cash disbursements of
13 \$118,663.52. This brings you to increase in
14 cash of \$178,671.47. You began the year with a
15 total cash balance of \$4,300,335.44. As of
16 March 31st, your total cash balance is
17 \$4,479,006.91.

18 If you turn to Page 3, we'll continue with
19 the schedule of cash account activity for the
20 three months ended March 31st. Your operating
21 account began the year with a cash balance of
22 \$1,439,851.14. You've earned interest of
23 \$84.64. You've had cash disbursements totaling
24 \$118,663.52. You've had a trust transfer of
25 \$149,191.38, as well as a budget transfer of

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1 \$153,329.23. This brings your operating cash
2 balance as of March 31, 2023, to \$1,623,792.87.
3 Your user fee account began the year with a
4 cash balance of \$560,484.30. You've earned
5 interest of \$1,994.79. Collected user fees of
6 \$130,295.64. And had a budget transfer of
7 \$153,329.23. This brings your user fee account
8 balance as of March 31 to \$539,445.50. You
9 began the year with a CD with a balance of
10 \$2,300,000. You've earned interest of
11 \$15,768.54. This brings your CD balance as of
12 March 31 to \$2,315,768.54.

13 If you turn to Page 4 we will continue
14 with the schedule of 2023 available budget as
15 of April 20, 2023. Your 2023 budget
16 appropriation totaled \$1,709,850. Adding back
17 in your accounts payable as of 12-31-22 in the
18 amount of \$32,521.75. That brought your 2023
19 total appropriation to \$1,742,371.75.

20 Through March 31st, 2022 you have had cash
21 disbursements of \$118,663.52. In front of you
22 there is a claim docket dated April 20, 2023,
23 totaling \$47,581.55.

24 This brings your total unused budget for
25 2023 to \$1,576,126.68. Are there any

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1 questions?

2 MR. FEKETE: Any questions for Vanessa?

3 MR. LOPEZ: Thank you, Vanessa.

4 MR. FEKETE: Thank you.

5 Okay. The next order of business is the
6 approval consideration for the accounts payable
7 voucher register dated today's date, April 20,
8 2023. I'll entertain a motion to approve.

9 MR. LOPEZ: Motion to approve.

10 MR. RODRIGUEZ: Second.

11 MR. FEKETE: Okay. We'll have a roll call
12 vote.

13 John Bakota?

14 MR. BAKOTA: Yes.

15 MR. FEKETE: Henry Rodriguez?

16 MR. HENRY RODRIGUEZ: Yes.

17 MR. FEKETE: Jaylan Robinson?

18 MR. ROBINSON: Yes.

19 MR. FEKETE: Kevin Doyle?

20 (No response).

21 MR. FEKETE: Ray Lopez?

22 MR. LOPEZ: Yes.

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

25 The next order of business is the approval

1 consideration for the CLA engagement letters
2 for accounting services. Mr. Trevino?

3 MR. TREVINO: Yes. These are, as I
4 mentioned, in your board packet engagement letters
5 affiliated with the accounting services that are
6 provided by CliftonLarsenAllen. Attorney Ellen
7 Gregory and I have had a couple conference calls
8 with Monica Johnson to try to get the final
9 documents, and that's what we have in front of
10 you. And the recommendation is to approve them.

11 MR. FEKETE: Okay. Any questions?

12 (No response.)

13 MR. FEKETE: Thank you for your comments,
14 Mr. Trevino. I will entertain a motion to
15 approve.

16 MR. RODRIGUEZ: Motion to approve.

17 MR. FEKETE: Do I have a second?

18 MR. LOPEZ: Second.

19 MR. FEKETE: Okay. We'll have a roll call
20 vote.

21 John Bakota?

22 MR. BAKOTA: Yes.

23 MR. FEKETE: Henry Rodriguez?

24 MR. HENRY RODRIGUEZ: Yes.

25 MR. FEKETE: Jaylan Robinson?

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1 MR. ROBINSON: Yes.

2 MR. FEKETE: Kevin Doyle?

3 (No response).

4 MR. FEKETE: Ray Lopez?

5 MR. LOPEZ: Yes.

6 MR. FEKETE: John Fekete, I vote yes. That
7 motion is approved.

8 The next order of business is the BMO
9 trust report.

10 MR. SANTORE: Good afternoon, everybody. The
11 first thing for review that we have is the money
12 market and CD holdings for the district. This
13 page shows the combined balance of your money
14 market account and your certificate of deposit.
15 The current value ending March 31st was
16 \$4,021,156.21. There was an increase of \$487,74
17 from interest earned from the last meeting.

