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MD  
Victoria 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 August 20, 2024, 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 July 16, 2024.
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, review, and consider approval of an Amendment to the December 06, 2022 Option Agreement between the District and First Ammonia, LLC, adding additional acreage included within the option granted, and take appropriate action.
    - ii) To receive, review, and consider approval of an Amendment to the November 16, 2022 Option Agreement between the District and Navitas Energy, LLC, revising the proposed Ground Lease subject to the option granted, and take appropriate action.
    - iii) To receive, review, and consider approval and ratification of a proposed "Subrecipient Agreement Amendment 02" to the District May 23, 2023 Subrecipient Agreement with Victoria County for administration of the County's American Rescue Plan funds contributed to the Port of Victoria South Industrial Site Rail Build-Out Project, and take appropriate action.
    - iv) To receive, review, and consider the approval and issuance of a proposed Access and License agreement, for specified acreage within the Port of Victoria North Industrial Site, to Victoria Clean Products, LLC, and take appropriate action.
    - v) To receive, review, and consider approval of a Plan Agreement with the Texas County & District Retirement System, to be effective January 01, 2025, for the establishment and administration of a retirement program for District employees, and take appropriate action.

Robby Burdge  
Chairman

Byron Burris, II  
Vice-Chairman

Annie L. Cullen  
Secretary

David Murphy  
Commissioner

John H. Gilley, IV  
Commissioner

Sean Stibich  
Executive Director

Duane G. Crocker  
Legal Counsel

VICTORIA COUNTY  
NAVIGATION DISTRICT

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- 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) To review the anticipated revenues and expenditures of the District and adopt a budget for the District's operating accounts and funds for FY 2025.
  - ii) To review tax calculations provided by Victoria County Tax Assessor-Collector Ashley Hernandez and consider adoption of a proposed maintenance and operations tax rate for 2024.
  - iii) To set a date(s) for any required public hearing(s) related to the proposed maintenance and operations tax rate for 2024.
  - iv) To receive the monthly financial reports of the District and approve accounts payable.
- 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.
- i) To receive, review, and consider proposed Change Order No. 1 to the District's contract with Industrial Rail & Civil Services, LLC for the construction of the Port of Victoria South Industrial Site Rail Build-Out Project, which will reallocate funds within the project budget to maximize the ARPA funds available for the project (a zero dollar change order), and take appropriate action.
  - ii) To receive, review, and consider proposed Change Order No. 2 to the District's contract with Industrial Rail & Civil Services, LLC for the construction of the Port of Victoria South Industrial Site Rail Build-Out Project, adding to the scope of work the placement of timber mats as temporary crossings to protect three (3) underground utility lines from the weight of heavy equipment at a cost of \$68,040, and take appropriate action.
  - iii) To receive, review, and consider approval of Department of the Army License No. DACW64-3-24-0062, replacing License No. DACW64-3-18-0006, and authorizing the Executive Director to execute any documents required for the acceptance of same, and take appropriate action.



- 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.
  - A. To receive an update and consult with the District's Legal Counsel on pending litigation matters related to the District's South Industrial Site Rail Build-Out Project.

WHEREFORE, this Notice is executed this 15th day of August, 2024, 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.

