

Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Jon Niermann, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

March 29, 2018

Mr. Greer Pagan  
Allen Boone Humphries Robinson, LLP  
3200 Southwest Freeway, Suite 2600  
Houston, Texas 77027-7537

Re: Galveston County Municipal Utility District No. 45; Application for Approval of \$6,275,000 Unlimited Tax Bonds, Third Bond Issue, 4.43% Net Effective Interest Rate, Series 2018; Pursuant to Texas Water Code § 49.181.  
TCEQ Internal Control No. D-12202017-027 (TC)  
CN: 604514943 RN: 107593709

Dear Mr. Pagan:

Enclosed for your review and consideration are (1) a copy of the Texas Commission on Environmental Quality's (TCEQ) initialed memorandum which constitutes the official TCEQ report on the referenced application, and (2) a copy of the associated draft order. After we receive your consent, we will finalize the order approving your application and submit it to the Executive Director for signature.

The Executive Director is authorized to sign the order on behalf of the Commission in accordance with Section 5.122 of the Texas Water Code and the TCEQ's rules. **Please e-mail the executed consent form to technical manager Bijaya Chalise at <[bijaya.chalise@tceq.texas.gov](mailto:bijaya.chalise@tceq.texas.gov)>. Please do not send additional copies via mail or fax. If the executed consent form is not received within 5 working days, the application for your district will be considered "contested" and finalization of the order could be delayed significantly.** After the Executive Director signs the order, the Chief Clerk's office will provide you with a signed copy.

If you request amendments to the memorandum, and/or draft order because of changes to your application or because you provide more information, additional time will be required to review the requested changes and modify the memorandum, and/or draft order. **This could result in significant delays for obtaining approval of your application.**

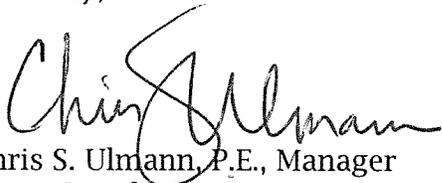
Mr. Greer Pagan

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If you have any questions, please contact Bijaya Chalise at (512) 239-4545 or by e-mail at <bijaya.chalise@tceq.texas.gov>.

Sincerely,



Chris S. Ulmann, P.E., Manager

Water Supply Division - Districts Section

Texas Commission on Environmental Quality

CU/bc

\_\_\_\_\_ I concur with the recommendations contained in the memorandum dated March 15, 2018, and the associated draft order.

\_\_\_\_\_ I intend to respond to the recommendations contained in the memorandum dated March 15, 2018, and the associated draft order.

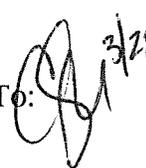
\_\_\_\_\_  
Signed

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

# Texas Commission on Environmental Quality

## TECHNICAL MEMORANDUM

To:  3/28/18  
Chris S. Ulmann, P. E., Manager  
District's Section  
Date: March 15, 2018

From:  3/15/18  
Bijaya Chalise  
Districts Creation Review Team

Subject: Galveston County Municipal Utility District No. 45; Application for Approval of \$6,275,000 Unlimited Tax Bonds; Third Bond Issue; 4.43% Net Effective Interest Rate; Series 2018; Pursuant to Texas Water Code § 49.181.  
TCEQ Internal Control No. D-12202017-027 (TC)  
CN: 602618498 RN: 104253042

### A. GENERAL INFORMATION

The Texas Commission on Environmental Quality (TCEQ) received an application from Galveston County Municipal Utility District No. 45 (District) requesting approval for the issuance of \$6,275,000 in unlimited tax bonds to finance the District's share of costs for the following projects:

- Land costs;
- Clearing and grubbing;
- State Highway 96 water crossing;
- TxDot ditch relocation; and
- Water, wastewater, and drainage facilities serving the following developments within the District:

<u>Development</u>	<u>Type of Development</u>	<u>Acreage</u>	<u>Active ESFCs</u> <sup>(1)</sup>	<u>Ultimate ESFCs</u>
Hidden Lakes, Section 4B	Single-Family	11.72	18	39
Hidden Lakes, Section 5B,	Single-Family	14.60 <sup>(2)</sup>	25	62
Hidden Lakes, Section 7B	Single-Family	20.87 <sup>(3)</sup>	2	30
Hidden Lakes Commons	Commercial	17.39	5	30
Hidden Lakes, Section 8B	Single-Family	8.77	0	24
Hidden Lakes, Section 9	Single-Family	13.51	0	46
Hidden Lakes, Section 10	Single-Family	29.79 <sup>(4)</sup>	0	59
Totals		116.65 <sup>(5)</sup>	50	290

