

In the Matter Of:
East Chicago Waterway Management

DISTRICT BOARD OF DIRECTORS' MEETING

September 21, 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**

September 21, 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 21st day of September, 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

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 JIM ADAMS, AECOM - appearing via Zoom

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District Board of Directors' Meeting
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1 MR. FEKETE: I'd like to call to order the
2 board of directors' regular board meeting of the
3 East Chicago Waterway Management District.

4 Today's date is September 21, 2023. The time is
5 5:03. The first order of business is the roll
6 call.

7 Jaylan Robinson?

8 MR. ROBINSON: Here.

9 MR. FEKETE: John Bokota?

10 MR. BOKOTA: Here.

11 MR. FEKETE: Henry Rodriguez?

12 MR. RODRIGUEZ: Here.

13 MR. FEKETE: Ray Lopez?

14 MR. LOPEZ: Here.

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

17 The next item is the executive director's
18 report. Mr. Trevino.

19 MR. TREVINO: Yes. Starting off by going
20 over the contents of your board packet: You have
21 today's agenda. You have a copy of the public
22 meeting posting for today's meeting. We did not
23 get the board minutes in time for the August 17
24 board meeting, so we'll have to include that in
25 our October board meeting.

1 The CliftonLarsenAllen financial report
2 dated August 31st for the month of August, that
3 was included in your updated board packet, sent
4 earlier today. You have today's claim docket
5 dated September 21st, 2023, along with copies
6 of the purchase orders and the check register.
7 You have First Merchant Bank statements for the
8 month of August, 2023, for accounts ending in
9 608 and 616, along with copies of user fee
10 deposits that were recorded in August, and
11 copies of checks that cleared last month. And
12 also a copy of the First Merchant CD report
13 with the run date of September 18th.

14 You have a 2023 budget amendment
15 spreadsheet dated September 21st for board
16 approval consideration. You have emails dated
17 September 6th and 5th; emails to and from IDEM
18 related to the approval of the 2023 budget
19 amendment. You have a copy of a second
20 extension agreement related to the settlement
21 agreement. You have a copy of Olga Cosme's
22 contract modification for board approval
23 consideration. You have a copy of a letter
24 dated September 21, 2023, regarding approval of
25 2023 additional hours for FMT Consulting; and

1 that's for board approval consideration. You
2 have a copy of the BMO trust reports dated
3 August 31, 2023. You have Tetra Tech's monthly
4 progress report for August dated
5 September 18th, along with -- oh, no; they
6 didn't have an invoice last month; so no
7 invoice.

8 You have ACOM's latest project update
9 invoice and schedule regarding the Canal Street
10 bridge project. Also included are emails to
11 and from Thatcher regarding their project
12 schedule. You have Army Corps of Engineers'
13 report to the board dated September 21st, 2023.
14 You have a copy of Attorney Ellen Gregory's
15 report to the board with the revision date of
16 September 19, 2023. You have a copy of Jacob's
17 sheet pile wall construction project monthly
18 progress report for the month of August dated
19 August 29th, 2023. You have a copy of Parson's
20 monthly bird observation report for the month
21 of August dated September 6, 2023. And you
22 have a copy of IDEM's open house flyer
23 regarding the Grand Cal' River restoration
24 work, which will be held September 28th from
25 3:00 to 7:00 p.m. at Gibson Woods Nature Center

1 in Hammond.

2 That concludes the items in your board
3 packet. A couple things to update the board
4 on. Regarding the action items on today's
5 agenda, we have seven items. But as mentioned,
6 the August 17th board minutes will be
7 reintroduced at the October board meeting. We
8 have the 2023 budget amendment, the monthly
9 claim docket; we have the settlement agreement
10 deadline extension agreement; Olga Cosme's
11 contract amendment. At our last month's board
12 meeting we discussed amending Olga's contract
13 so that she may be reimbursed for her personal
14 car use outside of East Chicago, and that
15 amendment is reflected in this contract, and
16 it's retroactive to July so that she may be
17 reimbursed for use of her personal vehicle this
18 year.

19 Also, another action item is FMT
20 Consulting additional hours approval memo for
21 2023, and the 2023 user fees deadline
22 extension.

