

## **Lavaca-Navidad River Authority**

### **Minutes of February 19, 2025 Board Meeting**

A meeting of the Lavaca-Navidad River Authority Board of Directors was held on Wednesday, February 19, 2025 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, and was also available through video teleconference. Board members present were President Adelman, Vice President Johs, Secretary-Treasurer Storz, and Directors Aimone, Churan, Kucera, Mitchell, and Steffek. Also present was LNRA Staff: Brzozowski, Gregory, Anders, Hartl, Martin, Terry, Sklar, and Crenshaw. Also present was Emily Rogers of Bickerstaff Heath Delgado Acosta LLP and Jason Ward of Freese and Nichols. Cody Cockcroft and Joshua Watson of Freese and Nichols, and Amy Blanchett of Formosa Plastics Corporation joined the meeting via video teleconference.

President Adelman called the meeting to order.

### **Public Comments**

There were no public comments.

### **General Manager's Report**

- Texas Water Association Annual Convention – March 5-7 - Austin
- Archery Venue Update Opening April 1st
- Personal Financial Statement due to Texas Ethics Commission by April 30, 2025
- Dinner honoring Terri Parker – February 20<sup>th</sup>
- Engagement with Claudia Russell, Bickerstaff Heath Delgado Acosta LLP
- Repatriations of human remains
- TWA Bill Updates
- West Storage Building completed
- Recreation Jumping Pillows
- Interpretative Signage in Recreation
- Board Photographs to be rescheduled

### **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 15, 2025 and act as necessary.
2. Consider acceptance of January 2025 financial statements and act as necessary.
3. Consider approval of invoices for payment and act as necessary.

Director Churan moved to approve the Consent Agenda items 1-3 as presented. Director Steffek seconded the motion. Motion carried.

**Regular Agenda**

**Proposed Reserve Contingency Fund Reallocations**

Brzowski briefed the Board on the proposed Reserve Contingency Fund Reallocations. The Board was presented with a copy of the proposed reallocations for their review.

Director Kucera moved to approve the proposed Reserve Contingency Fund Reallocations as presented. Director Churan seconded the motion. Motion carried.

**Proposed Reserve Contingency Fund and Environmental Recreation Fund Expenditures**

Brzowski briefed the Board on the proposed Reserve Contingency Fund and Environmental Recreation Fund expenditures as follows:

Vehicle and Equipment Replacement

Purchase of Schulte 15' Batwing Shredder \$ 45,852.74

*Main Event Center*

Sound System Replacement \$ 225,000.00

Funds are available in Reserve Contingency Fund (\$50,000) and Environmental Recreation Fund (\$175,000)

*Texana Park*

Refurbish Comfort Station #6 and #7 \$ 30,000.00

Estimate includes lumber, paint, paint labor, mirrors, doors/hardware, electrical, water fountain/plumbing, Formica, and roof replacement of #7

*Brackenridge Park*

Replace refrigerator in Cabin #4 \$ 900.00

In accordance with LNRA BOARD POLICY -304- PROCUREMENT, bids were solicited for proposed expenditures as applicable.

Director Steffek moved to approve the proposed Reserve Contingency Fund and Environmental Recreation Fund expenditures as presented. Director Storz seconded the motion. Motion carried.

**Civil Corp LL Proposal for Professional Surveying Services**

Brzowski briefed the Board on the Civil Corp LLC proposal and Scope of Work for LNRA's annual horizontal and vertical deflection survey of the Dam and Spillway and associated concrete structures. The scope of work also includes an aerial survey of the sluff areas along the East Drain upstream off FM 3131. The proposal is not to exceed a total amount of \$45,510.11 and funds are in the general fund budget.

The Board was presented with a copy of the proposal and scope of work for their review.

Director Johs moved to approve the Civil Corp LLC proposal not to exceed the amount of \$45,510.11 as presented. Director Mitchell seconded the motion. Motion passed.

### **Interlocal Agreement between LNRA and Jackson County**

Brzowski briefed the Board on the proposed Interlocal Agreement between LNRA and Jackson County. As previously discussed, to address drainage issues associated with Cox Creek and Keller Creek, Jackson County contracted with Scheibe Consulting to study Cox Creek and Keller Creek and develop a drainage master plan for these watersheds. The project is being funded by FEMA, through the Texas Water Development Board, with a 10% match from Jackson County.

Jackson County has requested that LNRA participate as a funding stakeholder in this study. LNRA's pro-rata share is \$9,000. Funds are available in the General Fund Budget.

The Board was presented with a copy of the correspondence from Judge Sklar requesting LNRA's participation as a funding stakeholder in the drainage study and a copy of the proposed Interlocal Agreement.

Director Mitchell moved to approve the proposed Interlocal Agreement between LNRA and Jackson County as presented. Director Churan seconded the motion. Motion carried.

### **Authorization of Temporary Delivery of LNRA Water from Formosa to City of Corpus Christi**

Brzowski informed the Board that the City of Corpus Christi is experiencing a severe dry period and has issued a Level III drought restriction in their service area. The City has asked LNRA to use a portion (up to 10,000 acre-feet) of the unused volume of water in Lake Texana currently contracted by Formosa Plastics.