- Note: (1) Equivalent Single-Family Connections (ESFCs) as of January 1, 2016, as stated in the engineering report.  
(2) Includes 2.52 acres of detention  
(3) Includes 9.25 acres of detention  
(4) Includes 5.82 acres of detention  
(5) Includes 17.59 acres of detention

The District's previous bond issue funded utilities to serve 640 ESFCs on 418.11 acres. Including this bond issue, the District will have funded utilities to serve 930 ESFCs on 517.17 acres. At ultimate development, the District is projected to serve 1330 ESFCs (revised from the previous bond issue) on 820.702 developable (915.302 total) acres.

## B. ECONOMIC ANALYSIS

### Tax Rate Analysis

The economic feasibility of this bond issue is based on no-growth to the estimated taxable assessed valuation (AV) of \$250,905,585 as of June 1, 2017. A market study has not been provided, and is not required since the feasibility of the proposed bond issue is based on no-growth.

According to a Galveston Central Appraisal District certificate, the District's June 1, 2017 estimated taxable AV is \$250,905,585. The annual debt service requirement for the proposed \$6,275,000 bond issue averages \$1,479,236 for the 29-year life of the District's bond debt. The District levied a maintenance tax of \$0.19 in 2017, and according to the engineering report, is projecting to levy a maintenance tax of \$0.10 in the future.

The District's financial advisor submitted a cash flow schedule considering the requested \$6,275,000 bond issue, no-growth to an estimated taxable AV of \$250,905,585 as of June 1, 2017, no capitalized interest, a 4.25% bond interest rate, a 3.0% bond discount rate, a collection rate of 100%, and a projected tax rate of \$0.62 per \$100 AV. The TCEQ's Districts Section's financial analyst has reviewed the financial information submitted and concluded that the following level debt service tax rates would be sufficient.

<u>Taxing Jurisdiction</u>	<u>Projected Tax Rate</u>
District	
Debt Service	\$ 0.62 <sup>(1)(2)</sup>
Road Service	\$ 0.07
Maintenance	\$ <u>0.10</u>
Subtotal	\$ <u>0.79</u>
City of League City	\$ <u>0.06</u> <sup>(3)</sup>
Total Taxes	\$ 0.85 <sup>(4)</sup>

- Notes: (1) Based on a net effective interest rate of 4.43%, a 100% tax collection rate, no-growth to an estimated taxable AV of \$250,905,585 as of June 1, 2017, and at least a 25% ending debt service fund balance.
- (2) The term "commission-approved tax rate" in 30 Texas Administrative Code (30 TAC) § 293.85 refers to an initial ad valorem debt service tax of \$0.62 per \$100 AV.
- (3) Represents the City of League City's drainage, park and recreational debt as represented in the engineering report. No portion of the City's tax is for water or wastewater and no portion is for drainage or park operations.
- (4) Represents the combined projected tax rate as defined by Title 30 TAC § 293.59(f).

### Additional Financial Comments

The District is exempt from the 75% and 25% built-out requirement of 30 TAC § 293.59(1)(4) and 293.59(k)(7), respectively, based on its combined no-growth tax rate of \$0.85 per \$100 AV being less than \$1.50 per \$100 AV pursuant to 30 TAC §§ 293.59(1) and 293.59(k)(11)(C).

### **C. ENGINEERING ANALYSIS**

#### Water Supply

Water supply for the District is provided by the City of League City (City) pursuant to the "Utility Agreement between Galveston County Municipal Utility District No. 45 and the City of League City, Texas" (Utility Agreement) dated December 3, 2003. The City's source of water is from a combination of existing wells and surface water from the City of Houston's Southeast Water Purification Plant and from the City of Dickinson's Thomas Mackey Water Purification Plant.

The District has no emergency interconnects.

The District's purchased water supply capacity appears adequate to serve the 1,054 ESFCs upon which the feasibility of this bond issue is based.

