

CITY OF EAST CHICAGO
BOARD OF PARKS AND RECREATION
Tuesday, May 12, 2020

BOARD MEMBERS:

Anthony Serna, President
Rick Rodriguez, Vice President
Valda Lewis, Secretary
Gilberto Cantu
Eugene Austin

STAFF:

Ateria Allen
Dawn Dawkins-Legal
Mayra Acosta, Dir.

Reported by: Peggy S. LaLonde, CSR, RPR
Fissinger & Associates

Call to Order: 5:05 p.m.

Pledge of Allegiance

Roll Call: Present: Anthony Serna, Rick Rodriguez

CHIEF SERNA: All in favor

signify by saying aye?

(All signify aye.)

CHIEF SERNA: Motion carries.

Telephonic: Valda Lewis, Gilberto Cantu, Eugene
Austin

Staff Present: (Telephonic) Dawn Dawkins, Legal Counsel
Ateria Allen, Recording Secretary
Mayra Acosta, Director

CHIEF SERNA: We have five of our five
members present, so we have a quorum.

First thing, under Administrative
Matters, I would entertain a motion to approve meeting
minutes of April 28, 2020.

Motion to approve minutes of April 28, 2020, made by
Rick Rodriguez. Second by Valda Lewis.

CHIEF SERNA: All in favor signify by
saying aye?

(All signify aye.)

CHIEF SERNA: Motion carries.

Next we have approval of Payroll
dated May 1st, 2020. I will entertain a motion to
approve the payroll of May 1st, 2020.

Motion to approve payroll of May 1st, 2020, made by Rick
Rodriguez. Second by Valda Lewis.

1 CHIEF SERNA: All in favor signify by
saying aye?

2 (All signify aye.)

3 CHIEF SERNA: Motion carries.

4 Next, approval of Warrant Report
043020 PB, in the amount of \$86.66. I will entertain a
motion to approve.

5 Motion to approve Warrant 043020 PB, in the amount of
6 \$86.66, made by Rick Rodriguez. Second by Eugene
Austin.

7 CHIEF SERNA: All in favor signify by
8 saying aye?

9 (All signify aye.)

10 CHIEF SERNA: Motion carries.

11 Next approval of Warrant Report
051220 PB, in the amount of \$49,977.39. I'll entertain
a motion to approve warrant report.

12 Motion to approve Warrant Report 051220 PB, in the
amount of \$49,977.39, made by Rick Rodriguez. Second by
Gilberto Cantu.

13 CHIEF SERNA: All in favor signify by
14 saying aye?

15 (All signify aye.)

16 CHIEF SERNA: Motion carries.

17 Now we'll move on to Old Business.
18 We have Groupon under Old Business. Attorney Dawkins,
do you have anything on Groupon?

19 MS. DAWKINS: Well, I didn't get the
information in time, but I had spoken to them and I
wanted them to put a provision in about the COVID-19.
Apparently he did, but I haven't had a chance to read
it.

20 CHIEF SERNA: So we'll keep this under
21 Old Business and we'll get back to it next meeting. Is
that all right, Mayra, we'll get back to it next
22 meeting?

23 MS. ACOSTA: Yes.

24 CHIEF SERNA: So that should be it for
Old Business. We'll move on to New Business.

25

1 MR. RODRIGUEZ: Should we vote to table
2 that?

3 CHIEF SERNA: Sure, go ahead.

4 Motion to table Groupon proposal till next meeting made
5 by Rick Rodriguez. Second by Valda Lewis.

6 CHIEF SERNA: All in favor signify by
7 saying aye?

8 (All signify aye.)

9 CHIEF SERNA: Motion carries.

10 Move on to New Business. Mayra.

11 MS. ACOSTA: First item in New Business
12 is past due invoices for Quill. There is a few invoices
13 that have not been paid. I need approval to move
14 forward in paying those.

15 CHIEF SERNA: Yeah, there's a few here.
16 What does Quill do?

17 MS. ACOSTA: Quill gives office supplies
18 and the vendor that we use to buy items for events and
19 for the community centers for recreation.

