



Lavaca-Navidad River Authority

P.O. Box 429 Edna, Texas 77957

November 29, 2022

Jennifer Jones, Executive Director
Sunset Advisory Commission
PO Box 13066
Austin, Texas 78711-3066

Re: Lavaca-Navidad River Authority Response to Sunset Staff Report

Dear Ms. Jones:

We have reviewed the Sunset Staff Report on the Lavaca-Navidad River Authority, Upper Guadalupe River Authority, San Jacinto River Authority and Bandera County River Authority and Groundwater District, as submitted to the Sunset Advisory Commission (Commission). Based on our understanding gained through conversations with the Commission Staff (Staff) assigned to our review and from our internal discussions, the following are our comments on the Sunset Staff Report as it pertains to the Lavaca-Navidad River Authority (LNRA or Authority).

Generally, we consider the report to offer the reader a fair understanding of functions carried out by the Authority. Regarding our position on the Staff recommendations:

On Issue No. 1 Change in Statute; Regarding Commission Staff Recommendations of Standard Across the Board Changes to LNRA's Governing Law:

- 1.1 Regarding Public Membership on the Board:** *We concur this matter should be addressed in LNRA's Governing Law.*
- 1.2 Regarding Governors appointment of the presiding officer:** *We recognize the Governors authority, what has transpired to date with other River Authorities and will accept the Commissions' decision on this matter. It is our opinion that the Governor's appointment of the presiding officer of an appointed board takes from the function of the board as a governing body.*
- 1.3 Regarding Removal of a Board Member:** *We concur this matter should be addressed in LNRA's Governing Law*

- 1.4 Board Member Training:** *We concur this matter should be addressed in LNRA's Governing Law. While new board member orientation, including the subjects identified in the Staff Recommendation is already Standard Operating Procedure for LNRA, we encourage expansion of board training opportunities on issues of importance to the State.*
- 1.5 Separation of Duties of Board Members and Staff:** *We will accept the Commissions' decision whether or not it includes this matter in LNRA's Governing law. This Staff recommendation is clearly addressed in LNRA's By-Laws and LNRA Board Policy 103, Board Responsibilities. We ask that if this Staff recommendation is to be included in LNRA's Governing Law, that the language simply direct the Authority to adopt policy as such.*
- 1.6 Public Testimony:** *We will accept the Commissions' decision whether or not it includes this matter in LNRA's Governing law. This Staff recommendation is clearly already addressed in LNRA's By-Laws and LNRA Board Policy 104, Public Access and Public Input. Moreover, Texas Open Meetings Act Section 551.007(b) already directs LNRA to allow public testimony. We ask that if this recommendation is to be included in LNRA's Governing Law, that the language simply direct the Authority comply with current statute and adopt policy as such.*
- 1.7 Regarding Development and Maintaining of Complaint Procedures:** *We will accept the Commissions' decision whether or not it includes this matter in LNRA's Governing law. While LNRA receives few complaints, we concur that as a best management practice, LNRA should adopt and implement a formal complaint tracking system/process.*
- 1.8 Regarding Altering Board Member Terms to 4-years:** *We concur this matter should be addressed in LNRA's Governing Law, with the understanding being the change will align LNRA's Governing Law with current constitutional requirements.*
- 1.9 Regarding Amending LNRA's Sunset Review Date:** *While we now better understand the review process and the costs associated with the review, we will accept the Commissions' decision on the inclusion of LNRA in future reviews.*

On Issue No. 1, Management Actions

Management Actions 1.10,1.11,1.12,1.13,1.14; Regarding LNRA's Community Development Grant Program: *We agree with the Commission staff recommendation to adjust the procedures used to administer LNRA's Community Development Grant Program.*

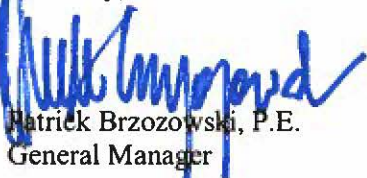
- *Through the review process, we have come to understand how LNRA's existing policy and procedures for the solicitation, review and award of grant funds might be questioned by someone that is unfamiliar with LNRA's grant program.*
- *LNRA will implement changes to our grant review committee operating procedures to eliminate the potential for member conflicts, adopt language aimed at improving the definition of grant project applications, adopt internal protocol to improve the documentation of grant project completion and grant recipient performance.*

Management Actions 1.15, Regarding Reserve Funds Balances: *We agree with the Staff recommendation to implement a reserve fund balance policy.*

- *LNRA Board of Directors will amend current LNRA Board Policy 401, Budget and Audit and will add language specifically stating the reserve fund balance figures that are to be achieved or maintained by management.*

We appreciate the opportunity to provide these comments on the Sunset Staff Report on the Lavaca-Navidad River Authority, Upper Guadalupe River Authority, San Jacinto River Authority and Bandera County River Authority and Groundwater District, as submitted to the Sunset Advisory Commission. We look forward to working on those issues that have been identified as being either a change in statute or management actions for the Lavaca-Navidad River Authority as we progress into the next phase of the review process.

Sincerely,



Patrick Brzozowski, P.E.
General Manager

cc: Jerry Adelman, LNRA Board President