23 Regarding finances, the 2023 budget
24 amendment, I think I mentioned at the last
25 board meeting that this would be coming this

1 month. On today's agenda we have a budget
2 amendment that includes a \$10,000 transfer from
3 one trust budget line item to another; so there
4 is no net change to the overall 2023 operating
5 budget. The two budget line items are trust
6 funds related; so I asked IDEM to review and
7 approve the amendment. And we did get their
8 approval. There's an email in your packet from
9 Beth Admire from IDEM approving the transfer.
10 The efforts related to finalizing the agreement
11 and transfer of parcels has been more than
12 originally forecasted. We had to extend the
13 deadline twice already; so that's the main
14 purpose for the budget amendment. And there's
15 a possibility we may need an additional budget
16 amendment before the end of the year.

17 I submitted three invoices to Atlantic
18 Richfield BP regarding cost share agreements,
19 the letter agreement that we have with them,
20 for reimbursement.

21 Regarding user fees, the 2023 user fees
22 collection is ongoing. We've deposited
23 approximately \$238,700 as of September 7th. On
24 today's agenda for approval is extending the
25 deadline, which is typical of the district

1 practice in prior years. The new deadline will
2 be 30 days from today's date; so October 21st.

3 Regarding the PCA amendment, we continue
4 to communicate and work with the Corps
5 regarding their final accounting, project
6 closeout, and transfer of funds.

7 Regarding the Lake George canal east and
8 middle project, the south tank farm sheet pile
9 wall construction is ongoing. As I mentioned,
10 a copy of Jacob's monthly progress report for
11 the month of August is in your board packet.

12 You might recall that both the NIPSCO and
13 Buckeye pipeline reroutes have been completed.
14 The board approved the easement amendments at
15 our August board meeting. We are now working
16 on collecting the original documents so that
17 Attorney Wieser can record the easement
18 modifications with Lake County.

19 The sheet pile wall project is forecasted
20 to be completed by early 2024.

21 Regarding the Lake George canal east
22 section, phase two dredging is scheduled to
23 recommence after the sheet pile wall project is
24 completed, which, as I mentioned, is scheduled
25 to be done in 2024. The Corps is managing the

1 dredging project on EPA's behalf. And the
2 Corps has recently completed the collection of
3 additional sediment samples from the canal and
4 will now be reviewing the data.

5 Regarding the Lake George canal middle cap
6 project, the Army Corps of Engineers is
7 managing that work as well. The main part of
8 the cap construction is now completed. The
9 contractor, Brennan, has demobilized and will
10 be back this fall and in the spring of 2024 to
11 do ecological monitoring and maintenance.

12 Regarding the Lake George canal west
13 remediation project, that work is between BP
14 and EPA; and that project is ongoing.

15 Regarding the Grand Cal' River junction
16 reaches remedial design, Tetra Tech continues
17 to work on finalizing the remedial design. The
18 project team continues to have periodic
19 meetings to discuss design completion, property
20 access coordination, permit applications,
21 junction marsh coordination, coordination with
22 the former city dump, and additional field
23 investigation work, which Tetra Tech has
24 recently provided a draft plan for project team
25 review, and the fieldwork for that additional

1 field investigation work is scheduled to be
2 done in early 2024.

3 Grand Cal' River phase one remediation
4 project proposal process is ongoing. We're
5 still working on resolving all of the source
6 control concerns. Once the project team
7 resolves that, EPA will work on finalizing
8 their source control memo. Basically stating
9 that all source control concerns have been
10 resolved. And that drafting of that memo is an
11 EPA action item. And the plan is after that
12 source control memo is completed, we'll get
13 back on finalizing the project agreement. And
14 we're forecasting remediation construction to
15 begin in 2025. Jim Wescott is in attendance to
16 provide additional information and answer any
17 questions the board may have.

18 Regarding the Canal Street bridge project,
19 as I mentioned a copy of the Canal Street
20 bridge project schedule is in your packet.
21 Construction of the dolphins is currently
22 expected to start around the first week of
23 November. Jim Adams of ACOM is present today
24 to provide additional information and answer
25 any questions the board may have.

1 Regarding the BP settlement agreement and
2 term sheet agreement work, the three parties
3 continue to work on finalizing the conveyance
4 of the properties. As I mentioned at the last
5 board meeting, we have another deadline
6 extension request. Since the board agreed to
7 approve the extension and have Board President
8 Fekete sign it in advance of today's meeting,
9 it's on today's agenda for ratification, and
10 the new deadline extension is November 10th.