20 CHIEF SERNA: We have invoices here as
21 far back as February 17th and all the way up through
22 March. So we have a total amount of invoices to Quill
23 in the amount of \$384.41. Any questions on these past
24 due invoices Board members?

25 Motion to approve payment of past due invoices to Quill,
in the amount of \$384.41, made by Gilberto Cantu.
Second by Rick Rodriguez.

CHIEF SERNA: All in favor signify by
saying aye?

(All signify aye.)

CHIEF SERNA: Motion carries.

Next item?

MS. ACOSTA: Next item is general service
agreement with Balance Holdings. This is the company
that we purchased the aquaponics system for the
greenhouse, the one we have the fish in and how we grow
our organic vegetables. In the past we never had an
agreement. It's been basically we pay them as we use
them or we purchase supplies. This year they want

1 everyone who has their systems to get on this agreement.

2 So, I have a few issues with this
3 agreement and I spoke to our Attorney regarding concerns
4 or questions that I have. And one of the them is the
5 service provided on the first page, down at the bottom,
6 it gives you a list of what services and what supplies
7 they are going to give you for this contract price that
8 they are going to charge an annual price for.

9 So, if you see the bullet points
10 underneath, it says -- for example, I'll read the first
11 one -- fish feed as needed, up to three bags. So then
12 we are going to be paying this flat fee -- annual fee --
13 regardless if we get one bag or get three bags because
14 it's up to three bags, and it continues with all the
15 different supplies underneath and it reads the same, up
16 to four, up to two.

17 And, so, my issue is that if we are
18 paying the flat fee, then you give us everything. Then
19 give us the three bags, why limit us to one or two.
20 Regardless of how much we get, we are still going to pay
21 the same fee.

22 CHIEF SERNA: Looks like they're putting
23 in maximums, if it's saying up to. I see that even down
24 to high energy fish solution, as needed, up to a gallon
25 per quarter. It looks like they are putting limits and
the fee that they are asking for in the agreement, they
are putting limits -- quarterly limits -- because it
seems like everything is quarterly. Potassium nitrate
is annual, but they put five pounds per quarter. So
four quarters, so that's 20 pounds annually. It just
looks like they are trying to tie us into quarterly
limits.

26 I think maybe the best way to
27 compare this, you would have to look at what you used
28 last year to see if they're being fair, to see if these
29 actually match. For example, like you said, the fish
30 feed. How much did we use last year overall, and then
31 we can divide it by four, that would give you your
32 quarterly amount.

33 So, I don't know if they are being
34 unfair or if they are trying to limit. What do you
35 think, Attorney Dawkins? Did you have a chance to look
36 at this, Attorney Dawkins?

37 MS. DAWKINS: I did have a chance to look
38 at it and I also discussed it with them, and it does
39 look like they are trying to strong arm the City into
40 getting products that they may or may not need, and then

1 cannot replace it with other items that they also have
2 available. I think that's the problem that they are
3 having, and because in some cases she wouldn't need
4 everything that they are saying up to, she wouldn't need
5 that many. And then they don't want to give her a
6 rebate for what she didn't use, but they have a lump
7 sum contract. The contract is just one single number.

8 So, she was trying to negotiate
9 something better with them and they weren't willing to
10 do it. I had already discussed with her maybe they
11 would be willing to give her a rebate and she said she
12 already talked to them about it, but it's something that
13 Administration wants to have. And I told her that
14 basically she needs to leave it up to the Board, if --
15 you know -- if you want to pursue other negotiations.
16 If you want me to prepare something and present it to
17 them, and see if they will sign it or not. I told her
18 we have to leave it up to the Board to make that
19 decision.

20 I am going to say, based on what she
21 said to me, it sounds as if they were trying to strong
22 arm the City to sign this. There is no one else that
23 does this for them.

24 CHIEF SERNA: That's the problem, we have
25 to deal with them. And so in order for us, as a Board,
26 to make a good decision as to whether or not we enter
27 into this agreement -- which we never before had --
28 basically Mayra's explanation, we have basically had al
29 a carte purchased things as we needed them. Now they
30 want us to sign an agreement that says they will give us
31 up to a certain amount of things quarterly.

