

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION

HELD AT 6:00p.m., WEDNESDAY, SEPTEMBER 14, 2016

Location: Gary City Hall, Gary, IN

Chairman William Baker called the meeting to order at 6:00 p.m. Pledge of Allegiance was recited. An Executive Session/Work Study Session was held prior to the public meeting. There were six (6) Commission members present at roll call. Quorum was declared.

Commissioners:

William Baker, Chairman
Tom Wichlinski, Vice-Chairman
Tom Gozdecki
Levon Whittaker
Anthony Broadnax
David Castellanos

Executive Director:

Dan Repay

Attorney:

Dave Wickland

Staff:

Jodi Lambert

Visitors:

Colonel C. Drew – USACE
John & Laurie Czulno – Hammond
Salvatore Dibernardo – Ciorba Group
Dean Button – City of Hammond
Mark Gordish – City of Hammond
Tom Silich – Hobart Township Trustee
John Garcia – Garcia Consulting Engineers
Sandy O'Brien – Hobart
T. Ahern – Hammond
Brenda Scott-Henry – City of Gary

Chairman Baker referred to the minutes from the July 13, 2016 meeting. Commissioner Broadnax made a motion to approve the minutes as presented; motion seconded by Commissioner Wichlinski; motion passed with 6 aye votes.

Chairman's Report – Chairman Baker welcomed everyone to the meeting and thanked the City of Gary for allowing us to have our monthly meeting in this historic room at Gary City Hall. Chairman Baker told all that a great deal of information on what the Commission is tasked to do can be found on our website (www.littlecalumetriverbasin.org), including minutes and audio from past meetings. He referred to the yellowed pictures of the September 2008 flood, that are displayed every meeting, as a reminder of the devastation that effected the entire region, including the unprecedented shutdown of the Borman Expressway for 4 days. Ongoing maintenance of the 275 million man-made flood control project is continuing to ensure we are better prepared than in 2008. The Commission continues to meet with local communities within the watershed to ensure that we are all prepared in case of a heavy rain event.

Mayor Karen Freeman-Wilson welcomed the Commission to Gary City Hall. She stated how important the work of the Commission is to the City of Gary. The City was greatly impacted by the devastating flood of 2008, the IUN campus even lost a building to flooding. Mayor Freeman-Wilson was honored to be invited to speak at our meeting. On behalf of the Commission, Commissioner Castellanos thanked the Mayor for allowing us to hold our monthly meeting at City Hall and expressed appreciation for the excellent City Hall Staff that assisted with the meeting.

Finance – Chairman Baker referred to the August claims in the amount of \$831,289.00 and September claims in the amount of \$176,133.91. Commissioner Wichlinski made a motion to approve the claims as presented; motion seconded by Commissioner Broadnax. Chairman Baker called for any discussion on the motion. Mr. Repay proceeded to explain a few of the claims, starting with payment to Greenline Environmental for \$52,263.55 representing ongoing culvert inspections. These culvert inspections are required every year as part of the inspection process. Payment of \$445,654.85 was made to Rieth-Riley for the Levee Paving Project. The current project paves the tops of the levees in an area between Oxbow Park and the Railroad Tracks in Hammond and from Cline Avenue to Kennedy Avenue in Highland. The next levee area to be paved is Gary South, which runs from Martin Luther King Drive to Burr Street. Walsh & Kelly submitted a partial claim in the amount of \$160,037.81 which represents work on the Georgia Street Grade Adjustment Project, this project raised and repaved Georgia Street. A Change Order on the project was necessary as concrete was unexpectedly found underneath the asphalt. \$4,497.02 was paid to Sweney Electric for June and July monthly Pump Station inspections. September claims include payment to Xylem Water Solutions in the amount of \$13,449.96 for stabilization rods needed for the Burr Street South Pump Station rehabilitation. Dawson & Associates submitted a claim in the amount of \$35,000.00 representing ongoing work on crediting. Commissioner Gozdecki asked how many pumps are at the Burr South Pump Station. Mr. Repay stated there are 4 pumps, a new main panel is needed as well and is scheduled for October or November. Commissioner Whittaker asked for a status update on crediting. Mr. Repay replied that we have submitted crediting packages to the Corps and there has been dialogue with them, and additional documentation needed. It is an ongoing process that Dawson & Associates has been assisting us with. Commissioner Whittaker commented on Georgia Street Project and raised the concern that, while the project prints reflected asphalt underneath the roadway in the field, it was determined the material was concrete. Commissioner Whittaker stated that it would be prudent, in terms of spending, to include some type of sampling analysis or material testing with future projects so we are aware of the materials being excavated at a certain point within the construction process. He further stated that this process may include a different engineering group or specialized contractor, but it should be included to be certain of the construction materials. Chairman Baker asked if there were any other questions and called for a roll call vote, the motion passed 6-0.