18 Page 2 is the trust historical data. This
19 page is showing historical values from the
20 trust account open in 1997 with current
21 distribution in 2023 thus far of \$149,191.38.

22 I also wanted to let you know that you had
23 your money market increase in the month of
24 March. The new interest rate on that now is
25 1.23 percent. The previous rate was

1 1.143 percent. And this is the third rate
2 increase we've had since November of 2022 when
3 I took over as your relationship manager.

4 And I think that covers everything. Any
5 questions?

6 (No response.)

7 MR. FEKETE: Okay. Any questions?

8 (No response).

9 MR. LOPEZ: Thank you.

10 MR. FEKETE: Thank you.

11 MR. SANTORE: You're welcome.

12 MR. FEKETE: The next order of business is
13 the Canal Street bridge dolphin project.

14 MR. TREVINO: I gave a brief update during my
15 report. Jim Adams is on the call, one of the
16 project managers for AECOM. Jim.

17 MR. ADAMS: Hello. A quick overview of the
18 project: As a reminder, the project -- can
19 everyone hear me okay?

20 (All signify "yes.")

21 MR. ADAMS: As a reminder, the project
22 consists of the installation of two fiber
23 reinforced hollow type piles -- otherwise known as
24 dolphins -- just east of the Canal Street bridge.
25 The purpose of these dolphins is to improve

1 navigation within the canal. The bid documents
2 for the project, which included construction
3 drawings and the specifications, were issued to
4 contractors on February 21, 2023. The documents
5 were sent to six construction companies with
6 related experience. The pre-bid meeting was held
7 at the district office on March 8, 2023. One
8 prospective bidder attended the pre-bid meeting.
9 The documents were updated based on the pre-bid
10 meeting, as well as other input. And addenda one
11 was issued to contractors on March 27, 2023.

12 So with regards to any bidders, no bidder
13 can withdraw their bid for a period of 90 days,
14 the district can retain bids for not more than
15 90 days, and work on the project must be
16 substantially complete within 180 days after
17 notice to proceed.

18 And that's all I have, unless there's any
19 questions.

20 MR. TREVINO: Yeah. I just wanted to add,
21 other than providing the bid documents to six
22 experienced contractors, we also advertised it as
23 required to the general public. So any others
24 were welcomed to bid on the project.

25 Jim, we did receive one bid that I'd like

1 to open and then enter into the record, and
2 that contractor is from Thatcher.

3 I'm looking for the proposal. So the
4 total lump sum bid as provided on the bid form
5 of Section 00410 is \$847,700. I'll get their
6 proposal over to AECOM, which will be reviewed.
7 And then we're hoping to provide an update
8 report to the board.

9 MR. FEKETE: Did you mention who it was?

10 MR. TREVINO: Yeah. Thatcher.

11 MR. FEKETE: Okay.

12 MR. TREVINO: So we'll report a
13 recommendation at the May board meeting. Anything
14 to add, Jim?

15 MR. ADAMS: Nothing to add.

16 MR. LOPEZ: Thank you, Jim.

17 MR. FEKETE: Thank you.

18 MR. ADAMS: You're welcome.

19 MR. FEKETE: The next order of business is
20 the Grand Cal' River junction reach remedial
21 design project.

22 MR. TREVINO: Is Jim Wescott on?

23 MR. WESCOTT: Jim Wescott. Fernando kind of
24 covered everything earlier. We still are making
25 progress on the permits. Most of the permits are

1 being issued. We should get the construction
2 floodway permit in the next 30 days; but again
3 we're just waiting on the source control memo from
4 EPA. That's basically the holdup for the East
5 Chicago city dump site and its impact on the
6 waterway.

7 So everything else is kind of moving
8 along. We're just waiting on the source
9 control memo. Any questions?

10 MR. FEKETE: Any questions?

11 (No response).

12 MR. LOPEZ: Thank you, Jim.

13 MR. FEKETE: Okay. The U.S. Army Corps'
14 board report. Mr. Nguyen.

15 MR. NGUYEN: This is Mike Nguyen with the
16 Army Corps of Engineers.

17 For the facility operation, Clean Harbors
18 has treated approximately two million gallons
19 of water in 2022. Treatment will resume once
20 we award the new contract.