32 So, I think the best way for the
33 Board to decide whether this is a strong arm or fair or
34 not, would be to compare what we spent last year ala
35 carte throughout the year and try it divide it by four
36 to see if it compares, cost wise. I'm quite sure that
37 their agreement is going to favor them, that's why they
38 are asking or forcing us to get into this agreement. So
39 I am pretty sure this agreement is going to favor them.

40 I think what I am looking for is to
41 be able to say that it's not overly -- in other words,
42 if we only spent \$2,000 with them last year -- what is
43 the amount of the agreement here?

44 MS. ACOSTA: 8200, on the second page,
45 under compensation, number 6.

46 CHIEF SERNA: Under compensation, so I

1 think the best way for the Board to make a good
2 decision, is to know what we spent from the 8200 over
the course of a year for all of these products, and if
that's fair.

3 In other words, if we only spent
4 \$2,000 last year and now spending four times as much.
So, is there any way -- how fast do you need this
approval, Mayra, on this agreement?

5
6 MS. ACOSTA: We need it pretty quickly.
We depend on them for the food for the fish and we need
to feed the fish.

7
8 CHIEF SERNA: So, I don't know, what do
you think, Board members? Mr. Rodriguez, what do you
think?

9
10 MR. RODRIGUEZ: Like you said, I'd like
to see what we spent last year. I mean, how much do you
think we spent last year?

11
12 MS. ACOSTA: So last year we spent -- I
think there was three bills of about 1800 each. That's
what we paid.

13
14 MR. RODRIGUEZ: So three bills of 18.

15 CHIEF SERNA: That rounds up to about
\$6,000, and they are asking for 8200. What do you
think, Mr. Cantu?

16
17 MR. CANTU: The Attorney said she wants
to look at this more, so we should table this so she can
get more information and give that to us. I move to
table. Like she said, before we put on here we need
more information on that, that's what she is saying.

18
19 MS. DAWKINS: No. What I was saying, it
20 appears to me they are trying to strong arm the City,
based on what Mayra had used in the past and the fact
that they are an exclusive provider.

21
22 CHIEF SERNA: Mr. Austin?

23 MR. AUSTIN: I would like to see more
24 paperwork. Let our Attorney check that out and bring it
to our next meeting because it seems like what she said,
they are trying to strong arm us, and I think we should
25 not let them do that.

1 CHIEF SERNA: Okay. Mayra, would it be
2 all right to table this until next meeting?

3 MS. ACOSTA: That will be fine. And I
4 will also be able to provide you with what we purchased
5 last year and the quantities.

6 MR. RODRIGUEZ: That will work.

7 CHIEF SERNA: I'll entertain a motion to
8 table this agreement.

9 Motion to table this agreement with Balance Holdings
10 made by Gilberto Cantu. Second by Rick Rodriguez.

11 CHIEF SERNA: All in favor signify by
12 saying aye?

13 (All signify aye.)

14 CHIEF SERNA: Motion carries.

15 Rick, you had a question?

16 MR. RODRIGUEZ: In the meantime, can you
17 call and try to negotiate something?

18 MS. ACOSTA: I already did for the last
19 few months. Our last conversation with them -- this
20 contract, they have multiple sites, multiple systems
21 that they sold to different cities and facilities. This
22 is their general agreement that they are doing for
23 everyone. However, our system is the smallest system.
24 So usually people use more than that versus we usually
25 don't.

MR. RODRIGUEZ: You could also use us,
saying that the Board denied it tonight or tabled it,
because actually we have.

MS. ACOSTA: Our last conversation with
the owner, what he said was, here's the agreement. You
write up your changes and then send it back to me. Then
we'll evaluate what the changes are.

CHIEF SERNA: Did you do that already?
Did you write up your changes?

MS. ACOSTA: I did and sent them to Dawn.
I had a conversation with her and she felt it was best
if I brought the original agreement to the Board first
so that you guys could make that decision.

1 CHIEF SERNA: So you did write the
2 changes and you haven't submitted that yet?

3 MS. ACOSTA: No, I haven't.

4 MR. RODRIGUEZ: That gives you time to
5 see what you spent last year versus what they are
6 charging this year, or what they are charging now.

