

Lavaca-Navidad River Authority

Minutes of February 21, 2024 Board Meeting

A meeting of the Lavaca-Navidad River Authority Board of Directors was held on Wednesday, February 21, 2024 at 7:30 a.m. in the Board Meeting Room of the Lavaca Navidad River Authority Office Complex, 4631 FM 3131, located approximately seven (7) miles east of Edna, Jackson County, Texas off FM 3131 and was also available through video teleconference. Board members present were President Adelman, Secretary-Treasurer Storz, Directors Aimone, Kucera, Mitchell, Steffek, and Taylor. Also present was LNRA Staff: Brzozowski, Gregory, Anders, Hartl, Martin, Pearson, Terry, Sklar, and Crenshaw, Bill Dugat of Bickerstaff Heath Delgado Acosta LLP, and Cody Cockcroft and Jason Ward of Freese and Nichols. Stephen Phillips of Formosa Plastics and Sandy Johs, Board of Directors Vice President, joined the meeting via video teleconference.

President Adelman called the meeting to order.

Public Comments

There were no public comments.

General Manager's Report

- Update on Kaler Energy Corp oil and gas exploration
- Interruptible Water (4500 acre feet)
- Texas Water Conservation Association Annual Convention – March 6-8 – Lost Pines, Bastrop
- Personal Financial Statement due to Texas Ethics Commission by April 30, 2024
- Victoria Economic Development Corporation Meeting – 2/21/24- CEC
- Law Enforcement Training in O&M M Meeting Room – March 4-9, 2024
- HHRC Open House March 10th 2:00-4:00
- Discussion on CEC future amphitheater, planning and cost estimates
- 2024 Wildlife Management Project complete

Consent Agenda

President Adelman called for questions or comments to the Consent Agenda items as follows:

1. Consider approval of Board meeting minutes of January 17, 2024 and act as necessary.
2. Consider acceptance of January 2024 financial statements and act as necessary.
3. Consider approval of invoices for payment and act as necessary.

Director Taylor asked that a correction be made to the minutes to include an omitted Director's name.

Director Taylor moved to approve the Consent Agenda items 1-3 with correction to be made in the meeting minutes as noted. Director Mitchell seconded the motion. Motion carried.

Regular Agenda

LNRA Board Policy 305 – Information Technologies

Brzowski briefed the Board on the revisions to LNRA Board Policy 305, Information Technologies and related IT Policy and Procedures Manual, IT Strategic Plan, and IT Incident Response Plan. The Board was presented with copies of the documents for their review.

Director Storz moved to approve LNRA Board Policy 305, Information Technologies and associated Manual and Plans as presented. Director Steffek seconded the motion. Motion carried.

Airboat Aquatic Vegetation Spraying

Brzowski informed the Board that bids were solicited for an Airboat Aquatic Vegetation Spraying. Two (2) bids were received as follows:

<u>Bidder</u>	<u>Mobilization</u> (price for moving equipment to and from designated spraying areas) Per Event	<u>Herbicide Application</u> (herbicides to be provided by the Authority) 150 hours	<u>Per Diem</u> (food/lodging) Per Boat/Per Day	<u>Contractor’s estimated treatment rate</u> (acres/hour)
Lochow Ranch Pond & Lake Management 8745 N. State Highway 6 Bryan, Texas 77807 Wade Breaux	\$ 250.00	\$165.00 Per Hour (hourly for 1 boat) Total: \$ 24,750.00 Total for 2 boats: \$49,500.00	5 days \$150.00 (per boat/per day) Total: \$750.00	3.25 acres/hour
SprayCo P.O. Box 920725 Houston, Texas 77292 Emily Griffith	\$ 200.00	\$ 300.00 Per Hour (hourly for 2 boats) Total: \$45,000.00	5 days \$100.00 (per boat/per day) Total: \$ 500.00	3.0 acres/hour

The General Manager recommends accepting the low bid from SprayCo as presented.

Director Aimone moved to approve the bid from SprayCo as recommended by the General Manager. Director Kucera seconded the motion. Motion carried.