#### Wastewater Treatment

Wastewater treatment capacity for District customers is provided by the 12.0 million gallon per day (MGD) Dallas Salmon wastewater treatment plant (WWTP) owned and operated by the City pursuant to the Utility Agreement dated December 3, 2003. Texas Pollutant and Discharge Elimination System (TPDES) Permit No. WQ0010568005 authorizes the plant to discharge flow of 12.0 MGD.

The District's purchased wastewater treatment capacity appears adequate to serve the 1,054 ESFCs upon which the feasibility of this bond issue is based.

#### Storm Water Drainage

Storm water drainage for the District is provided by a network of internal collection facilities which outfall into detention facilities and ultimately empties into Gum Bayou, then to Dickinson Bayou and ultimately Galveston Bay.

Purchase of Existing Facilities and/or Assumption of Existing Contracts

<u>Project</u>	<u>Contractor</u>	<u>% Complete (Date)</u>	<u>Contract Amount <sup>(1)</sup></u>	<u>Amt. Subj. to Distr. Contrib.</u>
Hidden Lakes, Sections 4B & 5B - W, WW, & D	Clearwater Utilities, Inc.	100% (1/17)	\$931,912	\$838,942 <sup>(2)</sup>
Hidden Lakes, Section 7B - W, WW, & D	5787 Construction	100% (1/17)	\$482,949	\$462,855 <sup>(3)</sup>
Hidden Lakes Commons - W, WW, & D	Clearwater Utilities, Inc.	100% (10/15)	\$592,960	\$484,936 <sup>(4)</sup>
Clearing & Grubbing South Shore Blvd. Phase 1	D-Kon Construction	100% (7/05)	\$23,964	\$23,964
Clearing & Grubbing Phase 2	Cedar Ridge Excavation	100% (7/06)	\$411,420	\$135,731 <sup>(5)</sup>
S.H. 96 Water Crossing	Evenflow Services, LLC	100% (4/09)	\$94,363	\$83,145 <sup>(6)</sup>
TxDOT Ditch Relocation- F.M. 646 Commercial	SER Construction Partners, Ltd.	100% (9/09)	\$38,576	\$38,576
Hidden Lakes, Section 8B W, WW, & D	Bay Utilities, LLC	100% (6/17)	\$255,558	\$254,277 <sup>(7)</sup>
Hidden Lakes, Section 9 W, WW, & D	Bay Utilities, LLC	100% (4/17)	\$374,463	\$318,882 <sup>(8)</sup>
Hidden Lakes, Section 10 W, WW, & D	Bay Utilities, LLC	100% (7/17)	\$700,562	\$618,035 <sup>(9)</sup>

- Notes: (1) Based on original contract amount plus or minus change orders and final quantity adjustments.  
(2) Represents final contract amount \$931,912; less \$92,970 for items not used in project as stated in the application materials.  
(3) Represents final contract amount \$482,949; less \$20,094 for items not used in project as stated in the application materials.  
(4) Represents final contract amount \$592,960; less \$108,024 for ineligible items as deducted in the application materials.  
(5) Represents final contract amount \$411,420; less \$275,689 for ineligible items as deducted in the application materials.  
(6) Represents final contract amount \$94,363; less \$11,218 for change order as stated in the application materials.  
(7) Represents final contract amount \$255,558; less \$1,281 for items not used in project as stated in the application materials.  
(8) Represents final contract amount \$374,463; less \$55,581 for items not used in project as stated in the application materials.  
(9) Represents final contract amount \$700,562; less \$82,527 for change order as stated in the application materials.

March 15, 2018

Approved plans and specifications, preconstruction agreements, and various construction contract documents have been provided.

Facilities to be Constructed

None.

