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VICTORIA COUNTY, TEXAS

NOTICE OF PUBLIC MEETING

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

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 November 09, 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 meeting held October 19, 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; real estate matters; federal, state, and local governmental affairs; rail issues; USACE matters and updates; upcoming Port and industry events; Port tenant/customer updates; and other related operational, administrative, and governmental matters.
 - i) To receive a presentation from the City of Victoria regarding a proposed Tax Increment Reinvestment Zone (TIRZ) for a portion of downtown Victoria.
 - ii) To receive, review and consider a proposed PPI increase to the District's current Tariff rates to be effective January 01, 2022, and take appropriate action.
 - iii) To receive, review and consider approval of a letter agreement with Union Pacific Railroad for pre-payment of estimated costs associated with its review of the proposed design and layout of the South Industrial Site Rail Build-Out Project, and take appropriate action.
 - iv) To receive, review and consider approval of an updated market services contract agreement with the Victoria Economic Development Corporation, and take appropriate action.
 - v) 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

VICTORIA COUNTY
NAVIGATION DISTRICT

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expansion of McCoy Road as part of the District's Rider 45 Project, and take appropriate action.

- vi) To receive, review, and consider a proposed pipeline easement with Kinder Morgan Tejas Pipeline, LLC for the construction of a natural gas pipeline across a portion of the Port of Victoria North Industrial Site to service the Zinc Resources, LLC facility, and take appropriate action.
- vii) To receive, review, and consider a proposed Memorandum of Understanding with NTE Clean Energy Partners, LLC for the potential development of a renewable electric generating facility on District property, 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 status and 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.
- ii) To review and consider proposed Budget Amendments to the District's adopted FY 2022 Budget, and take appropriate action.

D. Facilities Committee - Activities and matters related to the Channel to Victoria; capital and other projects; infrastructure, maintenance issues, infrastructure planning and development; transportation issues; safety and security measures; and other related engineering or environmental matters.

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, sale, exchange or lease of property and other real estate matters, including requests for easements and/or permits.

WHEREFORE, this Notice is executed this 4th day of November, 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.