21 For the dike raise. Since spring is here,
22 construction is in full swing. IES plans to
23 continue the clay basin for the dike raise
24 later on this month. And we're still working
25 with the contractor to settle their R.E.A. for

1 additional time extension, the request for
2 equitable adjustment.

3 For the PCA, we're still working to try to
4 closeout that PCA, the cost share. And we'll
5 be sending out a letter to basically the banks
6 with the escrow account requesting the funds
7 from the escrow account to balance the cost
8 share per the PCA amendments. And that letter
9 should be coming out some time in late May --
10 May, if not June.

11 And for the Parkway, we're still just
12 inspecting it once a month and cleaning it as
13 needed. And that's all I have.

14 MR. BAKOTA: May I?

15 MR. FEKETE: John.

16 MR. BAKOTA: Mr. Nguyen, John Bakota.

17 A friend of mine, a self-described
18 environmentalist, works at Cleveland-Cliffs.
19 He claims that at Plant One, the sea wall is
20 collapsing and there's runoff from the property
21 into the canal. I can't tell you where Plant
22 One is. We have a few people here that are
23 familiar with it. If you could describe it, I
24 don't know.

25 MR. NGUYEN: Earlier on, I think a little

1 over a month ago, I requested sort of like the
2 business along the canal -- because what I plan on
3 doing is that once the dike raise construction is
4 complete, we're going to go and resume dredging.
5 So we're going to go and just basically have a
6 meeting with the industry, especially the ones of
7 concern with their, I guess, wall failure and
8 anything else, because we have the authority to
9 maintain our channel to the federal depth, the
10 authorized depth. So we want to make sure that
11 basically when we go and dredge to the authorized
12 depth, that the industry sheet pile wall or
13 structure is structurally sound so that we could
14 complete our mission.

15 So if he's concerned about industry wall
16 collapsing into the canal or whatever, I'll
17 probably -- I'm going to be coordinating a
18 meeting to discuss what our future plan to
19 dredge, especially the hard pan material in the
20 harbor and canal.

21 MR. FEKETE: And, Mr. Nguyen, hearing what
22 you're saying, this may be just slightly outside
23 the boundary of the designated federal channel,
24 but we do know that you have regular contacts with
25 Cleveland-Cliffs' people, and so we'd ask that the

1 next time you do have contact with them that you
2 raise this issue. And certainly because --

3 MR. NGUYEN: Yeah, I could definitely talk to
4 Tom Barnett or anyone else. If Fernando can share
5 the location with me, I'll be more than happy to
6 discuss this.

7 MR. FEKETE: Let me interject. Based on 43
8 years' of experience in the steel mill there, I
9 can tell you that if you talk to Tom Barnett and
10 tell him it's the cell wall in Plant One, he'll
11 know exactly what you're talking about.

12 MR. NGUYEN: The cell wall in Plant One?

13 MR. FEKETE: Uh-huh.

14 MR. TREVINO: Mike, similar to Mr. Bakota's
15 concern, I also, a few weeks ago, had sent I
16 believe you and the Coast Guard a concern with the
17 sheet pile wall failing over just north of the
18 Columbus Drive bridge. So I'm assuming that will
19 be part of your assessment? I think if I remember
20 right, Buckeye was the property owner.

21 MR. NGUYEN: Yeah, I'll follow up with that
22 one, too.

23 MR. TREVINO: I'll double check to see if
24 that email went to you, or who from the Corps.
25 But I'll resend it.

1 MR. NGUYEN: Yeah. A lot of times it might
2 go into our regulatory agency. It might not go
3 directly to me.

4 MR. TREVINO: Okay. I'll resend that email.

5 MR. NGUYEN: Okay. Thanks.

6 MR. FEKETE: Any other questions or comments
7 regarding U.S. Army Corps?

8 (No response).

9 MR. FEKETE: Thank you, Mike.

10 The next order of business is the Attorney
11 Ellen Gregory report.

12 MS. GREGORY: Ellen Gregory with Ellen
13 Gregory Law. As Mr. Trevino mentioned, we are
14 continuing to do work regarding the property
15 transfer to AR. Jim Wieser and Fernando and I
16 have been involved in numerous calls regarding the
17 closeout issues to make sure that the transfer
18 proceeds smoothly, now that the agreement has been
19 signed, and up through the closing. We've also
20 been having conversations with AR regarding
21 pipeline relocations for both NIPSCO and Buckeye,
22 and have been on a couple of calls with NIPSCO
23 regarding either amending or preparing new
24 easements for the new relocated line and will be
25 having some calls with respect to Buckeye as well.