**D. SUMMARY OF COSTS**

<u>Construction Costs</u>	<u>District's Share</u> <sup>(1)</sup>
A. Developer Contribution Items	
1. Clearing & Grubbing - Phase 2	\$ 135,731
2. Hidden Lakes, Section 4B & 5B - W, WW, & D	838,942
3. Hidden Lakes, Section 7B - W, WW, & D	462,855
4. Hidden Lakes, Commons - W, WW, & D	484,936
5. Hidden Lakes, Section 8B - W, WW, & D	254,277
6. Hidden Lakes, Section 9 - W, WW, & D	318,882
7. Hidden Lakes, Section 10 - W, WW, & D	618,035
8. Engineering, Material, Testing & Surveying	<u>556,441</u>
<b>Total Developer Contribution Items</b>	<b>\$ 3,670,099</b>
B. District Items	
1. Clearing & Grubbing - South shore Blvd., Phase 1	\$ 23,964
2. S. H. 96 Water Crossing	83,145
3. TxDot Ditch Relocation	38,576
4. Land Cost - East Detention Basin	<u>1,446,610</u>
<b>Total Districts Items</b>	<b>\$ 1,592,295</b>
<b>TOTAL CONSTRUCTION COSTS</b> (83.86% of Bond Issue Requirement)	<b>\$ 5,262,394</b>
<u>Non-Construction Costs</u>	
A. Legal Fees (2.4%)	\$ 165,500 <sup>(3)</sup>
B. Fiscal Advisor Fees (2.0%)	125,500 <sup>(4)</sup>
C. Developer Interest	422,272 <sup>(5)</sup>
D. Bond Discount (3%)	188,250
E. Bond Issuance Expenses	29,121
F. Bond Application Report Cost	60,000
G. Attorney General's Fee (0.10% or \$9,500 max)	6,275
H. TCEQ Bond Issuance Fee (0.25%)	<u>15,688</u>
<b>TOTAL NON-CONSTRUCTION COSTS</b>	<b>\$ <u>1,012,606</u></b>
<b>TOTAL BOND ISSUE REQUIREMENT</b>	<b>\$ 6,275,000</b>

- Notes: (1) The District has requested a waiver of the 30% developer contribution requirement.  
(2) Represents the cost for 34.23 acres for three east side detention basins at a price of \$42,261.47 per acre (\$30,173.98 per acre plus \$6,773.85 interest per acre, plus \$5,313.64 taxes per acre), according to material provided.  
(3) Contract provided indicates fee to be 3% of the first \$3,000,000 of bonds issued, plus 2.5% of bonds issued between \$3,000,000 and \$5,000,000; plus 2% of bonds issued over \$5,000,000.  
(4) Contract provided indicates fee to be 2.0% of bonds issued.

- (5) Estimated at 4.25% and a funding date of April 3, 2018. The District has requested to reimburse more than two years of developer interest in accordance with 30 TAC § 293.50(b).

## **E. SPECIAL CONSIDERATIONS**

### **1. Waiver of 30% Developer Contribution and Market Study Requirements**

By board resolution, the District has requested a waiver of the 30% developer contribution requirement (30 TAC § 293.47), pursuant to 30 TAC § 293.47(a)(2), based on obtaining an acceptable credit rating on the bonds. By letter dated October 5, 2017, the District's financial advisor indicated that proposed bond issue expects to obtain an acceptable credit rating. Therefore, pursuant to 30 TAC § 293.47(a)(2) the requested waiver can be granted.

By board resolution, the District has requested a determination that the application be considered exempt from the market study requirement [30 TAC § 293.59(k)(10)] because the District is not projecting growth for bond issue feasibility. Since the feasibility of the bond issue is based on no growth, the application is exempt from the market study requirement.

### **2. Less than One Year Capitalized Interest**

In compliance with 30 TAC § 293.50(b)(2), the District has requested authorization to sell all the bonds with less than one year of capitalized interest. TCEQ staff is in receipt of the District's financial advisor letter dated October 5, 2017, stating concurrence with the District's request.

### **3. Developer Interest in Excess of Two Years**

In accordance with 30 TAC § 293.50(b), the District has requested that developer interest be accrued for a period in excess of two years for construction costs associated with projects contained in this bond issue and have less than one year of capitalized interest in accordance with 30 TAC § 293.50(b)(2).

A board resolution dated August 1, 2017, requesting such interest was submitted within the application and is on file. Pursuant to 30 TAC § 293.50(b)(2), the amount of accrued developer interest and capitalized interest, in the aggregate, does not exceed four years interest of the total bond issue. The total requested interest of \$422,272 is less than \$1,066,750 ( $\$6,275,000 \times 4.25\%/year \times 4 \text{ years}$ ), therefore, the District's request should be approved.

