

Lavaca-Navidad River Authority

Minutes of November 20, 2024 Board Meeting

A meeting of the Lavaca-Navidad River Authority Board of Directors was held on Wednesday, November 20, 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, 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 Bill Dugat of Bickerstaff Heath Delgado Acosta LLP, Cody Cockcroft and Jason Ward of Freese and Nichols, Jack Wu of Formosa Plastics Corporation., and Peter Zaroni, Drew Molly, Nick Winkelmann, and Esteban Ramos of City of Corpus Christi. Emily Rogers of Bickerstaff Heath Delgado Acosta LLP joined the meeting via video teleconference.

President Adelman called the meeting to order.

Public Comments

There were no public comments.

General Manager's Report

- New Board Member – Bryan Churan
- Update on water pipeline leak detection inspection by Xylem
- FM 3131 Closure
- Update on Spooktacular Trail and Carnival
- Update on Texana Chili Spill Week
- RSM Fiscal Year 2024 Audit
- Visit by City of Corpus Christi City Manager Peter Zaroni and City staff
- Sunset Commission Uniformity Study

Consent Agenda

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

1. Consider approval of Board meeting minutes of October 16, 2024 and act as necessary.
2. Consider acceptance of October 2024 financial statements and act as necessary.
3. Consider approval of invoices for payment and act as necessary.
4. Consider approval of proposed budget amendment and act as necessary.

Director Steffek moved to approve the Consent Agenda items 1-4 as presented. Director Mitchell seconded the motion. Motion carried.

Regular Agenda

Capital Improvement Fund Expenditure for Desktop Refresh

Brzozowski informed the Board that LNRA has implemented a five-year cycle for refreshing desktop computers. To ensure the best fit for company-wide needs, LNRA IT conducted a thorough assessment of current usage and identified specific requirements. These requirements were shared with three vendors to obtain competitive bids for the replacement. LNRA collaborated closely with each vendor to find the most suitable option aligned with LNRA’s operational needs.

Bids were received from the following:

Fit Solutions	\$120,281.89
Dell Direct	\$108,520.26
Synergisdic	\$100,109.37

LNRA Management recommends accepting the bid from Synergisdic for \$100,109.37. Funds are available in the capital improvement fund.

Director Storz moved to approve the bid from Synergisdic as recommended by the LNRA Management and associated capital improvement fund expenditure as presented. Director Steffek seconded the motion. Motion carried.

Capital Improvement Fund Expenditure for Spillway Instrumentation

Brzozowski informed the Board that as part of the dam safety remediation project, Freese and Nichols and LNRA have planned to install eight (8) new instrument locations (10 total instruments) using the newly drilled boreholes from our latest geotechnical data collection effort.

LNRA staff will procure and install the new instruments and associated conduit and cabling. LNRA is also charged to transmit the collected data via radio. In addition to the new locations, FNI has also requested LNRA tie-in and automate several existing instruments under this same effort.

The expected cost for the equipment is \$22,000, since there are several unknowns for the installation, the General Manager recommends approving up to \$30,000 towards this project.

Director Aimone moved to approve capital improvement fund expenditure up to \$30,000 for spillway instrumentation upgrades as presented. Director Johs seconded the motion. Motion carried.

Revised LNRA IT Policy 1100, Prohibited Technologies Security Policy

Brzozowski informed the Board that in accordance with SB 1893, which prohibits the use of TikTok and certain other social media applications and services on governmental devices, LNRA developed a Policy and was approved by the Board in September 2023. The bill specifically requires political subdivisions to adopt a policy: (1) prohibiting the installation of TikTok or another covered application on any device owned or leased by the governmental entity; and (2) requiring the removal of covered applications from those devices.

The Department of Information Resources (DIR) and the Department of Public Safety (DPS) jointly developed a model policy for governmental entities to use in developing their own local policy and was released on

September 16, 2024. Governmental entities have until November 20, 2024 to adopt their local policies required by SB 1893.

The Board was presented with a copy of the revised and redlined LNRA IT Policy 1100, Prohibited Technologies Security Policy, to comply with SB1893 and to further clarify and detail information in the Policy.

Director Johs moved to approve the revised IT Policy 1100 as presented. Director Steffek seconded the motion. Motion carried.

LNRA Professional Provider List

In accordance with LNRA Bylaws, the General Manager reported on the performance of the professional services rendered to LNRA during the year as satisfactory.

The Board was presented with a copy of the LNRA Professional Services List.

