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Didi Criley
COUNTY CLERK
VICTORIA COUNTY, TEXAS

NOTICE OF PUBLIC MEETING

NOTICE IS HEREBY GIVEN pursuant to Section 551.041 of the Texas Government Code, that the Navigation and Canal Commissioners of the VICTORIA COUNTY NAVIGATION DISTRICT (the "District") will meet on July 20, 2021 at 1:00 p.m. at the District's administrative office, located at 1934 FM 1432, Victoria, Texas.

The subjects of such meeting shall be:*

1. Approval of minutes of the meetings held June 15 and June 24, 2021.
2. To receive public comment (limited to three minutes per person).
3. To receive the following Staff and Committee reports:
 - A. Executive Director/Executive Committee - Business recruitment; development of the Port of Victoria North and South Industrial Sites; leases and contracts; federal, state, and local governmental affairs; rail issues; USACE update; upcoming Port and industry events; Port tenant updates; and, other related operational, administrative, and governmental matters.
 - i) To consider the appointment of Ashley Hernandez, Victoria County Tax Assessor-Collector, to calculate the effective tax rate for the District for 2021, and take appropriate action.
 - ii) To receive an update from Port Staff and resource team members related to the status of a proposed Zinc Resources, LLC electric arc furnace dust recycling project, including matters related to requested tax abatements for the project, community input, project-related due diligence activities, and the status of lease discussions and negotiations with the prospective tenant, and consider approval of an Option Agreement and accompanying Ground Lease between the District and Zinc Resources, LLC for the lease of approximately 25 acres within the Port of Victoria's North Industrial Site, and take appropriate action.
 - iii) To receive, review, and consider approval of a proposal from HDR Engineering, Inc., for performance of environmental assessment work at the Port of Victoria's North Industrial Site, inclusive of a Phase II Environmental Site Assessment, and take appropriate action.

Robby Burdge
Chairman

Byron Burris, II
Vice-Chairman

Donald Pozzi
Secretary

Annie L. Cullen
Commissioner

John H. Gilley, IV
Commissioner

Sean Stibich
Executive Director

Duane G. Crocker
Legal Counsel

VICTORIA COUNTY
NAVIGATION DISTRICT

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- iv) To receive, review and consider a proposed Memorandum of Understanding between the District and TNW Logistics Corporation for the development of a Marketing and Services Agreement between said entity and the District, and take appropriate action.
 - v) To receive, review, and consider approval of a proposed Easement/Permit Exchange Agreement between the District and current Port of Victoria customer Texas Flow Tankage, LLC, and take appropriate action.
 - vi) To receive, review, and consider issuance of a Rail Usage Permit to Texas Flow Tankage, LLC authorizing the use of a portion of the District's rail infrastructure currently under construction for loading/unloading operations by said entity, and take appropriate action.
 - vii) To receive, review, and consider approval of a proposal from HDR Engineering, Inc., for work associated with a proposed rail right-of-way project for rail access to the Port of Victoria's South Industrial Site, said work to potentially include right-of-way identification, landowner contact, property access, property assessment, and other related tasks, and take appropriate action.
 - viii) To receive, review, and consider a proposed agreement entitled "KM Facility Adjustment & Reimbursement Agreement" between the District, Kinder Morgan Tejas Pipeline, LLC, and Kinder Morgan Texas Pipeline, LLC, for work to be performed by Kinder Morgan to extend specified pipeline casing to accommodate the improvement and expansion of McCoy Road as part of the District's Rider 45 Project, and take appropriate action.
- B. Operations Manager - Activities and matters related to waterborne traffic activity; security matters; and, operations at the Port of Victoria.
- C. Finance Committee - Activities and matters related to financial results; investments; insurance; financial management issues; project financing; budgeting and tax rate analysis; and, financial audit process.
- i) Receipt of monthly financial reports and approve payment of accounts payable.
- D. Facilities Committee - Activities and matters related to the Channel to Victoria; capital and other projects; infrastructure, maintenance issues, infrastructure



planning; transportation issues; safety and security measures; and, other related engineering or environmental matters.

- i) To review and consider bids received in connection with the proposed Rider 38 Project for improvement of roadways at the Port of Victoria's North Industrial Site via the addition of queuing lanes and additional lighting, consult with the District's Engineer regarding the project and the bids received, and take further action as necessary, including authorizing the negotiation and/or award of a contract for the project.
- E. Advancement & Development Committee - Activities and matters related to public affairs; industry meetings; Port presentations; Port events; trade and new customer development activities; advertising and web activity; Foreign-Trade Zone; and, other related trade development or community relations matters.
- i) To receive a report from The Emmett Company regarding potential development of the Port of Victoria's facilities and properties, and strategic planning matters relating to the District.
 - ii) To receive an economic development report from representative(s) of the Victoria Economic Development Corporation (VEDC) and consider further action with respect to pending VEDC projects involving the Port of Victoria.
4. To receive the report of the District's Legal Counsel.
 5. To discuss the status of negotiations with potential customers of the Port of Victoria and consider approval of agreements relating to same.
 6. To discuss and deliberate the purchase, exchange or lease of property and other real estate matters, including requests for easements and/or permits.

WHEREFORE, this Notice is executed this 15th day of July, 2021 by the undersigned, hereunto duly authorized.

VICTORIA COUNTY NAVIGATION DISTRICT

By: */s/ Duane G. Crocker*
Duane G. Crocker, Legal Counsel

*Any item on this agenda may be discussed in executive session as authorized by Texas law.