Executive Director's Report –

Mr. Repay report consisted of a Power Point presentation highlighting some of the projects and maintenance tasks that are on ongoing (the complete video of the presentation is available on our website at www.littlecalumetriverbasin.org). As we are holding our monthly meeting in Gary, the pictures will concentrate on issues in the Gary area found after the 2008 flood, and what the Commission has done to alleviate the problems.

After the presentation Chairman Baker stated that this is truly a regional project and there are great challenges in completing the deferred maintenance of this project. Prior to our funding, there were not available funds to do projects or complete necessary maintenance.

Update from the USACE –

As the federal government comes to the end of their fiscal year, Colonel Drew reflected on the progress made on this project and thanked the Commission for their continued efforts. Colonel Drew stated that a year ago, the partnership between the USACE and the Commission was at a stalemate, there were cost share issues to work through and the ability to get projects done was just not there. Since that time,

however, with the help of Dawson & Associates and the Commission, a significant amount of administrative work has been completed. Colonel Drew expressed that the crediting work is ongoing and stressed the importance of completing the process quickly, but not hastily. Colonel Drew continued by highlighting a few upcoming projects. The Hammond Tie Back is on track to award in September, a few technical issues prevented the contract award of happening in August. The 401 permit was received from the State of Indiana on the Hobart Marsh Mitigation, and that project is on track to be awarded in September as well. These are two significant milestones that have been reached as we get ready to finish the project. A meeting will be scheduled with the Commission to lay out the remaining work in the project and the administrative close out. Colonel Drew concluded by thanking the Commission for their tireless work in the effort to get the necessary protection for the citizens of the region.

Chairman Baker asked for a completion timeline regarding the Hammond Tieback Project. Natalie Mills of the USACE stated that the current completion time is 420 days, however the contracts states that the line of protection must be completed by this spring, with planting completed in the fall. Chairman Baker further asked if the delay in planting will affect the FEMA map revision and the ability to relieve properties owners from paying mandatory flood insurance. Ms. Mills stated that the USACE is already working on a conditional LOMR and it is anticipated that it will be sent to FEMA in October. The actual LOMR cannot be completed until the line of protection is in place, but the process has been started.

Other Issues/New Business –

Commissioner Broadnax made a motion to deny the Lake County Fairgrounds Watershed Application on the grounds that it does not meet the criteria as set forth by this Commission; motion seconded by Commissioner Wichlinski. Chairman Baker asked if there were any questions and called for a roll call vote. The motion passed 6-0.

Commissioner Broadnax made a motion to approve the Town of Winfield's 117th Avenue Drainage Watershed Application in the amount of \$60,000; motion seconded by Commissioner Whittaker. Chairman Baker asked if there were any questions on the motion and called for a roll call vote. The motion passed 6-0.

Commissioner Broadnax made a motion to deny the Town of Winfield's 109th Street Culvert Upgrade Watershed Application on the grounds that it does not meet the criteria as set forth by this Commission. Additionally, there is planned construction in the area and the Commission does not feel it is appropriate to award funds to a project that may be torn up by construction; motion seconded by Commissioner Castellanos. Chairman Baker asked if there were any questions and called for a roll call vote. The motion passed 6-0.