Director Aimone moved to approve the LNRA Professional Services List as presented. Director Kucera seconded the motion. Motion carried.

Freese and Nichols Task Authorization for General Professional Dam Safety Services

The Board was presented with a copy of the proposed Freese and Nichols Task Authorization for FY 2024-2025 General Professional Dam Safety Services and associated Scope of Work, including deliverable and project schedule in the amount of \$125,000.00. The Task Authorization shall be in effect through September 30, 2025.

Director Mitchell moved to approve the FNI Task Authorization for FY 2024-2025 Dam Safety Services as presented. Director Storz seconded the motion. Motion passed.

Briefing on Proposed Concessionaire Agreement with South Texas Archery

Brzozowski briefed the Board as follows:

South Texas Archery is a private, local business (archery retailer) who has opened their store in Edna. The business looking for a location to send customers to shoot. In addition, there has been conversation about hosting a 3-D archery venue.

LNRA has a shooting sports area and acreage to accommodate these activities.

The General Manager recommends developing an arrangement with STX. Plans are to utilize the area designated as “shooting sports” to develop a field archery area. A 3-D venue could be managed using the acreage adjacent to Simons Boat Ramp and Chris Janak Pavilion.

The General Manager will work on a draft agreement and bring to for the Board’s review and approval at a future Board meeting.

Quit Claim Deed with TxDOT

Brzowski briefed the Board on the required action to document the transfer of rights of way and acknowledgment of the abandonment of portions of LNRA's buried pipeline and appurtenances in place. The Quit Claim Deed was presented to the Board as agreed by TxDOT and LNRA.

Director Johs moved to approve the Quit Claim Deed with TxDOT addressing LNRA's abandonment and conveyance of easement to TxDOT as presented. Director Steffek seconded the motion. Motion carried.

Briefing on Dam Safety Remediation Project

Brzowski and Cody Cockcroft (Freese and Nichols) briefed the Board on the updates to the Dam Safety Remediation Project.

FM 3131 was closed to traffic November 11th to allow for the collection of geotechnical samples along the centerline of the dam through the limits of LNRA's upcoming dam safety remediation project, planned for 2025.

Once this new data is analyzed, Freese and Nichols (FNI) will incorporate any new understandings into the project design and are planning to provide bid documents by early 2025.

FNI and LNRA are making plans to visit a job site near Dallas where the deep trench procedure is being used to "shore-up" another dam structure. (December)

LNRA is working with TxDOT to determine what level of funding might be required to accommodate a TxDOT project to improve FM3131 through, and including, the limits of our remediation project. I have suggested we would participate in the funding as "aid-to-construction". Normally this would suggest an investment of 10% of the construction costs. This said we will see how far our \$1.1-million road repair allowance will take us in the conversation with TxDOT.

Briefing on East Delivery System Pipeline Relocation Project

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

Brzowski and Jason Ward (Freese and Nichols) briefed the Board as follows:

A project walkthrough was conducted with LNRA, Freese and Nichols, and the contractor, McKee Construction. A punch list was created, and the contractor is motivated to "check" the items off the list.

LNRA has communicated with the contractor and Freese and Nichols about liquidated damages. In the end, LNRA's actual "damage" will be any additional funding required to make FNI whole. LNRA's construction services agreement with FNI was exceeded. We are awaiting a not to exceed cost plus figure from FNI and plan to bring this to the Board's December meeting as an amendment to LNRA's work order with FNI for construction services.

Once the project is considered "complete" and the contractor and engineer paid, LNRA will do final accounting and work with TxDOT on any remaining project funding.

Briefing on Lake Texana Yield Enhancement Project

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

Brzozowski reported no update on the status of the permit since the last Board meeting. LNRA is awaiting word from TCEQ on the schedule.

Based on the General Manager's conversation with Freese and Nichols, they have developed a work order to evaluate a diversion on the Lavaca River without a diversion dam. This might be a December action item. We are reviewing the documentation and available funding.

Public Comments

Peter Zaroni, City of Corpus City Manager addressed the Board and introduced his staff; Drew Molly, Chief Operating Officer, Nick Winkelmann, Director of Water Systems, and Estaban Ramos, Water Resources Manager. Mr. Zaroni spoke of his appreciation for LNRA's services. He also spoke of the City's water sources today and plans for expansion to meet the City's future water needs.

Jack Wu, Formosa Plastics addressed the Board and expressed his appreciation for LNRA.

The Board meeting adjourned at 8:58 a.m.

Jerry L. Adelman
President

Jennifer Storz
Secretary-Treasurer