Formosa Plastics has tentatively agreed to a temporary transfer of this volume of contracted water supply to the City. LNRA has prepared a draft contract between Formosa Plastics and the City and have met with both parties.

The title to the water supply rests with LNRA until it passes the designated metering location, therefore LNRA needs to approve the temporary transfer of the water supply from Formosa to the City.

Director Mitchell moved to approve the temporary delivery of LNRA water from Formosa Plastics to the City of Corpus Christi. Director Aimone seconded the motion. Motion carried.

### **Menefee Cemetery Located on LNRA Property**

Brzowski informed the Board that LNRA's intends to replace and upgrade fencing surrounding the Menefee Cemetery on LNRA property. There have been claims of burial sites outside the current fenced area.

LNRA has worked cooperatively and independently with the Menefee family and the Texas Historical Commission to determine the method to detect burials and who would be approved to perform the work. Bill and Linda Reaves have identified a suitable contractor to perform the investigation using ground penetrating radar. The company is a provider approved by the Texas Historical Commission.

LNRA has agreed to cost-share for the expense of the work with the Menefee Cemetery Association, 50/50. The anticipated initial cost is \$2,565. If burial sites are identified, additional costs up to \$1,280 may be needed.

A copy of correspondence from Bill Reaves and the Project Bid is attached.

Director Storz moved to approve the financial support for the investigative work associated with the Menefee Cemetery located on LNRA property. Director Steffek seconded the motion. Motion carried.

### **LNRA Ordinance No. 1**

Brzozowski briefed the Board on the revision to LNRA Ordinance No. 1. The Board was presented with a copy of the revised Ordinance for their review.

Director Johs moved to approve the revision to the LNRA Ordinance No.1 as presented. Director Storz seconded the motion. Motion carried.

### **Calhoun County Navigation District Water Supply Contract**

Brzozowski informed the Board that the Water Supply Contract dated April 19, 1995, as amended on August 1, 1996, between LNRA and Calhoun County Navigation District (CCND), term will expire on April 19, 2025.

LNRA has worked with legal counsel to revise the document like our amended and restated contract with Inteplast Corporation.

The Board was presented a copy of the amended and restated water supply contract with CCND for their review.

Director Steffek moved to approve the amended and restated water supply contract with Calhoun County Navigation District as presented. Director Mitchell seconded the motion. Motion carried.

### **Briefing on Dam Safety Remediation Project**

The Board was presented with a copy of the Freese and Nichols Status Report.

Brzozowski reported to the Board as follows:

LNRA and FNI have worked through the 75% plan stage and are approaching 90% plans.

LNRA and TxDOT are to meet to determine a path forward on the road repairs/rehabilitation effort.

We are still on track to bid the work this Spring.

### **Briefing on East Delivery System Pipeline Relocation Project**

The Board was presented with a copy of the Freese and Nichols Status Report.

LNRA has received Freese and Nichols Affidavit of Payments of Debts and Claims, Affidavit of Release of Liens, and Consent of Surety to Final Payment. Upon receipt of final invoice and payment by LNRA, a cost breakdown of expenditures will be forwarded to TxDOT along with a refund of overpayment if the actual cost is less, and the executed Quit Claim Deeds for recording.

**Briefing on Lake Texana Yield Enhancement Project**

The Board was presented with a copy of Freese and Nichols Status Report.

FNI is preparing to gather field data to support the study/investigation on the diversion dam. LNRA is communicating with local landowners on access to the river to support the study.

We have received and reviewed a draft of the “Conceptual Mitigation Plan” for the off-channel reservoir project.

**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 551.074, Personnel Matters at 8:46 a.m.

Executive Session ended at 9:20 a.m. and President Adelman declared the full Board to be in Open Session.

Director Steffek moved to approve an annual salary increase of 4% and to award a bonus to the General Manager of the FY2025 budgeted Performance Incentive of \$20,000.

Director Johs stated that the Board’s decisions were based on the following positive evaluation:

Brozowski’s service toward the continuing success of the Lavaca-Navidad River Authority exceeded all expectations in 2024. His unfaltering dedication to the organization and its staff led to the completion of major projects including the East Delivery System Pipeline Relocation Project as well as the recoating of the Bay City Pump Station. Additionally, major progress was made related to the Dam Safety Remediation venture and the Long-Term Yield Enhancement and Off-Channel Reservoir project. Brzozowski continues his history of thoughtful and intentional decision making. As a result of his proven commitment and devotion to his community, he persists in seeking every opportunity to maintain the Lavaca-Navidad River Authority’s position as a leader in local conservation efforts, model stewardship of the area’s natural resources, and pursuit and encouragement of regional economic development.

Director Storz seconded the motion. Motion carried.

The Board meeting adjourned at 9:23 a.m.

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Jerry L. Adelman  
President

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Jennifer Storz  
Secretary-Treasurer