7 CHIEF SERNA: Overall tabling this will
8 help you.

9 MS. ACOSTA: Yes.

10 CHIEF SERNA: It's tabled. We'll move on
11 to the next item.

12 MS. ACOSTA: So the last item is the
13 request that we received from the Board of Elections
14 requesting the usage of some park facilities for their
15 election on June 2nd.

16 MR. RODRIGUEZ: We have no choice but to
17 give it to them.

18 MS. ACOSTA: According to them -- by law
19 -- we have to allow them to use the facilities.

20 CHIEF SERNA: I am aware Board members
21 that the Administration is in favor of allowing them to
22 use our facilities. We requested that they help us in
23 an effort to clean, but the County -- I believe -- isn't
24 able to help in that effort, so we will use our Public
25 Works employees to clean the polling places after voting
is done.

MS. ACOSTA: The only other request by
Administration is that they would like to not allow them
to use the Unity Center, instead they are offering to
use the old Penn Center. We are going to reopen that
and clean it up for the election.

CHIEF SERNA: So we would be approving,
Roxana Center, Riley Park, Sunnyside Park, Penn Center,
and MLK as well. Any questions on that Board members?

MR. RODRIGUEZ: You have Clemente on here
as well.

1 MS. ACOSTA: No. It's Clemente/Penn
Unity, that's the full name of that center.

2 MR. RODRIGUEZ: I wasn't aware of that.

3 CHIEF SERNA: Okay. So I'll entertain a
4 motion to approve the Lake County Board of Elections to
use MLK, Roxana Center, Riley Park, Sunnyside Park, and
5 Penn Center for Election Day, which is June 2nd.

6 Motion to approve use of above-named facilities by Board
of Elections on June 2nd, made by Rick Rodriguez.
7 Second by Valda Lewis.

8 CHIEF SERNA: All in favor signify by
saying aye?

9 (All signify aye.)

10 CHIEF SERNA: Motion carries.

11 Next we'll move on to Public
Comments. There are none.

12 Any questions for our Director,
Boards members? (None)

13 Our next meeting is Tuesday, May
26th. We are going to be at Riley Park. So the next
meeting is at Riley Park. We probably will still be
14 phoning in for you Board members. So for Rick Rodriguez
and myself, we will be meeting at Riley Park with our
secretary, Ateria Allen and our court reporter, our
15 stenographer will be there as well. Is that correct,
Mayra?

16 MS. ACOSTA: I don't know. There is
17 going to be a change with the conference call because
there is no phone system at Riley and there is no
18 internet. Our secretary is going to look at how that
meeting is going to go.

19 CHIEF SERNA: So there is no phone
20 service or internet at Riley Park, so we might have to
do it the old fashion way, where you call all of our
21 cell phones and we'll put you on speaker. Each one call
a different cell phone; Miss Lewis call my cell phone,
22 Mr. Cantu call Rick's phone, Mr. Austin call Ateria's,
and Attorney Dawkins can call Mayra. Maybe that's how
23 we can do it, that way. That's the first thing that
pops in my head. I will get instructions from our
24 secretary as soon as she talks to Multi Media.

25 All right. Next meeting is two
weeks from today, the 26th, at Riley Park, at 5:00 p.m..

1 Entertain a motion to adjourn.

2 Motion to adjourn made by Valda Lewis. Second by Rick
3 Rodriguez.

4 CHIEF SERNA: All in favor signify by
5 saying aye?

(All signify aye.)


6 CHIEF SERNA: Motion carries.

7 ***** Meeting adjourned at 5:30 p.m.*****
8
9

10 Approval of the Meeting Minutes of Tuesday
11 May 12, 2020

12 Approved and signed May 27, 2020

13 
14 Anthony Serna, President

15 
16 Rick Rodriguez, Vice-President

17 
18 Valda Lewis, Secretary

19 _____
20 Gilberto Cantu, Member

21 _____
22 Eugene Austin, Member

23 
24 Ateria Allen, Recording Secretary

25

C E R T I F I C A T E

I, Peggy S. LaLonde, a competent and duly qualified court reporter, 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 typewriting under my personal direction.

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

Dated at Munster, Indiana, this 14th day of May, 2020.

Peggy S. LaLonde



Peggy S. LaLonde, CSR, RPR