11 The Army Corps of Engineers' report is in
12 your board packet. Project manager, Mike
13 Nguyen, will be providing an update to the
14 board. And Attorney Ellen Gregory will give us
15 an update on various legal matters.

16 And, as I mentioned, there's a flyer in
17 your packet regarding IDEM's Grand Cal' river
18 restoration work open house. And that's
19 scheduled for October 28th from 3:00 to
20 7:00 p.m. at Gibson Woods Nature Center in
21 Hammond.

22 And that concludes my report.

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

24 (No response.)

25 MR. FEKETE: Thank you very much. The next

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1 order of business is the approval consideration of
2 the 2023 budget amendment.

3 MR. LOPEZ: Motion to approve.

4 MR. BOKOTA: Second.

5 MR. FEKETE: We'll have a roll call vote.

6 Jaylan Robinson?

7 MR. ROBINSON: Yes.

8 MR. FEKETE: John Bokota?

9 MR. BOKOTA: Yes.

10 MR. FEKETE: Henry Rodriguez?

11 MR. RODRIGUEZ: Yes.

12 MR. FEKETE: Ray Lopez?

13 MR. LOPEZ: Yes.

14 MR. FEKETE: John Fekete, I vote yes. That
15 motion is approved.

16 The next item is the accounting consultant
17 report. Vanessa.

18 MS. VARGAS: Good afternoon. Vanessa Vargas
19 with CLA. In front of you, you have a copy of the
20 financial statements on a cash basis dated
21 August 31, 2023. If you turn to Page 2, we'll
22 begin with the statement of cash receipts and cash
23 disbursements for the eight months ended
24 August 31, 2023.

25 You've earned interest income of

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1 \$52,306.56. You've collected user fees
2 totaling \$241,602.15. And received a trust
3 transfer in the amount of \$149,191.38. This
4 brings your total receipts as of August 31st to
5 \$443,100.09. You've had cash disbursements
6 totaling \$527,006.60, made up of the various
7 line items above, bringing you to a decrease in
8 cash in the amount of \$83,906.51. Your cash
9 balance as of January 1, 2023, was
10 \$4,300,335.44. Your cash balance as of
11 August 31st, 2023, is \$4,216,428.93.

12 If you turn to Page 3, we will continue
13 with the schedule of cash account activity for
14 the eight months ended August 31, 2023. Your
15 operating account began the year with a cash
16 balance of \$1,439,851.14. You've earned
17 interest totaling \$250.66. You've had cash
18 disbursements totaling \$527,006.60. And
19 received a trust transfer in the amount of
20 \$149,191.38, as well as a budget transfer in
21 the amount of \$403,329.23. Bringing your
22 operating cash balance as of August 31st, 2023,
23 to \$1,465 --

24 MR. FEKETE: No.

25 MS. VARGAS: \$1,465,615.81.

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1 Your user fee account began the year with
2 a cash balance of \$560,484.30. You've earned
3 interest totaling \$4,946.44. You've collected
4 user fees in the amount of \$241,602.15. You've
5 had a budget transfer totaling \$403,329.23.
6 This brings your user fee account balance as of
7 August 31, 2023, to \$403,703.66. You began the
8 year with a CD of \$2,300,000. You've earned
9 interest totaling \$47,109.46. Bringing your CD
10 balance as of August 31st, 2023, to
11 \$2,347,109.46.

12 If you turn to Page 4 we will continue
13 with the schedule of 2023 available budget as
14 of September 21, 2023. Your 2023 budget
15 appropriation totaled \$1,709,850. Adding back
16 in your accounting payable dated 12-31-22 in
17 the amount of \$32,521.75. As well as a 2023
18 budget amendment totaling \$250,000. Brings
19 your 2023 total appropriation to \$1,992,371.75.

20 You've had cash disbursements for the
21 eight months ended August, 2023, totaling
22 \$527,006.60. In front of you, you have a
23 claims docket dated September 21, 2023,
24 totaling \$36,926.04. This brings your unused
25 budget for 2023 to \$1,428,439.11.

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1 Are there any questions?

2 MR. FEKETE: Any questions for Vanessa?

3 (No response.)