1 Mr. Trevino mentioned we received an email
2 from the Department of Justice regarding the
3 Cleveland-Cliffs requesting an extension to
4 their consent decree deadline. And we've
5 pulled in Todd Relue who was involved in
6 negotiating the PCA amendments. And we will
7 have a call next week with the D.O.J. as well
8 as the Army Corps and Cleveland-Cliffs
9 regarding any new agreements that might need to
10 be created in order to allow planned dredging
11 of Cleveland-Cliffs' material and placement
12 into the CDF and to ensure that the ECWMD is
13 able to use credit for that work in relation to
14 the Great Lakes legacy project work.

15 With respect to the user fees, as
16 Mr. Trevino mentioned, we hope to go get
17 assessments prepared and sent out to users by
18 the end of May. And we are also working on
19 amending the user fee procedures to make it
20 more streamlined, as we have not had many
21 appeals, if any, in the last couple of years.

22 And finally, the CLA engagement letters
23 that Mr. Trevino and I negotiated with
24 CliftonLarsenAllen which will be in effect for
25 just this calendar year, and there were three

1 engagement letters; whereas, there had
2 previously been only one. So we have worked
3 through that with Monica Johnson and arrived at
4 the letters that you approved at today's
5 meeting.

6 And that's all I have. Any questions?

7 MR. FEKETE: Any questions?

8 (No response).

9 MR. LOPEZ: Thank you.

10 MR. FEKETE: Thank you very much. The next
11 order of business is: Any other new business?
12 There are several items on my notes sheet. I have
13 been approached to continue my involvement with
14 IDEM's Care Committee, which is Citizens Advisory
15 for the Remediation of the Environment, and I've
16 been asked if I would join -- rejoin the group as
17 the representative of the East Chicago Waterway
18 Management District. I think it most appropriate
19 that that request should be actually in the form
20 of a motion by this board.

21 So, I will entertain a motion.

22 MR. LOPEZ: Ray Lopez. I make a motion to
23 recommend to the commissioner of IDEM that John
24 Fekete be appointed to the care committee as a
25 representative of the East Chicago Waterway

1 Management District. That's my motion.

2 MR. ROBINSON: Second.

3 MR. FEKETE: We have a second. We'll have a
4 roll call vote.

5 John Bakota?

6 MR. BAKOTA: Yes.

7 MR. FEKETE: Henry Rodriguez?

8 MR. HENRY RODRIGUEZ: Yes.

9 MR. FEKETE: Jaylan Robinson?

10 MR. ROBINSON: Yes.

11 MR. FEKETE: Kevin Doyle?

12 (No response).

13 MR. FEKETE: Ray Lopez?

14 MR. LOPEZ: Yes.

15 MR. FEKETE: John Fekete, I abstain. That
16 motion is approved with four yeses and one
17 abstention.

18 In addition to other business, did you
19 want to mention the IDEM open house?

20 MR. TREVINO: Yes. There will be a Grand
21 Cal' stewardship day on May 16th, from 8:00 to
22 noon, and that will be held at the Seidner Dune &
23 Swale on Kennedy Avenue in Hammond, Indiana. And
24 the participating elementary school is one from
25 East Chicago. So that's one that I wanted to

1 announce.

2 And then the second announcement is that
3 the Grand Cal' AOC open house will be held at
4 the East Chicago Library, the Pastrick branch,
5 from 2:00 to 7:00 on May 18th. So May 16th is
6 the Grand Cal's stewardship day, and May 18th
7 is the Grand Cal' AOC open house.

8 MR. FEKETE: Any questions?

9 (No response.)

10 MR. FEKETE: Anything else under new
11 business?

12 (No response.)

13 MR. FEKETE: Any public comments?

14 (No response.)

15 MR. FEKETE: Okay. Hearing none, our next
16 board meeting will be May 18, 2023, at 5:00 p.m.
17 I'll entertain a motion to adjourn.

18 MR. BAKOTA: Motion to adjourn.

19 MR. FEKETE: Do I have a second?

20 MR. RODRIGUEZ: Second.

21 MR. FEKETE: All in favor, signify by saying
22 aye.

23 (All signify "aye".)

24 - MEETING ADJOURNED -

25

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 16th day of May, 2023.



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



District Board of Directors' Meeting

04/20/2023

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