## **F. CONCLUSIONS**

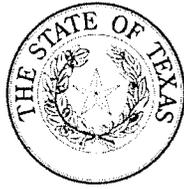
1. Based on \$100,500,000 (\$94,000,000 for utilities plus \$6,500,000 for recreational facilities) in unlimited tax bonds authorized by voters and \$18,975,000 in utility bonds previously approved by the TCEQ, the District has sufficient voter-authorized bonds (\$75,025,000) for the proposed utility bond issue.
2. Based on the review of the engineering report, plans, specifications, and supporting documents, the bond issue is considered feasible and meets the economic feasibility criteria established by 30 TAC § 293.59.

3. The recommendations are made under authority delegated by the Executive Director of the TCEQ.

**G. RECOMMENDATIONS**

1. Approve the bond issue in the amount of \$6,275,000, in accordance with the recommended summary of costs, at a maximum net effective interest rate of 4.43%. Further, direct that the bonds are to be sold only upon the District receiving an acceptable credit rating on the bonds as defined in 30 TAC § 293.47(b).
2. Grant a waiver of the 30% developer contribution requirement pursuant to 30 TAC § 293.47(a)(2), if the District obtains an acceptable credit rating on the bonds as defined in 30 TAC § 293.47(b)
3. The District's request to fund more than two years developer interest should be approved in accordance with 30 TAC § 293.50(b).
4. Standard recommendations regarding developer interest, consultant fees, surplus proceeds, time of approval, and bond proceeds fees apply.

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## AN ORDER APPROVING AN ENGINEERING PROJECT AND THE ISSUANCE OF \$6,275,000 IN UNLIMITED TAX BONDS FOR GALVESTON COUNTY MUNICIPAL UTILITY DISTRICT NO. 45

An application by Galveston County Municipal Utility District No. 45 (District) was presented to the Executive Director of the Texas Commission on Environmental Quality (TCEQ) for consideration of approval pursuant to TEX. WATER CODE §§ 5.122 and 49.181. The District requests approval of an engineering project and issuance of \$6,275,000 in bonds to finance: land costs; clearing and grubbing; State Highway 96 water crossing; TxDot ditch relocation; and water, wastewater, and drainage facilities serving single family residential in Hidden Lakes Sections 4B, 5B, 7B, 8B, 9, 10 and Hidden Lakes Commons commercial. The TCEQ has jurisdiction to consider this matter, and the following Findings of Fact and Conclusions of Law are appropriate after examining the application and supporting documentation.

### FINDINGS OF FACT

1. The District filed an application with the TCEQ on December 20, 2017 for approval of a proposed engineering project and the issuance of \$6,275,000 in bonds.
2. The Executive Director of the TCEQ has investigated the District.
3. The application and accompanying documents have been examined, and a written memorandum was prepared on the project dated March 15, 2018, a copy of which is attached and made a part hereof.
4. The District's project and the issuance of \$6,275,000 in bonds at a net effective interest rate of 4.43% to finance the project should be approved. Further, the District should be directed that the bonds are to be sold only upon the District receiving an acceptable credit rating on the bonds as defined in 30 TEX. ADMIN. CODE § 293.47(b).
5. The request for a waiver of the 30% developer contribution requirement should be granted pursuant to 30 TEX. ADMIN. CODE § 293.47(a)(2), if the District obtains an acceptable credit rating on the bonds as defined in 30 TEX. ADMIN. CODE § 293.47(b).
6. The request to fund more than two years developer interest should be approved in accordance with 30 TEX. ADMIN. CODE § 293.50(b).

7. The District should be directed not to purchase facilities or assume facility contracts from the developer until either (1) the TCEQ's Region office staff has inspected the project, and the District has received a Region office report with no deficiencies noted, for which approval is valid for 120 days from the date of the order approving the bonds; or, (2) if a Region office report indicates deficiencies, the TCEQ's Districts Section staff has received a request from the District and a Region office report, reviewed the contract administration, and given written authorization to finalize the purchase or assumption, either in accordance with 30 TEX. ADMIN. CODE § 293.69.

8. The District's Board of Directors should be directed to review to its satisfaction the detailed calculations of the developer's interest to ensure that the costs are authorized District expenditures and in accordance with 30 TEX. ADMIN. CODE § 293.50 before reimbursement to the developer is made.

9. The District should be advised that the legal, fiscal agent, and engineering fees have not been evaluated to determine whether these fees are reasonable or competitive. These fees are included as presented in the engineering report.

10. The District should be directed that any surplus bond proceeds resulting from the sale of bonds at a lower interest rate than that proposed shall be shown as a contingency line item in the Official Statement and the use of such funds shall be subject to approval pursuant to TCEQ rules on surplus funds.