4 MR. FEKETE: Hearing none, we want to thank
5 you very much, Vanessa.

6 MR. ROBINSON: I'll make a motion.

7 MR. BOKOTA: Second.

8 MR. FEKETE: Until we come back -- no, we
9 don't need to vote on it. It's just a report.

10 The next order of business is the approval
11 consideration for the accounts payable voucher
12 register dated September 21, 2023. I'll
13 entertain a motion to approve.

14 MR. ROBINSON: I make a motion.

15 MR. FEKETE: We have a motion. Do we have a
16 second?

17 MR. BOKOTA: Second.

18 MR. FEKETE: And we will have a voice vote.
19 Jaylan Robinson?

20 MR. ROBINSON: Yes.

21 MR. FEKETE: John Bokota?

22 MR. BOKOTA: Yes.

23 MR. FEKETE: Henry Rodriguez?

24 MR. RODRIGUEZ: Yes.

25 MR. FEKETE: Ray Lopez?

1 MR. LOPEZ: Yes.

2 MR. FEKETE: John Fekete, I vote yes. That
3 motion is approved.

4 The next order of business is the
5 settlement agreement deadline extension. For
6 the record, can you explain a little bit?

7 MR. TREVINO: This has to do with the
8 settlement agreement between three parties: The
9 District, the City of East Chicago, and Atlantic
10 Richfield. And in that settlement agreement,
11 there was an original deadline extension that was
12 revised to September 7th, and because of all the
13 efforts and the work that still remains, all three
14 parties agreed to extend it to November 10th. And
15 the board was in agreement to have you sign it in
16 advance of today's board meeting since it was a
17 friendly amendment but that we ratify it now at
18 today's board meeting.

19 MR. FEKETE: Okay. Any questions?

20 (No response.)

21 MR. FEKETE: All right. So I'll entertain a
22 motion to apparently ratify --

23 MR. TREVINO: Approve, ratify.

24 MR. FEKETE: -- ratify and approve the
25 settlement agreement deadline extension.

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1 MR. LOPEZ: Motion to approve.

2 MR. FEKETE: We have a motion. Do we have a
3 second?

4 MR. RODRIGUEZ: Second.

5 MR. FEKETE: And we will have a roll call
6 vote. Jaylan Robinson?

7 MR. ROBINSON: Yes.

8 MR. FEKETE: John Bokota?

9 MR. BOKOTA: Yes.

10 MR. FEKETE: Henry Rodriguez?

11 MR. RODRIGUEZ: Yes.

12 MR. FEKETE: Ray Lopez?

13 MR. LOPEZ: Yes.

14 MR. FEKETE: John Fekete, I vote yes. That
15 motion is approved.

16 Okay, the next order of business is the
17 extension to the Olga Cosme contract amendment.
18 We brought this up at our last meeting and it
19 was agreed that we would draft it in a formal
20 sense and approve it at this meeting. Are
21 there any questions? Any other concerns?

22 MR. TREVINO: Yeah, just for the record, the
23 amendment basically allows Olga to be reimbursed
24 for her personal car use when doing work for the
25 district outside of the City of East Chicago,

1 which is a fair thing to do.

2 MR. FEKETE: Yeah, I think we reviewed that
3 in our discussion last week, and it's only
4 appropriate since she does use her own personal
5 car for a lot of chasing around on behalf of the
6 board. Therefore, I will entertain a motion to
7 approve the Olga Cosme contract.

8 MR. BOKOTA: Motion to approve.

9 MR. FEKETE: We have a motion. And do we
10 have a second?

11 MR. RODRIGUEZ: Second.

12 MR. FEKETE: And a second. Roll call vote.
13 Jaylan Robinson?

14 MR. ROBINSON: Yes.

15 MR. FEKETE: John Bokota?

16 MR. BOKOTA: Yes.

17 MR. FEKETE: Henry Rodriguez?

18 MR. RODRIGUEZ: Yes.

19 MR. FEKETE: Ray Lopez?

20 MR. LOPEZ: Yes.

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

22 Okay. And the next order of business is
23 the approval consideration for the request for
24 the additional hours for the FMT Consulting
25 contract.

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1 MR. LOPEZ: Motion to approve.