Commissioner Broadnax made a motion to deny the Town of Winfield's Hidden Creek Stormwater Application on the grounds that it does not meet the criteria as set forth by this Commission; motion seconded by Commissioner Whittaker. Chairman Baker asked if there were any questions and called for a roll call vote. The motion passed 6-0.

Commissioner Gozdecki made a motion to approve the Hammond Sanitary District's Application in the amount of \$150,000, to be used for planning, design and construction costs only, motion seconded by Commissioner Castellanos. Chairman Baker asked if there were any questions and called for a roll call vote. The motion passed 6-0.

Commissioner Castellanos made a motion to approve the Lake County Highway, Bridge 264 Application in the amount of \$50,000 for design only; motion seconded by Commissioner Broadnax. This bridge is located at Hart Street over Hart's Ditch. Chairman Baker asked if there were any questions and called for a roll call vote. The motion passed 6-0.

Commissioner Castellanos made a motion to approve the Lake County Highway, Bridge 260 Application in the amount of \$50,000 for design only; motion seconded by Commissioner Broadnax. This bridge is located at Main Street over Hart's Ditch. Chairman Baker asked if there were any questions and called for a roll call vote. The motion passed 6-0.

Statements from the Floor –

Laurie Czulno, Hammond, asked if the bids have been open for the Hammond Tieback project. Natalie Mills of the USACE replied that this is a sole sourced project to a women owned small business. The contractor is scheduled to provide their proposal on Friday, September 16th. Ms. Mills further stated that the Corps has the ability to negotiate with the contractor and this process offers a little more flexibility. Ms. Czulno expressed her skepticism as she highlighted a timeline of deadlines that have been missed going back to March of 2015. Ms. Czulno asked for an explanation on the delay and what the cast in place block design will look like. She stated that the residents of the area are generally pleased with the appearance of the blocks currently in place. Since the residents have already waited a very long for the completion of the project, the finished product should be something that looks attractive.

Commissioner Broadnax had a follow-up question regarding the sole source aspect of the project and when in the process is this decision made and what qualifications are required for the contractor. Colonel Drew of the USACE answered in general about the process that, as an agency within the Federal Government, they are required by law to support the small business program. This requires a certain amount of set aside by category. A very detailed assessment is conducted by the small business director, contracting team and project managers for the various projects where scope, scale, size and cost are reviewed. Additionally, a business analysis of the region is completed to determine if there are set aside categories that have the capabilities of meeting all skill and engineering requirements. Colonel Drew further stated if they are not capable, a set aside will not be done and there is no further risk than if the project was bid out. Also, a set aside gives the ability to negotiate, unlike other contracting mechanisms. When the proposal is received it will be reviewed to make sure all the technical aspects are appropriate and within the proper cost specifications. Colonel Drew added that the decision to do a set aside as opposed to a bid process is typically determined 4-5 months prior to award. Commissioner Broadnax asked that the USACE notify the Commission well in advance if any future projects will be a sole sourced award.

Commissioner Gozdecki asked if within the negotiation process with the contractor, anything can be done to accelerate the project timeline. Colonel Drew answered that the design team and engineers would best be able to answer specific project questions, but that the line of protection is slated to be done by Spring 2017 with only the remaining work scheduled to be completed at a later time. Additionally, Colonel Drew stated that the specifics of the proposal would be provided to the Commission.

Thomas Silich, Hobart Township Trustee, thanked the Commission for work in clearing the 4 foot culvert under the railroad tracks near Evergreen Cemetery. He stated that they were just about one storm

away from a washout. Trustee Silich appreciates all the work we do and would like to get more involved.

John Czulno, Hammond stated that he continues to shake his head and doesn't understand this process. He stated that it has been 8 years since the flood, this is a 275 million dollar project and now the State Line Tieback is a set aside project.

There being no further business, the next meeting was scheduled for 6:00 p.m. Wednesday, October 12th at the Munster Town Hall.