#### CONCLUSIONS OF LAW

1. The TCEQ has jurisdiction to consider the engineering report and bond application pursuant to TEX. WATER CODE § 49.181.

2. The Executive Director of the TCEQ has investigated the District, and the TCEQ has found it legally organized and feasible.

3. The memorandum dated March 15, 2018, on this engineering project and bond issue should be adopted as the written TCEQ project report in compliance with TEX. WATER CODE § 49.181(d).

NOW, THEREFORE, BE IT ORDERED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY that the memorandum dated March 15, 2018 on this engineering project and bond issue are adopted as the written TCEQ project report. Pursuant to TEX. WATER CODE § 49.181, the engineering project for Galveston County Municipal Utility District No. 45 is hereby approved together with the issuance of \$6,275,000 in bonds at a net effective interest rate of 4.43%. Further, the District is directed that the bonds are to be sold only upon the District receiving an acceptable credit rating on the bonds as defined in 30 TEX. ADMIN. CODE § 293.47(b). The request for a waiver of the 30% developer contribution requirement associated with this bond issue is granted pursuant to 30 TEX. ADMIN. CODE § 293.47(a)(2), if the District obtains an acceptable credit rating on the bonds as defined in 30 TEX. ADMIN. CODE § 293.47(b). The request to fund more than two years developer interest is granted in accordance with 30 TEX. ADMIN. CODE § 293.50(b). The District is directed not to purchase facilities or assume facility contracts from developer until either (1) the TCEQ's Region office staff has inspected the project, and the District has received a Region office report with no

deficiencies noted, for which approval is valid for 120 days from the date of the order approving the bonds; or, (2) if a Region office report indicates deficiencies, the TCEQ's Districts Section staff has received a request from the District and a Region office report, reviewed the contract administration, and given written authorization to finalize the purchase or assumption, either in accordance with 30 TEX. ADMIN. CODE § 293.69. The District's Board of Directors is directed to review to its satisfaction the detailed calculations of the developer's interest to ensure that the costs are authorized District expenditures and in accordance with 30 TEX. ADMIN. CODE § 293.50 before reimbursement to the developer is made. The District is advised that the legal, fiscal agent, and engineering fees have not been evaluated to determine whether these fees are reasonable or competitive. These fees are included as presented in the engineering report. The District is directed that any surplus bond proceeds resulting from the sale of bonds at a lower interest rate than that proposed shall be shown as a contingency line item in the Official Statement and the use of such funds shall be subject to approval pursuant to TCEQ rules on surplus funds. The approval of the sale of these bonds herein shall be valid for one year from the date of this Order unless extended by written authorization of the TCEQ.

BE IT FURTHER ORDERED that pursuant to TEX. WATER CODE § 5.701, the District shall pay to the TCEQ 0.25% of the principal amount of bonds actually issued not later than the seventh (7<sup>th</sup>) business day after receipt of the bond proceeds. The fees shall be paid by check payable to the Texas Commission on Environmental Quality.

BE IT FURTHER that to enable the TCEQ to carry out the responsibilities imposed by TEX. WATER CODE §§ 49.181-182, the District shall: (1) furnish the TCEQ's Districts Section copies of all bond issue project construction documentation outlined under 30 TEX. ADMIN. CODE § 293.62, including detailed progress reports and as-built plans required by TEX. WATER CODE § 49.277(b), which have not already been submitted; (2) notify the TCEQ's Districts Section and obtain approval of the Texas TCEQ on Environmental Quality for any substantial alterations in the engineering project approved herein before making such alterations; and (3) ensure, as required by TEX. WATER CODE § 49.277(b), that all construction financed with the proceeds from the sale of bonds is completed by the construction contractor according to the plans and specifications contracted.

BE IT FURTHER ORDERED that failure of said District to comply with all applicable laws and with provisions of this Order shall subject the District and its directors to all penalties that are provided by law and shall further be considered by the TCEQ as grounds for refusal to approve other bonds of the District.

The Chief Clerk of the TCEQ is directed to forward the District a copy of this Order.

If any provision, sentence, clause, or phrase of this Order is for any reason held to be invalid, the invalidity of any portion shall not affect the validity of the remaining portions of the Order.

Issue Date:

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For the Commission