2 MR. FEKETE: We have a motion. And a second?

3 MR. ROBINSON: Second.

4 MR. FEKETE: We have a second. Roll call
5 vote:

6 Jaylan Robinson?

7 MR. ROBINSON: Yes.

8 MR. FEKETE: John Bokota?

9 MR. BOKOTA: Yes.

10 MR. FEKETE: Henry Rodriguez?

11 MR. RODRIGUEZ: Yes.

12 MR. FEKETE: Ray Lopez?

13 MR. LOPEZ: Yes.

14 MR. FEKETE: John Fekete, I vote yes. That
15 motion is approved.

16 And then the final order of business for
17 approval consideration is the 2023 user fee
18 deadline extension to 10/21/23. Any comment
19 you want to make for the record?

20 MR. TREVINO: Well, this is our typical
21 practice in prior years after the original
22 deadline is expired to give users 30 days to pay
23 the outstanding balance before we exercise
24 collections with Attorney Wieser. So it's typical
25 what we've done in the past, and it allows me some

1 time to communicate with them and let them know
2 that they have a 30-day extension and if they
3 don't pay it by then, then we would exercise our
4 collection process.

5 MR. FEKETE: And I think basically a little
6 change that we're making is that the 30 days
7 starts from board approval.

8 MR. TREVINO: Right.

9 MR. FEKETE: Rather than the deadline date
10 that may have occurred several days ahead of time.

11 MR. TREVINO: Right.

12 MR. FEKETE: Just because there's a chance to
13 review the request if appropriate and then take
14 action on it; so, therefore, we have it before us
15 today, so I'll entertain a motion to approve.

16 MR. RODRIGUEZ: Motion to approve.

17 MR. FEKETE: Do I have a second?

18 MR. ROBINSON: Second.

19 MR. FEKETE: We have a second.

20 Jaylan Robinson?

21 MR. ROBINSON: Yes.

22 MR. FEKETE: John Bokota?

23 MR. BOKOTA: Yes.

24 MR. FEKETE: Henry Rodriguez?

25 MR. RODRIGUEZ: Yes.

1 MR. FEKETE: Ray Lopez?

2 MR. LOPEZ: Yes.

3 MR. FEKETE: John Fekete, I vote yes. That
4 motion is approved.

5 Next is the Great Lakes Legacy Act Grand
6 Cal' river junction reaches remedial design
7 project update. We're looking for Mr. Wescott.

8 MR. WESCOTT: Yes. I can give you a quick
9 update. Fernando and I are working with EPA on
10 putting together any investigation plan for the
11 river and maybe some other areas. We kind of
12 talked about this last month. We provided EPA
13 sort of a draft investigation plan in the previous
14 couple weeks. They're reviewing it. They're
15 still trying to look at adding some potential
16 work. They have to talk to some of the property
17 owners. As you may be aware, there's a USS led
18 site, which is adjacent to the river. So we'll
19 get feedback from them in the next couple of weeks
20 and then finalize the investigation plan; and then
21 EPA will procure a contractor over the winter.
22 And the expectation is that the work will be done
23 next spring. That's the main thing. When the
24 investigation is done in the spring, we should be
25 in the position at that point to finalize the

1 design.

2 I couldn't hear if Fernando mentioned the
3 procurement or the schedule for next year, but
4 it sounds like EPA is planning to get the set
5 out next year and have a contractor in place by
6 next fall to begin work on the project.

7 MR. FEKETE: Okay. So we're looking at 2024?

8 MR. WESCOTT: Well, they would hire the
9 contractor in '24 and then the contractor would
10 need to kind of do some pre-construction
11 submittals over the winter. They probably won't
12 hire them until, you know, this time or the
13 October time frame of next year. And so the
14 construction will probably actually start in
15 spring of '25.

16 MR. TREVINO: Right.

17 MR. WESCOTT: But they'll have somebody on
18 over the fall of '24, is what they're looking at,
19 at this point.

20 MR. TREVINO: All right. That was the last
21 forecast that we talked about at the last project
22 team meeting, that construction would actually
23 begin in 2025.

24 MR. FEKETE: Okay. Any other questions?

25 (No response.)

1 MR. WESCOTT: Thanks.

2 MR. FEKETE: Thanks.

3 MR. TREVINO: John, I just noticed maybe when
4 I was doing the other agenda that the Canal Street
5 bridge project is not -- it usually follows or is
6 right before this; so do you want to insert it
7 here, or just do it under other --

8 MR. FEKETE: No. Let's add it right now.

9 THE WITNESS: Do we have an update on the
10 Canal Street bridge?

11 MR. TREVINO: Yeah. Jim Adams. Jim, are you
12 with us?

13 MR. ADAMS: Yes.

14 MR. TREVINO: Did you hear? I don't know if
15 you heard my update earlier. Did you have
16 anything to add?

17 MR. ADAMS: No. We're hoping to get the
18 materials. It looks like they should be shipped
19 early next month. And then it sounds like they'll
20 be all finished by Thanksgiving. It sounds like
21 that's the plan.