Proposed Reserve Contingency Expenditures

Brzozowski informed the Board of the proposed Reserve Contingency Fund expenditures as follows:

Recreation

<i>Brackenridge Park</i>	
Pet Waste Stations	\$ 2,500.00
<i>Harry Hafernick Recreation Center</i>	
HHRC Office Chairs	\$ 1,800.00
<i>Main Event Center</i>	
Red Clay Footing	\$ 15,000.00
Replacement of poly panels for stalls	\$ 10,000.00
Stanchion Racks	\$ 4,000.00
10' Priefert Utility Panels	\$ 3,300.00
25 Lifetime Tables and 48 Folding Chairs	\$ 4,000.00

Vehicle and Equipment

Genie Telehandler Repairs	\$ 8,000.00
Towable Portable Diesel Generator	\$ 45,000.00
48 kw Propane Generator	\$ 18,000.00
Building with cement slab for housing generator	\$ 28,000.00

In accordance with LNRA BOARD POLICY 304 – Procurement, bids are solicited for proposed expenditures as applicable.

Director Taylor moved to approve the proposed reserve contingency expenditures as presented. Director Mitchell seconded the motion. Motion carried.

LRWPG Contract Amendment No.3

Brzozowski briefed the Board on Amendment No. 3 to Agreement for Engineering Services 2026 Regional Water Plan for the Lavaca Regional Water Planning Area (Region P) between LNRA and Black and Veatch. This Amendment reflects the commitment of additional funds by the Texas Water Development Board. The increased amount of \$150,966 brings the total committed funds amount to \$ 354,132.

The Board was presented with a copy of Amendment No. 3 for their review.

Director Steffek moved to approve Amendment No. 3 to Agreement for Engineering Services 2026 Regional Water Plan for the Lavaca Regional Water Planning Area (Region P) between LNRA and Black and Veatch. Director Aimone seconded the motion. Motion carried.

Dam Safety Project for Relief Well Design

Brzozowski informed the Board that given the level of detail now available and new knowledge and understanding coming from the field work and other data collection and analysis, Freese and Nichols (FNI) has examined what the life cycle maintenance costs might be and opted to develop a third mitigation method.

This “new” method would call for the construction of a relatively massive, drained filter that would be built on top of and overlay the east drain below the drop structure and be extended to the southwest a considerable distance downstream. The “considerable distance downstream” approach would be incorporated to encapsulate a couple of other potential dam safety situations that have been monitored over time.

Cockcroft briefed the Board on the third mitigation method in detail.

FNI and LNRA have met at length to discuss the pros and cons of the third approach. After further study, recommendations will be brought to the Board at a future meeting.

East Delivery System Pipeline Relocation Project

Brzozowski briefed the Board as follows:

- Constructing floor slabs for valve vaults at Stations 30+50 and 33+25.
- Continuing to install combination air release valves along the 36” and 57” pipelines.
- Installing anode test station at Station 75+00.
- Performing additional deflection measurements on the 57” pipeline since some of the original deflections didn’t meet the specifications in the plans.
- Working through the planning process with Freese and Nichols, Formosa, and McKee to prepare for switching over the pipelines from original construction to new construction.
- Freese and Nichols supplied as-built elevations of the pipeline profiles/vertical alignment. Upon review, it was “discovered” that the minimum burial depth to the top of the pipe does not meet our 60” minimum burial depth shown in our easements.
- LNRA is working with FNI to determine how this will be resolved.

Lake Texana Yield Enhancement Project

Brzozowski briefed the Board as follows:

- TCEQ issued a second draft of the draft permit and public notice for our review.
- The Commission staff accepted LNRA’s recommended changes to the first draft, so our review was shortened.

- LNRA responded on February 14th.
- LNRA has requested that TCEQ advise LNRA on the schedule for public notice.

Briefing on Water Supply Needs, Strategies for Development of Lake Texana Yield Enhancement Project, and the Purchase and Sale of Water as these relate to Local Industrial Development

Discussion of the Evaluation of the LNRA General Manager

President Adelman declared the Board to convene in Executive Session as authorized by Texas Government Code, Chapter 551.071, Consultation with Attorney, Chapter 551.072, Deliberations about Real Property, and Chapter 551.074, Personnel Matters at 8:41 a.m.

Executive Session ended at 9:49 a.m. and President Adelman declared the full Board to be in Open Session.

Director Kucera moved to approve an annual salary increase of 4% and to award a bonus to the General Manager of the FY2024 budgeted Performance Incentive of \$20,000, and the use of an LNRA vehicle. Director Taylor seconded the motion. Motion carried.

The Board meeting adjourned at 9:51 a.m.

Jerry L. Adelman
President

Jennifer Storz
Secretary-Treasurer