22 MR. FEKETE: Very good. Any other questions
23 for Jim?

24 (No response.)

25 MR. FEKETE: Okay. Thanks for the update.

1 Next is the BMO trust report.

2 MR. TREVINO: Yes, you have in your board
3 packet the trust report provided from Bob Santore.
4 He wasn't able to attend today. So the one thing
5 that he wanted to point out in his reports was the
6 earned interest from the quarterly CD, which was
7 \$30,082.34. And the next interest credit for that
8 CD will be November 18th of this year. So the end
9 of the month value is \$4,082,810.98 -- let me say
10 that again: \$4,082,810.98.

11 MR. FEKETE: Okay. Any questions or
12 comments?

13 (No response.)

14 MR. FEKETE: Thank you, Mr. Trevino.
15 The next order of business is the U.S.
16 Army Corps of Engineers' board report,
17 Mr. Nguyen.

18 MR. NGUYEN: This is Mike Nguyen with the
19 Army Corps of Engineers. Can everyone hear me?

20 MR. BOKOTA: Yeah.

21 MR. NGUYEN: For the CDF construction or for
22 the facility operation, we're still trying to
23 award the water treatment contract. It's taking a
24 little longer than -- a lot longer than we
25 anticipated. But I guess once the fiscal year

1 ends, contracting will make it their priority to
2 move forward trying to award this contract by the
3 end of the calendar year.

4 For the dike raise construction, Phase II
5 construction is ongoing. And for the PCA
6 amendment, so we've had ongoing discussion with
7 our resource management and our accounting
8 branch and counsel; and we've figured out a way
9 to closeout the cost share in our financial
10 records. So we're going to be moving forward
11 with that process in October, and my target is
12 trying to get everything to you by the end of
13 October, if not November.

14 Then for the Parkway, of course,
15 inspecting it monthly, once a month, and
16 cleaning as needed. And that's all I have.
17 Any questions?

18 MR. LOPEZ: No. Thank you.

19 MR. BOKOTA: Thank you.

20 MR. RODRIGUEZ: Thank you.

21 MR. FEKETE: Thank you. Next up is the Ellen
22 Gregory report.

23 MS. GREGORY: Yes. Ellen Gregory with Ellen
24 Gregory Law. Not a whole lot of legal stuff going
25 on this month. A couple of things that I've been

1 working on, including the extension for the
2 property transfer settlement agreement that
3 Mr. Trevino had mentioned, is the Olga Cosme
4 contract. Just to clarify, there has always been
5 a provision in the contract that allowed for her
6 to recover expenses but it required pre-approval
7 by the board which is why we made this amendment
8 to the contract making it not only retroactive, as
9 Mr. Trevino mentioned, but also going forward for
10 travel expenses to be reimbursed. She doesn't
11 need to get pre-approval from the board.

12 And then I will be working in the next
13 month to prepare the forecast for legal
14 expenses for calendar year 2024, and I hope to
15 get that in front of the board either at the
16 October or the November board meeting. And
17 that's all I have.

18 MR. LOPEZ: That you, Ellen.

19 MR. FEKETE: Okay. Any other matters to come
20 before the board?

21 (No response.)

22 MR. FEKETE: Any public comments?

23 (No response.)

24 MR. FEKETE: Our next board meeting will be
25 October 19, 2023, at 5:00 p.m., at this facility.

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09/21/2023

1 I'll entertain a motion for adjournment.

2 MR. BOKOTA: Motion to adjourn.

3 MR. FEKETE: Do I have a second?

4 MR. RODRIGUEZ: Second.

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

7 (All signify "aye".)

8 MR. FEKETE: Any objections? Any oppositions
9 or extensions?

10 (No response.)

11 MR. FEKETE: Hearing none, this hearing is
12 adjourned.

13 - MEETING ADJOURNED -

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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 18th day of October, 2023



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



District Board of Directors' Meeting

09/21/2023

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